COVID-19 IN INDIAN COUNTRY

A Call to Integrate Food Systems and Food Security Toward Sovereignty

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2020 in Hindsight

2020 marked a year of rapid response and programmatic triage in Indian Country. The COVID-19 crisis exacerbated many existing service barriers in Indian Country, including access to healthcare, programmatic limitations, and overburdened resource distribution lines that did not account for the geographical spread of Tribal nations.1 While Indigenous communities continue to experience disproportionate economic and data marginalization, the pandemic also highlighted the resiliency of Tribal communities, both urban and rural.2 Here we will celebrate some of the Tribal responses to COVID-19, including project partnerships with First Nations Development Institute, Tribal governments and Tribally led non-profits.3 We will also highlight opportunities and recommendations to build a more resilient philanthropic and federal response in Indian Country in light of the COVID-19 epidemic.

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Part 1: A Brief Overview of the Historically Disorganized Government Response to Pandemics in Indian Country

Indigenous communities in the Americas are no strangers to pandemics. The history of pandemics in Indian Country begins with introduced disease through colonial trade and settlement, then reintroduced again at sites of mass incarceration, such as sanitoriums where Tribal leaders were involuntarily confined, or missions and forts where entire Tribal communities were violently captured and, in some cases, forcefully detained. Infamous smallpox and the 1918 Spanish Flu pandemics both had documented devastating effects on Indigenous populations.4

Public health resources during large-scale events have historically been made available in large population centers. In the 1800s, vaccinations became available to Indian reservations and boarding schools,5 but resource allocation to Native communities has always been a disconcerted and clumsy effort. Consider the historical similarity between smallpox vaccination and the current pandemic:

“Although in 1832 Congress appropriated $12,000 for the vaccination of the Native Americans,6 there was not at this time an organized system to facilitate this act. The vaccines were often unreliable, having lost their potency during the long distances they had to be transported with primitive storage mechanisms. Vaccine was often unavailable.”7

This lack of distribution, facilities and outreach, in this 19th century context of settlement, signaled some of the most devastating smallpox outbreaks throughout the continental United States; in a period of three years (1837-1840), anywhere from 100,000 to 300,000 Native peoples succumbed to smallpox despite availability of vaccines.8 Poorly executed federal response to American Indian needs continued to be the narrative playing out across the nation during the height of the COVID-19 pandemic; Indian Health Service clinics running out of supplies, receiving

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8 Ibid.
wrong shipments, and in some cases closing doors, all sent a sinister message about the calamity of federal priorities.

Yet, American Indian communities mobilize to care for not only their own people but also communities near them (or local communities or those in close proximity). This includes the Osage, Chickasaw, Cherokee, and Choctaw peoples who were highly successful at vaccinating their people, opening up vaccine clinics to any Oklahoma state resident, and the Oneida who utilized their food pantry operation to feed not only Oneida families but also over 1,000 families in the Green Bay, Wisconsin, area. Tribes across the country continuously demonstrate their ability to protect their own people and the people surrounding them, despite the hardships.

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In terms of food, the external agency response to COVID-19 has been focused on food security, while the overwhelming response of Tribal and Indigenous program services has been focused on food sovereignty. Food security in this context describes activities, policies, and actions, often external to the community meant to be serviced, to create food shipments for populations to meet criteria for nutritional deficiency. External factors include federal and state governments and other organizations outside of a Tribal community. Food sovereignty in this context describes the relationships between a person or community, their identity, their traditional food structures, activities of gathering, hunting, and fishing, as well as the relationships to policies for food grown, collected, hunted, gathered, or fished for the purpose of feeding people within that community. The distinction is that the external response is short-term and deficiency-focused while the Tribal response is much more longitudinal and future-forwarded in efforts to continuously nurture and sustain the psychosocial and emotional relationships among the environment, individuals, communities, and nations, all within the technopolitical constructs of federal, state, local, and Tribal policy. The Tribal response is the meaningful systemic change that will enable sovereignty, community, and environmental well-being. Adapting and adjusting existing food supply chains with an external response focus, no matter how transformative, maintains dependence on a food system where Tribal communities are still only underserved, if served at all, consumers. In contrast, the focus on food sovereignty strategies in pandemics that incorporate identity and community action, history, and cooperation activate resiliency skills that allow communities to respond and meet their own needs independently.

The distinction between the external one-size-fits-all deficiency-focused response to food needs that often require “more production, over-production, or re-allocation strategies” and the Tribal response of food sovereignty becomes apparent in the following quote from a Tribal Food Distribution on Indian Reservations program manager when describing the two approaches within a single federal program:

“The... thing about the federal supply chain is that our [Tribal] producers aren’t really producing at the quantities needed. For example, you need something like 100,000 pounds of wild rice to be a product in the FDPIR [Food Distribution Program on Indian Reservations] program. We just don’t produce at that level nor perhaps do we want to.”
While there is some merit to examine further in this paper about how traditional foods have a place in federal or external programming, responding to food needs in Indian Country with a blanketed food security dialogue that begins and ends with supply chain logistics, land capacity (yield), market and supply is simply not substantial enough to satisfy the deeper psychosocial relationship Indigenous people have with their food systems. Additionally, such food security dialogue does not address the systematic changes needed to strengthen a community food system. A mass production or reallocation commodity approach to food may be appropriate during short-term catastrophic events but may also create long-term inequities that will eventually have to be corrected. Tribal food sovereignty approaches are regional, land, and community specific. Implementation requires many more actors from Tribal producers, leaders, community stakeholders, suppliers, distributors, cultural leaders, land stewards, and many others. The Tribal food system future is ultimately geared toward food sovereignty to remediate the relationship between public health, environmental stewardship, traditional knowledge, and communities. However, food sovereignty has yet to be fully achieved as evidenced with the pandemic. Consider this statement from another Tribal FDPIR program manager:

“The pandemic kind of showed the whole country what it is like to live in Indian Country without supplies, without readily available food, and feeling short-changed at the end of the supply chain. Our entire country felt some part of that during COVID. But in Indian Country, we live like that all the time, so we are very resourceful. We just get tripped up when we have to rely on federal processes to get our programs functioning.”

While the goal of Tribal food systems is Tribal food sovereignty, the necessary short-term solutions of food security should not be the only goal of any Tribal food program or efforts to support Tribal food programming and projects.
Deeper food sovereignty: Systems theories

Tribal food systems and Tribal food needs are not well understood in mainstream food study and food program implementation. Indigenous food systems are taught and understood as a series of inverse or correlated relationships, are region specific, and involve teachings on how individual actions affect the entire system. Indigenous food systems also have Tribal-specific psychosocial protocol on who you feed, what you feed, where you feed, when you feed, why you feed, and how to perform and maintain these relationships. As a result, an Indigenous person navigating their food system can derive their identity, social place, social relationships, and sense of responsibility from participating in their food system. Sense of identity, place, and social relationships are most needed in times of hardship like a pandemic. However, it is no wonder that external programming has not addressed food systems in Indian Country adequately considering the complex cultural meanings behind seemingly simple acts of making and eating food. But there is hope for a cooperative future in the merging of priorities between funding and Tribal programmatic response.

The pandemic demonstrated the effective responses of Tribal communities throughout the nation. Most notable is that the pandemic prompted an internal reliance on Tribal community, identity, and history that created active Tribal Food Sovereignty from taking care of elders, sewing masks, hunting, fishing, strengthening Tribal food pantries, conducting community food drives, and activating the interdependent informal networks of Tribal community taking care of Tribal community. Also notable is that larger external responses from local to federal government further create dependency on a mainstream understanding of food supply chains.
Trickle down data discrepancies

Federal data that is widely used to determine programmatic response to food insecurity among vulnerable groups in the United States largely comes from one outdated dataset from the United States Department of Agriculture’s (USDA) annual household food security report. In this report, American Indians are included in a category that includes all Asians, Alaskan Native, Native Hawaiians, and Pacific Islanders.

COVID-19 has only further highlighted the absence of any real food security data for Native American populations. Information gathered from non-federal sources generally place the range of Tribal food insecurity from 23% to 92%.[13][14] More accurate food security datasets are usually Tribe-specific, developed by Tribal communities themselves, and usually funded through non-federal sources. There is a small subset of food security data funded through the Centers for Disease Control Native Wellness Diabetes program and USDA’s FDPIR, Supplemental Nutrition Assistance Program Education (SNAP-Ed), National Institute of Agriculture (NIFA), and Indian Health Service’s Urban Indian Health Program.

Because of the problems with Tribal food insecurity datasets, a top-down response to federally meeting food needs in Indian Country cannot be meaningfully completed. Moreover, due to the spectrum of complexity of technopolitical, geographical, economic, and cultural differences among 574 unique Tribes in the United States, blanket federal approaches to food insecurity become even more tenuous.


Part 3: The COVID-19 Opportunity

Prior to COVID-19, there wasn’t a clear delineation from government sources on the differences between food security and food sovereignty. In many cases, the two terms were intermingled and often used synonymously. Pre-COVID opportunities to support food system work focused on individual behavior change, market and supply chain development, and individual entrepreneurship. This emphasis, intentional or not, is a continuation of assimilating policies beginning with the General Allotment Act (1887) as remnants of misconstrued and poorly executed American ideals of individualism. The resiliency of Tribal communities, which emphasizes diverse, integrated, and community-centered food system practices, is highlighted in the following statement from a representative of the Spirit Lake Food Distribution Program:

“We had to switch everything around to accommodate the situation and adjust to supplies we had on hand. But this has been good as it reflects the versatility and natural creativity of the Native community. It turns out to be a good thing to have a comprehensive food hub because it fits the reservation.”

COVID-19 has provided a space for Indigenous systems and models of food sovereignty to become the standard for demonstrating how funding can be used to best supplement and empower existing systems. Most important, where Tribal food programs had control and ability to pivot to meet the needs of their communities, they did so with great success.

USDA Farmers to Families Food Box Program and the FDPIR Program

In April 2020, the USDA Agricultural Marketing Service (AMS) initiated the Farmers to Families Food Box program (FFFB) in response to retail food supply chain disruptions and food insecurity caused by COVID-19. Early rounds in the program’s flexibility and criteria allowed for regional and local suppliers to be awarded contracts, serve their communities, and demonstrate their ability and knowledge of localized food systems to respond to community food needs. Not surprisingly, Tribal government programs and Native-led organizations were active in the early rounds of the FFFB program and were later rejected when criteria in the FFFB program focused on lowest price points in rounds three and four and contracts were awarded to larger food distributors that then shipped food from longer distances. Income streams, labor, and supply management logistics all established in the beginning rounds of the program were abruptly shuttered in round three of the program. Some of the contracts in the current round five were made to companies whose business foundations represent some of the earliest extractive technologies in the Americas, such as fur trading.

Not surprisingly, many Tribal Food Distribution on Indian Reservation programs were the most adapted to handle food logistics in their communities and were actually allocated additional federal dollars for the FDPIR program during COVID-19. However, in March and April 2020, many of the FDPIR programs closed because of supply chain disruptions and lack of infrastructure. The FDPIR programs that relied on “tail-gating” remained closed for much of the pandemic. The FPDIR programs that remained opened found themselves scrambling to meet the needs of participants as federally sourced foods became increasingly difficult to procure because of supply chain disruptions, pressures from federal feeding programs across the country, and sadly, long-standing restrictions. One FDPIR manager recounted how she could not purchase yeast or baking powder that would allow participants to bake bread with the flour in the FDPIR package because of federal procurement limitations, despite the bread shortage in her area. To make matters worse, additional 2020 funding allocated for the FDPIR program remained locked in the federal process until February/March of 2021. One of the most vital federal feed programs to rural, reservation populations, whose largest service population is low-income elders with limited transportation options, had to contend with long-standing regulatory limitations, inaccessible funding, and inadequate infrastructures, all while trying to serve the most vulnerable during the national pandemic. It is also worth noting that the SNAP program, which is popular in urban communities and is tied to the same funding sources as the FDPIR program, did not have the same funding lock-ups as the FDPIR program that caused some participation disruptions in the FDPIR program. The large majority of the FDPIR programs did pivot to serve where they could, largely due to the ingenuity of Tribal FDPIR managers whose tenacity to feed their people should be celebrated and is a demonstration of the pandemic response of the American Indian community.

19 Personal communication with M.T Rotter. February 17, 2021.
Best practices: Integration of traditional food systems in federal programming

ZIIBIMIJWANG FARMS

Ziibimijwang Farms was one of the food suppliers selected to work with the USDA Farmers to Families Food Box program to grow crops specifically to supply their region and Tribal nation with fresh fruits and vegetables. Ziibimijwang is an Anishinaabe word translating to “The Place Where Food Grows Near the River” located in the Little Traverse Bay Bands of Odawa Indians of Michigan (LTBB). At Ziibimijwang Farms, traditional food systems are nurtured and relationships between the people and the environment are cultivated. Harvests at Ziibimijwang include “the three sisters” of corn, beans, squash, and are known for their complementary and symbiotic agricultural relationships, wild rice, maple syrups, and maple sugars.

Ziibimijwang Farms is to be celebrated as an example of successful food sovereignty where Tribal people have a place to acknowledge their heritage through growing and interacting with the crops that their ancestors grew in a place their forebears dwelled. Ziibimijwang Farms is one enterprise in the LTBB network of food operations. LTBB also operates an FDPIR program. When the FDPIR program shuttered early in the pandemic, Ziibimijwang Farms became ever more important. The restrictions of federal programming with other food sources is a constant concern, but the LTBB has maintained two separate operations exactly for times like the 2020 COVID-19 pandemic.

Historically, federal programming has only subscribed to western science models as a metric of health and nutrition. This has worked to the detriment of Tribal people who now suffer poor health outcomes and obesity-related diseases as a symptom of their violent removal from traditional food systems. Tribal people have coined the term “commod bods” as a humorous jab at the deep sorrow of centuries-long assimilation tactics and forced subsistence on the poor-quality nutritional equivalents.
available in government food aid. LTBB created a Tribally controlled food enterprise that focuses on the traditional foods of their community in Ziibimijwang Farm to increase the visibility of traditional food systems within their community.

The Ziibimijwang Farms partnership directly has an impact on Tribal people by delivering foods that rekindle and programatically establishing a relationship between people, environment, tradition, family and community.

The success of Ziibimijwang Farms creates future opportunities for providing better quality and more culturally resonant foods to community members through chosen partnerships and localized food systems that incorporate traditional knowledges with other forms of farming and food production. When other food programs hesitate or shutter, the LTBB community has created opportunities to rely on Tribally maintained and relevant food sources.

The federal choice to begin to integrate traditional foods into food distribution programs is significant, but there is a secondary need for place-based and localized solutions to implement these ideas. The future of these types of initiatives also requires thorough investigation of ongoing inequities regarding land access, transportation, facilities, and cultural competency across agencies.

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The Oneida Nation of Wisconsin operates the Oneida Community Integrated Food Systems (OCIFS), which is mature farm-to-table programming for their Tribal region. The OCIFS manages beef and bison ranching, an apple orchard, an aquaponics operation, a 10-acre field of white heirloom corn, a market, and a cannery that processes foods grown on their lands. The Oneida Nation also hosts youth harvests, 4-H clubs, classes and courses in nutrition and health, as well as community workshops.

The Oneida Nation Emergency Food Pantry is a space where the harvest from the Oneida Nation is made available as fresh and healthy emergency rations from Tribal people. The Oneida Nation was selected and continues to be a participant of the Farm to Family Food Box program that originally opened their pantry to the non-Native public during the COVID-19 pandemic. A representative from the Oneida Nation was interviewed in January 2021 about their participation in the Farm to Family Food Box program and the impact of COVID-19 on food systems in their region:

"Because we already had infrastructure, we were able to utilize our network to get food from other places and become a vendor for the Farm to Family Food Box program. We were able to serve all Green Bay, not just Oneida, so we started giving food to other smaller programs and other Green Bay families. At one point, the line to our pantry was over a half-mile long."

"At Oneida, we were serving 35-40 families pre-COVID, then when the pandemic hit we got up to around 475 families served in a day with 1,000 boxes of food ready at any given time. We got started by offering traditional foods from our farm and buffalo to our families long before COVID."

The Oneida Nation is another example of a Tribal nation claiming their food sovereignty. Their programming is mature and interconnected to topics of public health, childhood development, psychosocial development, skill capacity development, and community development. It is no coincidence that the Oneida Nation is successful with their programming and that there is great demand for their fresh and healthy food. However, being at the mercy of federal capriciousness with allocated funding is a large barrier to the good that Tribal Nations can do for their own people and in the non-Native community.

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Subsistence hunting, fishing, and gathering during COVID-19

Hunting and fishing during COVID-19 has reemphasized the importance of supplementing food stores for Tribal communities while also highlighting the complications between environmental stewardship and interagency relationships. Unfortunately, there are many levels of governmental red tape prohibiting or creating barriers to hunting and fishing for cultural reasons outlined in these First Nations’ reports, Food Sovereignty: California Policy Considerations for California Native Communities in 2019 and Leveraging Native Lands, Sovereignty and Traditions: Models and Resources for Tribal Ecological Stewardship in 2018, which include competing interests of Tribal traditional food access and non-Native recreation. During COVID-19, the barriers to Tribal hunters and gatherers were intensified.

Early in the COVID-19 pandemic, many Tribal communities instinctively returned to traditional food sources, mainly sources hunted, fished or gathered. The acts of cultural hunting, fishing, and gathering are deeply rooted in family traditions that extend into Tribal societal norms of emphasizing interpersonal relationships – who you feed, when you feed, what you feed, why you feed, where you feed. Cultural hunting, fishing, and gathering also largely interconnect public health, nutrition, fitness, environmental stewardship, population ecology, and symbiotic and competitive relationships, all the necessary
skills, habits, and behaviors to withstand disease and increase food security. Yet, at the same time, there was an increase in regulation and surveillance such as citations by the California Fish and Game authorities near Tribal communities. Lac Courte Oreilles Band of Lake Superior Chippewa and other Wisconsin Tribes were shocked as state hunters killed 216 gray wolves in one week of 2021 gray wolf hunting season. The Tribes use their gray wolf quota not to hunt wolves, but instead to conserve and protect the gray wolf species, which is important in ancestral stories and culture. Meanwhile, the Great Lakes Indian Fish Commission, Columbia River Inter-Tribal Fish Commission and other inter-Tribal advocacy groups work to protect food sources and water quality for Tribal citizens. Some Tribal communities found the shelter-in-place orders a partial relief from a constant barrage of tourists and others driving through vulnerable communities. Tribes adjacent to parks, forests, beaches, and other areas partially closed and relieved many Tribal people as well as let the land and animals rest from constant intrusion and pollution.

Tribes with strategies for access to traditional lands were better able to provide opportunities for traditional food practices during COVID-19. It is not surprising that one of those Tribes, Cherokee Nation, had strategies for traditional land access prior to COVID-19 and was in one of the best positions not only to feed Cherokee people, but also to serve other surrounding communities.

Cherokee Nation Park and Wildlands, Fishing and Hunting Reserve Act of 2021

The ability to practice food sovereignty and other kinds of self-reliant and place-based food systems was and continues also to be heavily impacted by ongoing environmental issues and political frameworks. A solution proposed by the Cherokee Nation of Oklahoma is to preserve 4,000 acres of woodland for cultural hunting and fishing as a way for Tribal members to supplement their food supply, improve fitness and health, and quarantine from COVID-19.

The Act would require a partnership with the Shawnee Tribes to establish inter-Tribal access to the reserve and culturally appropriate hunting of deer, squirrel, rabbit, turkey, dove, quail, waterfowl and fish, as well as the gathering of mushrooms, wild onions, wild berries, hickory nuts, and wild greens.

This Act is a meaningful step toward supplementing and securing food sovereignty for these Tribal communities during and beyond the COVID-19 crisis. As Tribal nations develop these policies, Indian Country is excited to see successes in the future.

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26 This statement derives for anecdotal information shared by several Tribal communities, community members, and Tribal people who received citations during COVID. The conversations about the citations came from many more people than in a normal year. This was later confirmed by a state game warden who stated, “Since COVID, we have been issuing citations like it’s the weekend every day of the week.”


Environmental Equity Needed

The COVID-19 pandemic not only exacerbated obvious food supply chain disparities, it also highlighted the importance of environmental justice efforts in Indian Country. Rural Tribal communities had to rely heavily on traditional food systems; however, due to existing barriers to traditional homelands and other long-standing environmental degradation, some of the important activities like traditional food gathering, hunting, and fishing were not an option and have had an adverse effect on the Tribal people who subsist, respond, and care for their communities.

Gulf of Mexico

Along the Gulf of Mexico, Tribal communities that live at sea level in rich bayou have been adversely affected by resource extraction and refining activities, have diminishing access to traditional food sources, and are in competition for food distribution with other marginalized communities.

“Between overfishing and harvesting and the marshland just eroding away, there aren’t as many of the animals in the marsh like there used to be. So that has suffered tremendously as well. Also, [beyond] the erosion part, we just had that BP oil spill and that really hurt our seafood industry … Now, we’re pretty limited on what can safely grow in the ground. Because of the repeat flooding, the deposits that are in the soil are not as healthy and the salinity is high… Foodwise, it’s put a strain on folks because everyone used to have a garden, everyone had fresh vegetables. Between the garden and the fisheries, they used to live off of that.” 30

North Central U.S.

Ho-Chunk and Potawatomi ice fishing in Wisconsin took on another level of importance this winter. As Tribal families encouraged each other to continue spiritual familial connections with nature and provide healthy foods to families in isolation, recovering or mourning those lost, time together was increasingly important. Many of the glacial lakes and ponds have elevated levels of PFAS31 and other pollutants and are on or near ancestral earthworks and burial mounds, but retain importance through time as places of reverence.

30 Ibid.
California

Coast Miwok and Maidu communities also face degraded food sources as municipal wastewater outflows and leaking septic systems adversely affect traditional food sources. These examples note an iterative effect of other industries and environmental impacts existing long before the pandemic, that, without integrated sustainability practices and sovereign land access, will continue to undermine critical food and cultural stability.

Pomo communities spread throughout five northern counties found it difficult to gather seaweed, other nearshore food and medicine species, and root teas as people from urban areas flocked to rural landscapes and left used gloves, masks, and garbage. Many near reservation communities often rely on traditional foods for ceremonies and for spiritual health, and 2020 was no different.

The dissonance between reactive federal approaches to food shortages and the proactive Tribal approach to ensuring public health through food have been made glaringly apparent during the height of the COVID-19 pandemic. Hopefully, future decision makers can learn to merge the Tribal systems approach to the federal symptomatic approach for seamless program services.
Recommendations

1. Fund Tribal communities to gather food insecurity data

   Tribal nations can be served better through better data collection and correct racial classifications. Gaps in service and absence of data have directly undermined the efficacy of reducing harm due to Tribal nations from the impacts of disasters from the 1800s, to the COVID-19 pandemic, to the multifaceted crises of climate change and food insecurity.

   As noted in the Urban Indian Health Institute (UIHI) February 2021 report, “Data Genocide of American Indians and Alaska Natives in COVID-19 Data,” only 23 states were collecting information considering race or ethnicity in regard to COVID-19 infection rates. There has been a brazen pattern in popular media and in federal programming that mis-categorizes Native and Indigenous peoples as “Something Else” “Other” or “Multi-racial.” Mis-categorization has limited our ability to understand the true scope of health disparities in Tribal communities amplified by COVID-19, and it has inherently limited programmatic ability to allocate public health resources to rectify disparities.

   Gathering more accurate data on food insecurity and other health disparities is achievable but it needs to fund and employ Tribal communities gathering more accurate numbers themselves with an awareness of the extensive spatial, social, and political diversity of Tribal communities.

2. Update policies with a special focus on federal food and hunting, fishing, and gathering

Federal Food Policies

   Tribes should be consistently consulted on all federal feeding programs and federal land/water management proposals. States with Tribal lands within their boundaries should also consult with Tribal communities on state food policies. States should also be cognizant of Tribes with historical ties, off-reservation treaty use areas, historical easements, usufructuary rights, and important aboriginal ties to landscape and place. Tribal FDPIR managers, the National FPDIR program, the

Native Farm Bill Coalition, and Indigenous Food and Agricultural Initiative (IFAI), which are Tribally rooted and knowledgeable about Tribal communities and food policy, are actively developing tools, conversations, and legislative language that should be included, and at the very least, considered in the reauthorization, creation, and consideration of existing and new law and policy.

There is no question that federal food programs have sustained and supplemented Tribal nations during the developing years of the United States and continue to be of service to Tribal populations as placeholders. Improving federal programs to respond to Tribal communities is vital, yet, many federal programs have origins tied to assimilation and displacement, which is tension most noticeable during times of hardship. It is a disservice to ask Tribal nations to navigate and report modern food needs within a system that built in politically motivated service inequities (i.e., poverty income guidelines that do factor in complicated housing and income arrangements, often disqualifying those in need) with little input from the Tribal communities and advocates themselves. Yet, some of the most creative, well-versed food system advocates, such as the FDPIR Tribal managers, have learned to navigate the federal programming and understand the shortcomings of the federal programs. They should be consulted consistently. In 2021, with more American Indians appointed to leadership in positions in both the USDA and the Department of Interior, we will hopefully see a new era of federal programming that meets the needs of Tribal communities.

**Hunting, Fishing, Gathering Law**

The natural world and its interconnections spatially through time is one that is connected to the air we breathe, water we drink, and health of the soil we walk upon. States generally claim ownership to wildlife within its borders, and the regulation thereof. Tribes retain authority to regulate hunting, fishing, and gathering on Tribal lands. Many important gathering places are outside Tribal reservation boundaries, making most Tribal people vulnerable when venturing on to lands where certain plants grow or food sources are found. Land loss over time has inhibited the ability of Tribes and Tribal members to fully participate in traditional hunting, fishing, and gathering cycles as land jurisdiction status becomes a blaring factor in the Tribal ability to participate in ceremonial and subsistence hunting, fishing, and gathering activities. Tribal take and harvest are often blamed for
species decline. The federal government has consistently recognized the importance of traditional hunting, gathering, and fishing rights since inception through treaties and federal legislation, but state governments and agencies enforce state law and land management on non-Tribal, non-federal lands. These jurisdictional mazes, especially when existing treaties are not honored, complicate and have serious consequences on traditional food systems.33 The federal government is the largest land holder in the country and can strengthen agency implementation and guidance to ensure Tribes are able to exercise subsistence practices (see testimony of A. Briones).34 States need Tribal advisory committees to guide management of important Tribal foods, animals, and lands.

Policy recommendations include: 1) Honoring treaties and traditional easements, 2) Not pitting recreational interests against subsistence interests and instead creating a Tribal subsistence licensing scheme, and 3) Creating a subsistence forum that keeps young people out of the system. Often young people seeking understanding of their culture and traditions return to ancestral familial places and become a target of citations. A member of the Round Valley Indian Tribes of California recently made a seaweed gathering basket and fish trap, but was told she could not put her trap in the water as she would be cited for fishing out of season. Devastated, she put away her baskets and stopped weaving.

3. Integrate traditional food systems

In this report, we highlight some of the many examples of regionally appropriate, locally sourced food solutions that are also culturally appropriate to offer Tribal people. The food solutions are the Tribes themselves, who have a demonstrated interest in developing dynamic, longitudinal programming that builds capacity, identity, and wellness. There are Tribal food networks that have the capacity to scale up production to feed their regions, but just need the support of funding and access to land. Funding existing programs works and works well. Funders, whether private or federal, should value and fund multidimensional Tribal programs instead of disqualifying them because funders address other related competencies or the Tribal programs do not fit into the mainstream food supply diagram.

33 See the Columbia River Inter-Tribal Fish Commission for more information on Treaties. https://www.critfc.org/member_Tribes_overview/treaty-q-a.
4. Assess logistical supply chains with a special focus on long-term storage

Many Tribal reservations are not located on national transportation routes. Other nations may not have land bases due to urbanization, development, western modes of conservation, or privatization of their traditional homelands. The juncture between these realities, which oscillate too often between isolation and invisibility, must be bridged through thoughtful, community-guided, and applied land management strategies that include infrastructure and transportation. However, transportation policy is often relegated to non-Tribal government agencies.

Some Tribes have roads or transportation departments that manage Tribal roads and access, but their influence on funding and priority policy determinations are often outside of Tribal control for the most part. For Tribes without land bases, there is no influence or consideration at all. Of course, there are some examples of Tribal government control of roads. The Bureau of Indian Affairs Tribal Road program has many examples of Tribal projects. The Yurok Tribe has made considerable efforts in their transportation priorities. The Cheyenne River Sioux Tribe made national headlines for closing its roads early in the pandemic. Similarly, Tribes across the country closed their roads, communities, and borders to protect their people from contracting COVID-19 and continue to remain closed at the time of this paper. However, The Cheyenne River Sioux Tribe example gives rise to the issue of Tribal control of roads and transportation in Indian Country. Tribal food system control should and does include modes of transportation, in addition to land management, food production, distribution, and consumption.

During the pandemic, some Tribal communities requested refrigerated transportation trucks and refrigerated storage units. Other communities spent money and energy on building out water infrastructure for both human and animal communities. Yet, others struggled to connect their communities to the internet. Other communities, in consideration of the energy of building out these energy-intensive solutions, sought to build traditional storage like adobe storage facilities, underground food storage, and traditional seed networks, or to acquire large land bases for traditional gathering activities, which also carry their own costs. All these infrastructure needs impeded Tribal communities’ response to COVID-19, yet Tribal communities have demonstrated they can take care of their communities despite the impediments. Imagine the solutions developed when they are not implementing solutions by piece-meal but have actual capital to finance their plans.

Understanding the needs and solutions of a given Tribal community requires education on the nuanced histories and ongoing present circumstances of each respective community. With the unique spatial, social, and political context of each Tribal community, a willingness to develop strategies that are pliable, mobile, and adaptive is necessary.

Part 5: Action

Indian Country has borne the brunt of large, sweeping changes in political dynamics, power shifts, and disease for centuries, yet, the communities have withstood and remained largely cohesive as Tribal nations. Tribes will endure, leaning on internal strength embedded in people, culture, governance, and land connections. For Tribal nations, COVID-19 is but the latest in epidemics. Tribal elders and cultural bearers still remember times of the Spanish Flu, tuberculosis, smallpox, and venereal disease. For nations with land-bases in trust status, the decision to restrict movement or employ checkpoints at reservation boundaries has been a protective measure while also seriously affecting community access to food, medicine, and travel needed to maintain traditional foodways and retail food access, as most retail food centers are located in more urban centers. For Tribes without land-bases, the extreme variation in state and federal protections has made gathering, access to traditional foods, and the ability to exchange resources even more challenging. Most Native American and Indigenous peoples have been impacted by the interruption in shared community spaces and gatherings outside of the household, a critical aspect of cultural exchange.

Access to clean water, sanitation, personal protective equipment (PPE), and healthcare, as an ongoing process of economic and health marginalization, has consequences that are unfolding in real time. The foundation of these is the legacy of forced removal, enclosure and economic marginalization of Tribal land, failure to fulfill treaty agreements, and outright violence against Tribal peoples. It is impossible to address the impact of COVID-19 without recognizing the long history of American cultural and nutritional acculturation of Indigenous peoples. These histories have been written about with a passive voice, one that minimizes intention and paints the devastating loss of life and cultural shifts to Americanized diets, land management and cultural practice as a colonial inevitability. These histories continue to influence and determine how we respond to present-day events. Tribal people remember and are rooted in the knowing that we are the living relatives of those who survived and we have inherited their coping mechanisms, institutions, and understandings – for better or for worse. It is because of these histories that Tribal nations and people have responded with a purpose and force during COVID-19, a force that is demonstrated in not only how Tribal nations protect their people, their elders, and future generations, but also how Tribes offer services and protections to non-Indian communities surrounding Tribal nations. While COVID-19 forced the world to contend with a new wave of disease and reactions, Tribal nations remembered, gathered our history, re-told, and re-acted, and we continue to rely on the stories and strengths of our ancestors.