

.....  
(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Food and Nutrition Act of 2008 to authorize the Secretary of Agriculture to enter into self-determination contracts and self-governance agreements with Indian entities to administer the food distribution program on Indian reservations.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Ms. DAVIDS of Kansas introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Food and Nutrition Act of 2008 to authorize the Secretary of Agriculture to enter into self-determination contracts and self-governance agreements with Indian entities to administer the food distribution program on Indian reservations.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Food Distribution Pro-  
5 gram on Indian Reservations (FDPIR) Act of 2025”.

1 **SEC. 2. FOOD DISTRIBUTION PROGRAM ON INDIAN RES-**  
2 **ERVATIONS UNDER SELF-DETERMINATION**  
3 **CONTRACTS AND SELF-GOVERNANCE AGREE-**  
4 **MENTS.**

5 Section 4(b) of the Food and Nutrition Act of 2008  
6 (7 U.S.C. 2013(b)) is amended—

7 (1) by redesignating paragraph (7) as para-  
8 graph (8); and

9 (2) by inserting after paragraph (6) the fol-  
10 lowing:

11 “(7) SELF DETERMINATION CONTRACTS AND  
12 SELF-GOVERNANCE AGREEMENTS FOR INDIAN ENTI-  
13 TIES.—

14 “(A) DEFINITIONS.—In this paragraph:

15 “(i) INDIAN ENTITY.—The term ‘In-  
16 dian entity’ means Indian Tribes and Trib-  
17 al Organizations given the terms in section  
18 4 of the Indian Self-Determination and  
19 Education Assistance Act (25 U.S.C.  
20 5304).

21 “(ii) SELF-DETERMINATION CON-  
22 TRACT AND SELF-GOVERNANCE AGREE-  
23 MENT.—The terms ‘self-determination con-  
24 tract’ and ‘self-governance funding agree-  
25 ment’ has the meaning given the term in  
26 section 4 and section 401 of the Indian

1 Self-Determination and Education Assist-  
2 ance Act.

3 “(B) ESTABLISHMENT.—At the request of  
4 an Indian entity, the Secretary shall negotiate  
5 and enter into self-determination contracts or  
6 self-governance agreements to purchase agricul-  
7 tural commodities under the food distribution  
8 program under this subsection for the Indian  
9 reservation of that Indian entity and to admin-  
10 ister programs, functions, services, or activities  
11 (or portions thereof) related to the operations  
12 of the food distribution program of that Indian  
13 entity.

14 “(C) ELIGIBILITY.—

15 “(i) CRITERIA.—The Secretary shall  
16 presume an Indian entity is eligible to pur-  
17 chase agricultural commodities and assume  
18 the administration of a food distribution  
19 program on the Indian reservation of that  
20 Indian entity under section 4(b)(7) if the  
21 Indian entity meets the eligibility require-  
22 ments in title I or IV of the Indian Self-  
23 Determination and Education Assistance  
24 Act of 1975.

1                   “(ii) CONSULTATION.—The Secretary  
2                   shall consult with the Indian Tribes to de-  
3                   termine the process under which a Tribal  
4                   organization may participate

5                   “(D) PURCHASE OF AGRICULTURAL COM-  
6                   MODITIES.—Any agricultural commodities pur-  
7                   chased by a Indian entity under the subsection  
8                   shall—

9                   “(i) be domestically produced;

10                  “(ii) shall not result in a material in-  
11                  crease or decrease in the total amount of  
12                  food in the food package of that Indian en-  
13                  tity compared to the amount of food the  
14                  Secretary authorizes to be provided  
15                  through the FDPIR Guide Rate; and

16                  “(iii) be of similar or higher nutri-  
17                  tional value as the type of agricultural  
18                  commodities that would be supplanted in  
19                  the existing food package for that Indian  
20                  entity or be an agricultural commodity  
21                  with Tribal significance to that Indian en-  
22                  tity.

23                  “(E) REPORT.—Not later than 1 year  
24                  after the effective date of this paragraph and  
25                  annually thereafter, the Secretary shall submit,

1 to the Committee on Agriculture of the House  
2 of Representatives and the Committee on Agri-  
3 culture, Nutrition, and Forestry of the Senate,  
4 a report describing the activities carried out by  
5 Indian entities under self-determination con-  
6 tracts and self-governance agreements during  
7 the preceding year.”.

8 **SEC. 3. APPLICATION OF GOVERNING LAW.**

9 The negotiation, execution, and flexible administra-  
10 tion of all self-determination or self-governance agree-  
11 ments authorized under this paragraph (7) shall be gov-  
12 erned by the requirements of title I with respect to self-  
13 determination agreements, or title IV with respect to self-  
14 governance agreements, of the Indian Self-Determination  
15 and Education Assistance Act of 1975 and the regulations  
16 duly promulgated thereunder by the Department of the  
17 Interior. The application of such statutory and regulatory  
18 provisions shall be adapted to the Department of Agri-  
19 culture programs, functions, services, and activities only  
20 with the negotiated consent of the Indian entity affected,  
21 on a case by case basis. All such adaptations shall adhere  
22 to the rule of construction in section 406(i) of such Act  
23 (25 U.S.C. 5366(i)) that each provision shall be liberally  
24 construed for the benefit of the Indian entity and any am-  
25 biguity shall be resolved in favor of the Indian entity.

1 **SEC. 4. TERMINATION OF DEMONSTRATION PROGRAM.**

2 Demonstration projects under section 4003(b) of the  
3 Agriculture Improvement Act of 2018 (7 U.S.C. 2013  
4 note) shall cease to be effective beginning on the date fol-  
5 lowing the end of the period of performance for all Tribes  
6 holding contracts under such section.