

DWAYNE YUNKER
STATE REPRESENTATIVE
DISTRICT 3



OREGON HOUSE OF REPRESENTATIVES

December 1, 2025

The Honorable Robert F. Kennedy, Jr., Secretary, U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

CC:

The Honorable Brooke Rollins, Secretary, U.S. Department of Agriculture
Dana Hittle, Acting Deputy Director, Oregon Department of Human Services

VIA EMAIL

Re: Request for Federal Review of Oregon's Tribal-Only TANF Distribution, Civil-Rights Compliance,
and SNAP Administration

Dear Secretary Kennedy,

I am writing to request a federal review of Oregon's recent use of federal TANF dollars and the State's handling of federal welfare programs more broadly. Recent actions by Oregon Governor Tina Kotek and the Oregon Department of Human Services (ODHS) raise important questions about compliance with TANF requirements, Title VI of the Civil Rights Act, and the use of taxpayer dollars for federal welfare programs in the State of Oregon.

On November 6, the same day November SNAP benefits were ordered to be immediately distributed during the recent federal government shutdown, Gov. Kotek directed ODHS to also distribute \$1 million in TANF funds to the nine federally recognized Tribes of Oregon. In a press release, Gov. Kotek stated: "This action is in response to the ongoing federal government shutdown and the resulting uncertainty surrounding Supplemental Nutrition Assistance Program (SNAP) funding." Additionally, Gov. Kotek directed ODHS to distribute \$5 million in TANF funds to Oregon's major food bank.

During a November 17 state legislative hearing, I asked ODHS Acting Deputy Director Dana Hittle about the amounts, given that Oregon has about 8,000 tribal members on SNAP versus roughly 757,000 overall SNAP recipients. The donations work out to about \$125 per tribal member versus about \$7 per overall SNAP recipient.

In follow-up email responses, ODHS stated that all normal November SNAP benefits had in fact been paid; that the \$1 million tribal distribution was not based on any per-capita or SNAP pro-rata formula; that it was issued through expedited, nonstandard tribal agreements that bypassed typical consultation

requirements; and that they were not sure they should provide the tribal agreements to me. I have yet to receive them.

Without full transparency, not just in this case, but in all tribal-related agreements, the public cannot meaningfully assess how much taxpayer money is being directed to tribal governments or whether such distributions are reasonable and lawful.

Under the Civil Rights Act of 1964, discrimination based on race, ancestry, or Native American affiliation is prohibited in federally funded programs. Restricting benefit-related allocations solely to tribal governments, especially absent a need-based formula, raises legitimate questions as to whether Oregon's actions comply with Title VI and with the statutory requirements of TANF.

I respectfully request that HHS provide a clear determination on whether ancestry-targeted allocations of this nature are permissible under federal law.

The \$1 million distribution also raises broader questions about the use of federal taxpayer dollars for welfare programs in the State of Oregon. Oregon currently has the third-highest SNAP utilization rate and the eighth-highest SNAP error rate in the nation. And Oregon's use of federal taxpayer dollars has grown dramatically, from \$24.2 billion in the 2019–21 biennium to a projected \$43.7 billion in the 2025–27 biennium. In this context, transparency and equal treatment become even more critical.

The Democrat votes in Congress this year against reopening the government, while using the shutdown to justify extra spending such as the \$1 million Gov. Kotek sent to the tribes, are reminiscent of the COVID shutdowns and their justification for the CARES Act and Inflation Reduction Act spending expansions. And now Oregon's Attorney General Dan Rayfield is suing to keep SNAP payments flowing to non-citizens.

Recent national reporting on the Minnesota welfare-fraud case, involving massive misuse of federal nutrition dollars, underscores how essential strong oversight is when large sums move quickly or outside of normal processes. While I am not alleging similar conduct in Oregon, the lack of transparency surrounding these tribal distributions makes further scrutiny appropriate.

It is also worth noting that within days of Gov. Kotek announcing the \$1 million distribution, her political PAC received \$12,500 from the Oregon Grocers Association and \$2,500 from Albertsons/Safeway. And tribes continue to be among the largest contributors to her political PAC.

Thank you for your attention to these matters. My goal is to ensure that taxpayer dollars are used fairly, for their intended purpose, and in full accordance with federal law.

Sincerely,

A handwritten signature in dark ink that reads "Dwayne Yunker". The signature is written in a cursive, slightly slanted style.

Dwayne Yunker, State Representative, Oregon House District 3