



UNIVERSITY OF  
ARKANSAS®

*Empowering Indian Country through economic development and greater food access*

# Cultivating Tribal Food Sovereignty:

A Call to Action for Food Systems Development and Resiliency

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# Agenda

About IFAI

Revealed Challenges

Issue Framing

Solutions

How Can We Help?





## Our Founding

- Establish in the Univ. of Arkansas School of Law in 2013 by:
  - Vice-Chancellor Stacy Leeds; and
  - Founding Director Janie Simms Hipp
- Moved with Vice-Chancellor Leeds to Office of Economic Development in July 2018

## Our Mission

Enhance health and wellness in tribal communities by advancing healthy food systems, diversified economic development, and cultural food traditions in Indian Country.







## *Putting Tribal Sovereignty in Food Sovereignty*

**We provide strategic legal analysis, policy research, and educational resources to empower Indian Country through food sovereignty, agriculture, and economic development.**



# Cultivating Tribal Sovereignty

## A Call to Action

**“We are not truly sovereign unless we can feed our people. Tribal Sovereignty is Food Sovereignty.”**



# COVID-19 Disruptions and Revelations:

*Crisis does not break things; it reveals what was already broken.*

With increased demand and strain on tribal food systems due to COVID-19 challenges, the weaknesses and deficiencies in these systems were revealed:

1. More people sought nutrition assistance (rates up to 100% increase of regular demand) due to unemployment from COVID closures.
2. Tribal food systems and supply chains disrupted
3. Delay in federal aid impacted ability of tribes to serve their populations
4. Limited infrastructure further compounded COVID exposure
  - Housing, Water/Utilities, Warehouses, Transportation



# Issue Framing

Where to start?



# Tribally-Specific Needs and Issues

The COVID-19 Crisis has further highlighted systemic challenges in Indian Country Food Systems:

1. Food Deserts/Lack of Retail Groceries
2. Need for local tribal production agriculture/tribal producers
3. Need for expanded existing operations
4. Need to increase market shares through value-added components
5. Deficient market access/undeveloped or underdeveloped markets
6. Lacking Infrastructure
7. Unreliable Supply Chains





# Collect Information

**Get a snapshot of the state of tribal affairs re agriculture & food systems:**

- Food Sovereignty Assessment Tool

- First Nations Development Institute
- [https://www.firstnations.org/wp-content/uploads/publication-attachments/2015\\_Food\\_Sovereignty\\_Assessment\\_Tool.pdf](https://www.firstnations.org/wp-content/uploads/publication-attachments/2015_Food_Sovereignty_Assessment_Tool.pdf)

- Survey

- Employee Feedback
- Community Feedback
- Inventory
- Elected Official Comments received from constituents

## Audit reports

- Nutrition programs
- Social Service programs
- Land Management programs

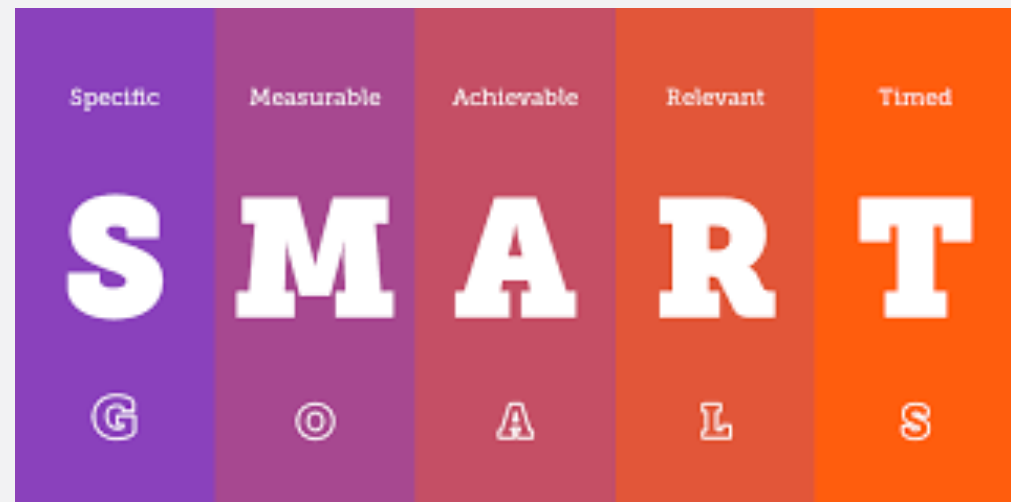


# Setting Goals

Determine desired outcomes

Goals for developing tribal food systems could include:

- Feeding Our People
- Generating Revenue
- Offset Costs for Other Operations
- Occupy Regulatory Space
- Put Land into Production





# Feeding People

## Expansion of Nutrition Programs

- Federal FDPIR/SNAP adoption expansion
- Tribal Nutrition Supplement
- Elder Meals, Onsite or Delivered

## Offering foods through tribal program

- Schools, Daycares/Head Starts
- Health, Community programs

## Hosting Tribal produce supplement

## Market Outlets

- Retail grocery
- Farmers Markets
- Cooperatives





# Generating Revenue

## Agribusiness Enterprises:

- Larger scale operations (revenue or size)
- Good for tribes with land resources, good labor pool, ability to fund startup that may operate at a loss in the beginning
- Operation manager/employee consistency
- Identified market for product sales
- Opportunity for value-added component
- Understanding regulatory components for specific production or operation
- Ability to compete
- Consider processing components over production activity

# Offsetting Costs

## Vertical Integration:

Agribusiness outputs may not be self-sustaining but should be considered if:

### Tribe is facing challenges of sourcing

- Unreliable deliveries
- Supply not available
- Quality/Freshness issues
- Cost

### Tribe has tourism component

- Display for visitors
- Seasonal markets

### Specific Demands

- Specialty products
- Surplus after provided service

### Land Use Limitations

- Location Challenges
- Water Scarcity
- Not enough acreage for break even
- Quality
- Environmental Considerations







# Self-Regulation/Preservation of Tribal Sovereignty

## Tribes set the rules!

- Preventing encroachment on sovereignty
- Occupying Regulatory Space
- Setting policies and preferences



# Solutions!

Through work in Indian Country Agriculture, IFAI has compiled suggestions for ways to make systemic changes in tribal communities and governments to support Food Sovereignty.

We are able to assist in the planning and implementation of all components of the suggestions made here and can provide assistance to tailor plans and proposals to the needs of each individual tribe.

- Tribal Departments of Agriculture
- Model Tribal Food and Agriculture Code
- Food Hubs/Tribal Co-operatives
- Value Added Opportunities
- AIARMA adoption and implementation
- Maximize existing infrastructure
- Youth Development
- Individual Producer Development



# Tribal Departments of Agriculture

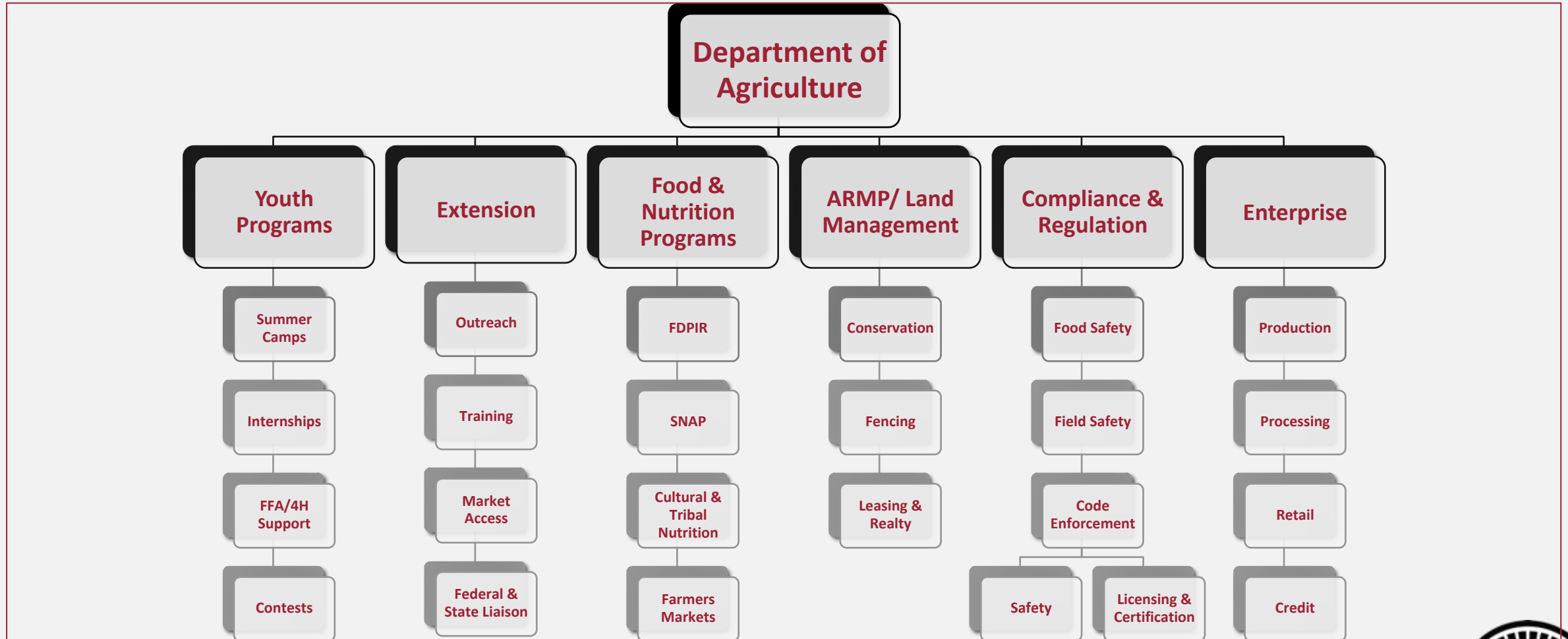
A Department of Agriculture is the house where tribal food sovereignty lives. What organizational structure best fits your tribe's needs?

- Professional Staff/Development
  - Youth Internship Programs
  - Professional Staff Sharing
- Retaining Institutional Knowledge
- Federal Grant/Funding recipient
- Oversight of programmatic activities
- 638 Self Administration Opportunities
- POINT OF CONTACT



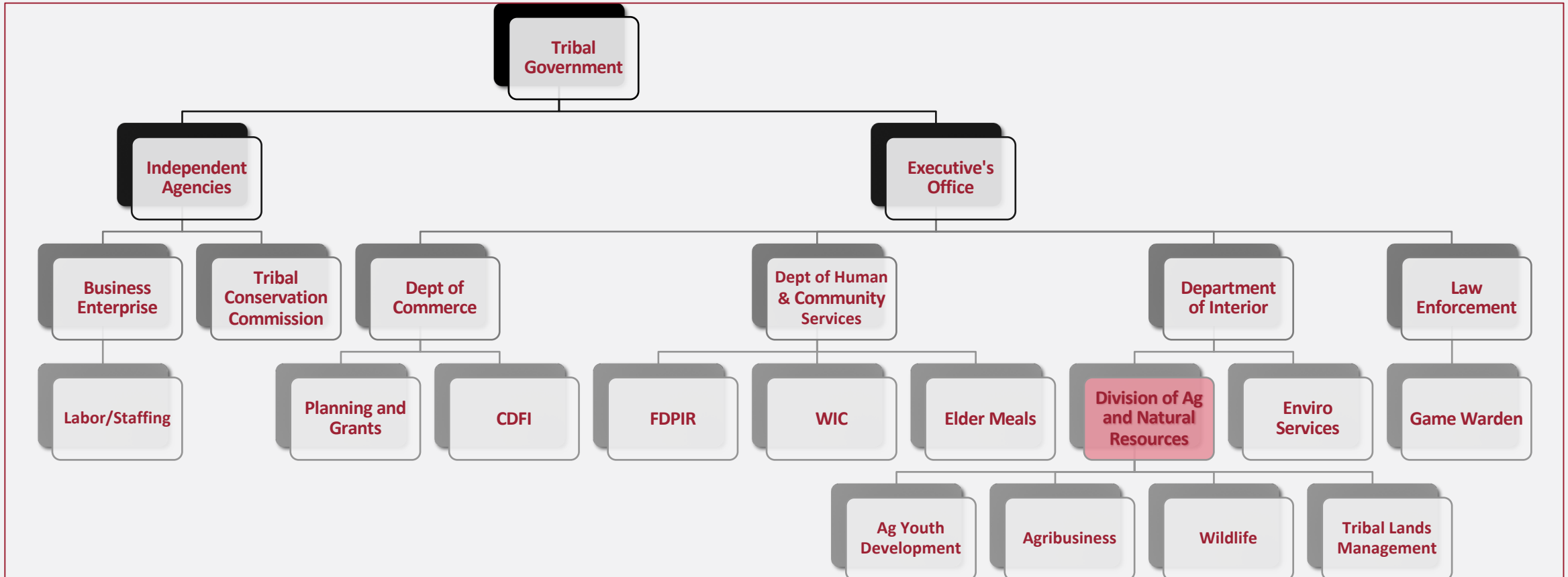
Photo by Nathan Lambrecht

# Department of Ag: Org Chart Example





# Department of Ag: Org Chart Example





# Regulatory Departments of Agriculture Promote Resource Allocation

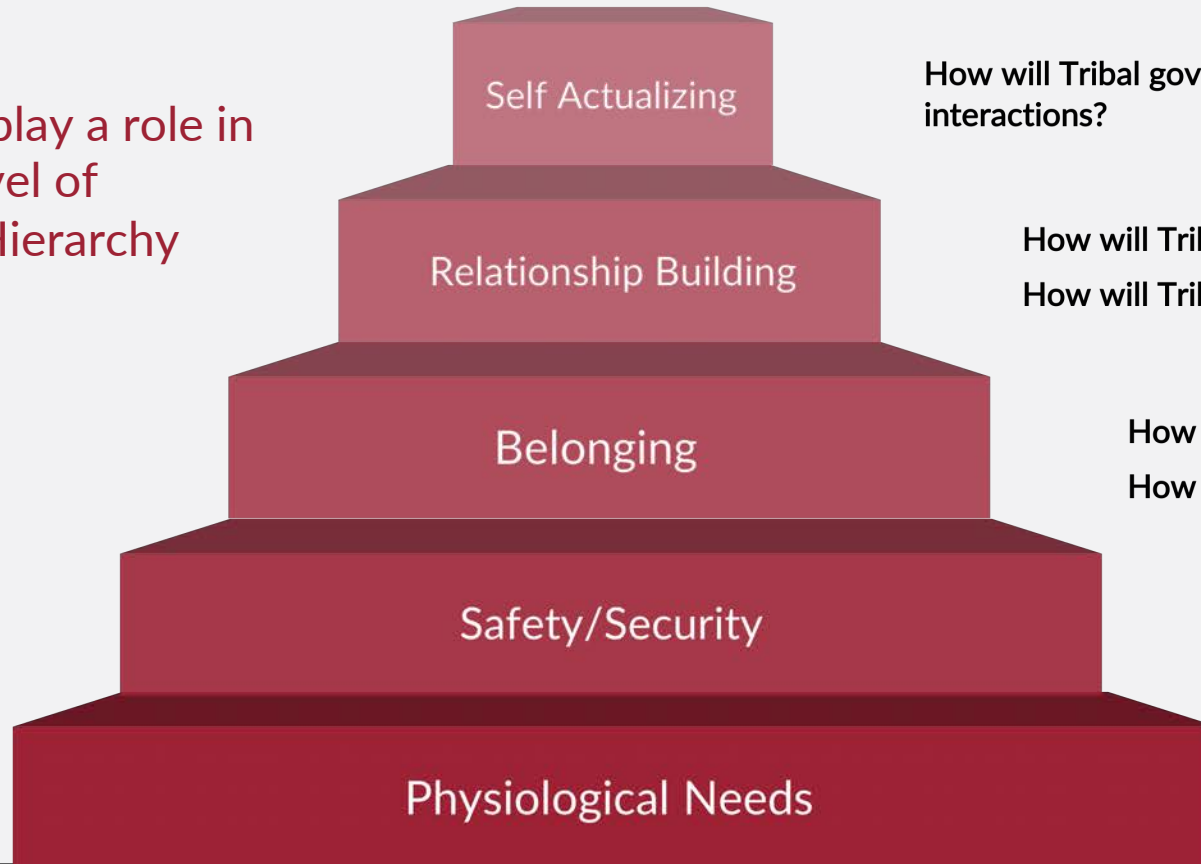
## Strengthens emergency management planning and implementation

- Connecting with local agriculture operations establishes a network of food growers
- Provides a centralized point of contact for third party assistance
- Establishes a single conduit of communication for disaster response
- Third-party interest in donating food and services
- Can encourage individual producers and other entities involved in agriculture and food supply systems to also plan for emergencies
- Individual plans
- Folding in partners in food chain systems in large scale emergency management



# Self-Actualization in Food Sovereignty

Governments play a role in each level of Maslow's Hierarchy



How will Tribal government regulate these interactions?

How will Tribal government leverage its resources?  
How will Tribal governments build partnerships?

How can Tribal citizens "buy in" to solutions?  
How will Tribal government engage its citizens?

How does the gov. respond to emergencies?  
How do Tribal citizens find employment?

How are needs provided for?  
Directly? Indirectly?

Tribal Departments of Agriculture can provide a centralized resource for providing technical assistance, direct services, and building connections with external partners.



# Cultivating Opportunities through Departments of Agriculture

## Departments of Agriculture Can Serve As...

### Source of Data Collection and Maintenance

- 2017 Census of Agriculture
  - USDA National Agricultural Statistics Service (NASS) collects confidential agriculture operation data
  - Data collected by state, county, Indian reservation every 5 years
- Building on the Food Sovereignty Assessment provides evidence for needs-based response

### Single Points of Contact for Information, Technical Assistance, and Resources

- Direct Tribal agricultural production to public and private resources
- Facilitate market opportunities
- Promote employment opportunities in Tribal, federal, and private sector



# Department of Agriculture: Staffing

## Hire Professionals and Skilled Employees

- Leadership with vision and execution
- Develop internal expertise
- Build institutional knowledge
- Recruit young graduates
  - Externships
  - Fellowship placements
- Staff to program goals
- Train current staff on desired skills
- Share professional staff with partners



# Department of Agriculture Funding

Tribal Departments of Agriculture can be designated recipients for targeted agriculture and/or natural resource program funding opportunities

- Federal Funding
  - Rural Development Grants
  - Conservation Program Benefits
  - Infrastructure
  - Environmental Assets
- External Funding
  - Private Grantmakers like NAAF, FNDI
  - Credit Opportunities
  - Capital Donations/Gifts





# Economic Development & Food Security Opportunities: 638 Authority at USDA

The 2018 Farm Bill for the first time extended "638" Tribal self-governance authority to USDA in the FDPIR program for food procurement.

## •FDPIR 638 Opportunity

- Enables Tribal Nations/ITO's to enter into self-determination contracts & procure food for FDPIR food packages.
- Opportunity to promote tribal sovereignty through food & help support local Tribal producers of foods—fresh fruits & veg, traditional food products
- Congress appropriated \$3 million for this demonstration project, available until FY21.
- USDA is still working on opening the application process for this.



# Model Tribal Food and Agriculture Code

[WWW.TRIBALFOODCODE.COM](http://WWW.TRIBALFOODCODE.COM)

- Establishing a Dept of Ag
- Traditional Foods/Seeds
- Health and Nutrition
- Animals and Livestock
- Animal Harvest and Sale of Meat
- Horses
- Land Use
- Agriculture and Food Safety
- Plant Production, Health, Sale of Produce
- Aquaculture
- Bees and Honey Production
- Agroforestry and Silviculture
- Trade and Marketing of Ag Products
- Liability
- Water
- Conservation
- Alternative Agriculture Production
- Ag Labor
- Ag Business Entities



# Model Tribal Food and Agriculture Code

- The most important consideration for in adopting a food and agriculture code is promoting and preserving tribal sovereignty.
- By adopting a food and agriculture code, a tribe can set its own standards and preferences regarding regulation and rulemaking.
- Preventing encroachment on tribal sovereignty by external governments or entities assures that tribal priorities are upheld, that cultural standards control and tribes are empowered in decision-making and self-determination.





# Occupying Regulatory Space: Food Safety Regulation

The Food Safety Modernization Act (FSMA) pushes food safety regulation onto the farm. Tribal Nations can occupy that space for their jurisdictions.



## Tribal Food Safety regulation

- Tribal Nations have been involved in food safety from time immemorial, and the Model Tribal Food & Agriculture Code positions Tribal Nations as the most appropriate government to shape food systems on Tribal lands—that includes food safety.
- Recognizing that Tribal Nations and AI/AN producers are already engaged in international food trade, the Code offers a harmonized FSMA approach so that producers have clarity and can easily access all available markets.
- Maintaining Tribal laws and regulations on food safety, especially around FSMA, sends a message to other regulators that the Tribe is occupying this space & Tribal laws should apply.
- Through a Tribal department of agriculture, Tribes can inspect & regulate food production/food business on Tribal lands.



# Food Hubs/Cooperatives

## Develop Market opportunities for tribal enterprise and local/tribal producers

- Tribal USDA Vendor contract with local subcontractors to meet volume demands
  - With MTFC regs, subs meet tribal safety requirements vs onerous USDA mandates
- Local/Regional Sourcing from tribal producers
  - FDPIR 638 Sourcing
  - Volume packaging for upstream supply chains





# Value Added Opportunities

- Processing/Packaging
  - Fresh produce packaging
  - Canning
  - Livestock processing
- Branding/Labeling
- Product Enrichment
- Vertical Integration
- Operation Diversification



# American Indian Agriculture Resource Management Act of 1993

*Pub. L. 103-177, Dec. 17, 1993, 107 Stat. 2011*

Intended to address the underserved nature of agricultural land in Indian Country by:

- Enhancing tribal producers' ability to grow crops and ag products;
- Affirming tribal sovereignty in the management and regulation of agricultural properties; and,
- Increasing educational opportunities for native students regarding natural resource management

**Tribal self-governance** approach to agriculture land management and ag land leasing –

- 1) protect and conserve lands for the highest productive potential;
- 2) increase production and expand diversity of ag, income, employment, and subsistence;
- 3) consistent management with integrated resource management plans;
- 4) providing technical assistance, training, and education;
- 5) promote self-sustaining communities; and
- 6) assist trust and restricted Indian landowners in leasing their land for a reasonable annual return consistent with prudent management and conservation practices.



# AIARMA

C) Whether developed directly by the tribe or by the Secretary (of Interior), the plan shall—

- (i) determine available agriculture resources;
- (ii) identify specific tribal agricultural resource goals and objectives;
- (iii) establish management objectives for the resources;
- (iv) define critical values of the Indian tribe and its members and provide identified holistic management objectives;
- (v) identify actions to be taken to reach established objectives;
- (vi) be developed through public meetings;
- (vii) use the public meeting records, existing survey documents, reports, and other research from Federal agencies, tribal community colleges, and land grant universities; and
- (viii) be completed within three years of the initiation of activity to establish the plan.



# Use of existing resources

## Build from what you have

- Facilities
- Regular gatherings/events
- Information Technology
- Production Facilities
- Land Base
- Existing Staff
- Knowledge





# Youth & Individual Producer Development

## Youth Programs

- Curriculum
- Internships
  - Summer Youth Work
  - College Internships
- Sponsorships
  - Livestock
  - Contests
  - Travel
- FFA/4H Support
- All Indian Livestock Shows
- Hosted Competitions

## Individual Producer Development

- Training
  - Recordkeeping
  - Safety Certifications
- Land Leasing/Acquisitions Assistance
- Extension Supports
  - Point of Contact
  - On Site Assistance
- Information Sharing
- Compliance Assistance
- Access to Credit
- Generational Planning



# How IFAI Can Help

- Planning
- Goal Setting
- Funding opportunity information
- Legislative support for tribal code development, education, advocacy
- Organizational development
- Staff profiles/skill sets
  - Attorneys
  - Federal Experience
  - Tribal Experience
  - Food and Ag Program Expertise
  - Policy Information and Research



# How You Can Help

- Become or Recommend an Advisory Board Member
- Share program successes
  - Food hubs/cooperatives
  - Dept of Ag development
  - Staff Development
- Attend the Youth Summit
  - Hosted virtually this year
- Let us know what you are doing
  - Successes
  - Challenges
  - Knowledge gained





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