

## **Indian Country Opportunities in the 2018 Farm Bill**

The pending 2018 Farm Bill presents a significant opportunity for an infusion of federal resources to improve Indian Country health, infrastructure, and respect as sovereign governments. While the primary focus of the Farm Bill is to set federal food and nutrition policies, the Bill has potential to enhance technical assistance and financial resources from the U.S. Department of Agriculture to help improve tribal forests, telecommunications, trade, research, Tribal Colleges, and much more.

Congress enacts a “Farm Bill” approximately every 5 years. The 2014 Farm Bill authorized \$489 billion in spending over five years. The bulk of the funding (80%) goes to the Supplemental Nutrition Assistance Program (SNAP), which helps feed needy families. The next largest outlays went to crop insurance programs (8%), conservation programs (6%), and commodity programs (5%). The remaining “miscellaneous” outlays fund USDA programs related to trade, credit, rural development, research, marketing, forestry, energy, agriculture, and an assortment of other programs.

The potential for positive impact from the Farm Bill on Indian Country is undeniable. Nearly 25 percent of Native citizens directly access and participate in USDA food and nutrition programs. More than 50 million acres of Indian lands are engaged to some extent in food production and agriculture. Tribal Colleges and Universities receive funding under the Research Title. And Native food products are the subject of trade and are affected by the Trade Title.

Indian Country has been largely pushed to the margins of Farm Bill discussions for decades. However, through the work of the Native Farm Bill Coalition (NFBC)—which is made up of 50 tribal governments and a number of tribal and intertribal organizations—Indian Country made its strongest united education and outreach effort to advance a 2018 Farm Bill that benefits Native communities and strengthens tribal government decision making.

NFBC identified potential improvements for Indian Country across all 12 Titles of the Farm Bill. Indian Country residents are the highest per capita participants in USDA’s food programs. Our health disparities are among the worst of any population group in the nation. Our rural, reservation, and isolated communities are in dire need of infrastructure and economic development focus. The very foods raised and grown on the millions of acres of Indian lands do not stay in our communities to feed our people or grow our communities and economies. Indian Country has too much at stake in the 2018 Farm Bill, and Native voices are critical to achieving the goal of ensuring that the 2018 Farm Bill benefits Native communities.

Indian Country’s and the NFBC’s significant efforts bore fruit in both the House and Senate passed versions of the 2018 Farm Bill. The House of Representatives passed its version of the Farm Bill on June 21. The Senate approved its 2018 Farm Bill a week later on June 27. Both versions include a number of new benefits for Indian Country, but vary on the controversial issue of reauthorizing the Supplemental Nutrition Assistance Program (SNAP). The House bill includes significant cuts / requirements for individuals to access SNAP, while the Senate bill does not address SNAP.

The significant coordinated effort from tribes and tribal organizations—working hand in hand with dozens of Members of Congress and their staff resulted in table of provisions in the House and Senate bills below, which—if included in final passage—will greatly benefit Native communities throughout Indian Country.

Our work is not done. House and Senate leaders have appointed members of a conference committee (posted below the table of tribal provisions), which is actively working to negotiate differences between the two bills. If an agreement is reached, both chambers will have to pass the amended bill that comes out of conference again before sending to the President.

<b>House Farm Bill</b>	<b>Senate Farm Bill</b>
<b>Title I Commodities</b>	<b>Title I Commodities</b>
	Sec 1501. <i>Supplemental Agriculture Disaster Assistance</i> . Adds tribes and tribal orgs as eligible producers for the SADA program.
<b>Title II Conservation</b>	<b>Title II Conservation</b>
Sec 2408. Creates Nat'l Technical Committee that includes tribal reps to advise Conservation Service.	Sec 2101. <i>Conservation Reserve Program</i> . Authorizes a state or tribe, in consultation with FSA State Technical Committee to submit a request to designate a SAFE area.
	Sec 2105. <i>Conservation Reserve Enhancement Program</i> . Allows the Secretary to enter into cost-share agreements with tribes to implement the conservation reserve enhancement program.
	Sec 2107. Authorizes USDA to enter into agreements with tribes to carry out the maintenance required for a conservation easement.
	Sec 2411. Includes tribes as eligible producers for the Regional Conservation Partnership Program.
	Sec 2425. <i>Wildlife Management</i> . To provide regulatory certainty under wildlife management programs, tribes may ask USDA to provide technical information about required conservation practices that could be implemented by the producer.
	Sec 2503(c). Requires USDA to enter into alternative funding arrangements for conservations programs under the Conservation Stewardship Program and Environmental Quality Incentives Program. Requires the Secretary to provide incentives for source water protection practices.
<b>Title III Trade</b>	<b>Title III Trade</b>
	Sec 3310. Provides for greater inclusion and participation on Native farmers, ranchers, and producers on international trade missions—with a report to Congress on progress after 2 years.
<b>Title IV Nutrition</b>	<b>Title IV Nutrition</b>
Sec 4005. <i>FDPIR</i> . Adds “regionally-grown” to FDPIR’s traditional foods purchase provision. Requires the Secretary to purchase traditional foods that can be produced “cost-effectively”. Allows 2-year carryover funding for FDPIR.	Sec 4102. <i>FDPIR</i> . Requires USDA to pay 80% of administrative costs FDPIR (20% tribal match). Permits match waiver if it causes a substantial burden on tribe, and permits tribes to use other federal funding sources to meet match requirement. Authorizes 638 demonstration project for tribes to contract to procure FDPIR packages. Allows 2-year carryover funding for FDPIR.
Sec 4041. Adds state, county, and local education programs as eligible for the donation of traditional foods provision into public and nonprofit facilities.	Sec 4303. Permits tribes use other federal resources and funds (i.e. IHS funding) to meet the Food Insecurity Nutrition Incentive program matching requirement.
<b>Title V Credit</b>	<b>Title V Credit</b>
Sec 5603. <i>Farm Credit System</i> . Requires the GAO to study the availability of agriculture credit to tribes and tribal producers within the Farm Credit System.	
<b>Title VI Rural Development</b>	<b>Title VI Rural Development</b>
Sec 6003. <i>Farm/Ranch Stress Assist</i> . Adds tribes as eligible for competitive USDA/HHS grants to support work with non-profit organizations under the Farm / Ranch Stress Assistance Network program.	Sec 6104. <i>Tribal Colleges</i> . Reauthorizes funding at current levels. (Note: House Sec. 6207 cuts Tribal College funding in half from \$10M to \$5M).
Sec 6201. Requires inclusion and coordination with tribes as partners in development of Strategic Community Plans.	Sec 6107. Reauthorizes Water Systems for Rural and Native Villages in AK a current level.

Sec 6207. <i>Tribal Colleges</i> . Cuts funding for the program from \$10 million to \$5 million.	Sec 6118. Clarifies that Indian tribes are eligible for technical assistance/training programs under Rural Business-Cooperative Service.
Sec 6209. Reauthorizes Water Systems for Rural and Native Villages in AK a current level.	Sec 6123. <i>RD-Rural Broadband</i> . Provides incentives for Strategic Community Investment Plan projects that improve broadband across multiple jurisdictions—specifically including Indian tribes.
Sec 6701. <i>Consolidated Farm and RD Act</i> . Clarifies the eligibility of federally recognized Indian tribes.	Sec 6201. <i>Telecom Financing</i> . Provides refinancing authority to USDA projects currently eligible for Substantially Underserved Trust Areas to make finance improvements to electric, broadband, and water infrastructure in underserved tribal communities.
	Sec 6206. <i>Tribal Broadband</i> . Priority for tribes and other underserved communities for broadband grants and loans.
	Sec 6207. <i>Community Connect</i> . Codifies the Community Connect program with tribes and tribal organizations eligible for grants, as well as other underserved communities.
	Sec 6305. Establishes a Council on Rural Community Innovation and Econ. Development—made up of reps from 26 agencies to streamline and leverage federal investments in rural areas, and coordinate with all stakeholders, including tribal governments. Requires tribal consultation in the Rural Broadband Integration Working Group.
<b>Title VII Research</b>	<b>Title VII Research</b>
Sec 7109. <i>Reauthorizes education grants to Alaska Native and Native Hawaiian institutions at current levels</i>	Sec 7109. <i>Reauthorizes education grants to Alaska Native and Native Hawaiian institutions at current levels</i>
Sec 7502. <i>Land Grant Status Act of 1994</i> . Adds Nueta Hidatsa Sahnish College and Red Lake Nation College to the 1994 Institutions list. Reauthorizes endowment, capacity funds, and research grants for tribal colleges.	Sec 7118. Establishes a new Native American student scholarship fund for tribal students attending land-grant universities and colleges.
	Sec 7121. Includes 1994 Tribal Colleges as eligible for program to build capacity and improve performance activities substantially similar to agricultural research, extension, and teaching activities.
	Sec 7206. <i>National Genetics</i> . Adds 1994 Tribal College representation on National Genetics Resources Advisory Committee to provide recommendations on the commercialization of public cultivars and collection of seeds and germplasm for the National Seed Bank.
	Sec 7402. <i>Land Grant Status Act of 1994</i> . Adds Nueta Hidatsa Sahnish College and Red Lake Nation College to the 1994 Institutions list. Reauthorizes endowment, capacity funds, and research grants for tribal colleges.
	Sec 7414. Makes 1994 Tribal Colleges to be eligible for McIntire-Stennis Forestry program capacity funding.
	Sec 7419. Adds Tribal Colleges and Universities as eligible for funding for the Children, Youth and Families at Risk (CYFAR) Program and the Federally Recognized Tribes Extension Program (FRTEP).
<b>Title VIII Forestry</b>	<b>Title VIII Forestry</b>
Sec 8104. Includes forest land owned by a corporation or a tribe within the definition of “nonindustrial private forest land” as eligible for a competitive grant with a state agency.	Sec 8101. Includes forest land owned by a corporation or a tribe within the definition of “nonindustrial private forest land” as eligible for a competitive grant with a state agency.
Sec 8107. <i>Healthy Forest Restoration</i> . Allows for using combination of a 30-year contract, a 10-year cost-share agreement, or permanent easement to enroll tribal acreage into the program.	Sec 8401. Authorizes \$20 million in grants for cross-boundary hazardous fuels reduction projects and includes tribal land within the definition of non-Federal land as eligible for the program.

Sec 8331. <i>Good Neighbor Agreements</i> . Adds federally recognized Indian tribes as eligible for Good Neighbor agreements.	Sec 8404. Requires the Secretary to create a Water Source Protection Program to carry out watershed restoration projects on National Forest System land and coordinate with tribes to develop water source management plans.
Sec 8332. <i>Cross-Boundary Wildfire Mitigation</i> . Encourages the use of excess funds for cross-boundary hazardous fuels reduction projects on federal, tribal, state, county, or private forest land.	Sec 8405. Requires the Secretary to create a Watershed Condition Framework for Forest Lands in coordination with tribes and other governments within watershed areas.
Sec 8401. <i>TFPA</i> . Expedites the Secretary's review of tribal request under the Tribal Forest Protection Act of 2004 (TFPA) to 120 days. Requires that any notice of denial be provided within 1 year of submission. Within 2 years the Secretary must complete all environmental reviews and enter into agreement with a tribe. Requires the Secretary to take action on all requests from tribes under the TFPA.	Sec 8624. <i>Good Neighbor Authority</i> . Includes tribes as eligible under the Good Neighbor Authority program. Eligible lands include: trust land, restricted fee, land held for a tribe's benefit, fee land, Section 17 corporation owned land, and an Alaska Native Village Corporation.
Sec 8402. <i>TFPA 638 Demonstration</i> . Authorizes the Secretary to establish a demonstration project for tribes to enter into self-determination contracts to carry out activities authorized by the TFPA.	Sec 8643. New program available to tribal, state, and local governments to promote innovative use of wood products, with a priority for the use of existing milling capacity.
<b>Title IX. Horticulture</b>	<b>Title X. Horticulture</b>
Sec 9101. Allows tribes to regulate the use of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act.	Sec 10102. Establishes tribal eligibility in local food programs to grow, process, and market Native foods.
Sec 9121. Authorizes tribes to use methyl bromide in response to an emergency.	Sec 10111. <i>Hemp Production</i> . Makes hemp farming legal and creates new State and Tribal plans to develop hemp production. Does not preempt state and tribal laws on hemp production as long as consistent with federal law.
<b>Title X. Crop Insurance</b>	<b>Title XI. Crop Insurance</b>
	Sec 11111. Allows for a 90 percent subsidy of crop insurance premium for first time Native livestock commodity producers for pasture, rangeland, and forage crop insurance policies.
<b>Title XI. Miscellaneous</b>	<b>Title XII. Miscellaneous</b>
Sec 11101. <i>Disaster Preparedness/Recovery</i> . Authorizes USDA to enter into cooperative agreements with tribes regarding the prevention, detection, and rapid response to animal pests and diseases.	Sec 12103. <i>Disaster Preparedness/Recovery</i> . Authorizes USDA to enter into cooperative agreements with tribes regarding the prevention, detection, and rapid response to animal pests and diseases.
Sec 11203. Changes the name of the Office of Advocacy and Outreach to the Office of Partnerships and Public Engagement and adds outreach to tribal farmers and ranchers as part of the mission area.	Sec 12203. <i>Ag and Food Defense</i> . State and regional strategic response plans to must include appropriate role and interaction with tribal governments.
Sec 11204(a). Amends the 2014 Farm Bill which established the Office of Tribal Relations as a separate office within the Office of the Secretary and moves it under the new Office of Partnerships and Public Engagement.	Sec 12301. <i>Farming Opportunities</i> . Creates permanent baseline funding for education, and training for beginning and socially disadvantaged farmers and ranchers, including tribal farmers and ranchers, and specifies tribal government and tribal producer eligibility for grants under the programs.
Sec 11204(b). Creates a new Native American student scholarship fund for tribal students attending land-grant universities and colleges.	Sec 12302. Establishes a new Office of Urban Agriculture and Innovative Production and Advisory Committee; tribal governments are eligible for urban agriculture grants administered by the new Office.
Sec 11601. Adds the ability for another official designated besides the Under Secretary for RD to coordinate the Intertribal tourism demonstration projects under Native American Business Development, Trade Promotion, and Tourism Act of 2000.	Sec 12304. <i>TAC</i> . Creates a new Tribal Advisory Council to provide advice to the Secretary on Indian affairs issues and policies throughout the Department.
	Sec 12408. <i>Rural Health</i> . Establishes a new Rural Health Liaison to work in consultation with HHS regarding the

	integration of USDA and HHS programs to support rural health, including outreach to tribal governments.
	<b>Sec 12503.</b> In coordination with DOJ, HUD, and HHS, provides funding and grants to tribes and other entities to provide emergency and transitional shelter and housing assistance to domestic violence victims with pets.
	<b>Sec 12514.</b> Establishes a permanent Rural Development Tribal Technical Assistance Office to provide TA across all areas of rural development funding for tribal governments, tribal producers, tribal businesses, and TDHEs.
	<b>Sec 12515. <i>Promise Zones.</i></b> Codifies the existence and access to federal agency resources and technical assistance for Tribal Promise Zones.
	<b>Sec 12516. <i>Tribal Broadband.</i></b> Creates a new task force with a position for a tribal agriculture rep to look at gaps in broadband connectivity for precision agriculture.
	<b>Sec 12518.</b> Directs GAO to study the impact of foods and seeds fraudulently marketed as Native produced and provide an analysis of trademark and intellectual property laws.
	<b>Sec 12521.</b> Prohibits the slaughter and transportation of dogs and cats for the purpose of human consumption, with a religious ceremony exception provided for Indians.
	<b>Sec 12616. <i>Food Security.</i></b> Provides \$5,000-\$10,000 grants for small-scale gardening, herding, and livestock operations directed to food insecure communities.
	<b>Sec 12619.</b> Establishes a grant program to create job accelerators in low-income rural areas, prioritizing entities/ applications with a tribal government as the lead applicant.
	<b>Sec 12628.</b> Includes tribal government-operated emergency medical services (fire and non-fire based) as eligible for grants for rural emergency medical equipment and training.

## 56 Members of the Farm Bill Conference Committee

### Senate Farm Bill Conferees (5R / 4D)

Republicans

Chairman Pat Roberts (R-KS)  
Majority Leader Mitch McConnell (R-KY)  
Sen. John Boozeman (R-AR)  
Sen. Joni Ernst (R-IA)  
Sen. John Hoeven (R-ND)

Democrats

Ranking Member Sen. Debbie Stabenow (D-MI)  
Sen. Patrick Leahy (D-VT),  
Sen. Sherrod Brown (D-OH)  
Sen. Heidi Heitkamp (D-SD)

### House Farm Bill Conferees (29R / 18D)

House Committee on Agriculture (13R/10D)

Chairman Mike Conaway (R-TX)  
Rep. Glenn 'GT' Thompson (R-PA)  
Rep. Bob Goodlatte (R-VA)  
Rep. Frank Lucas (R-OK)  
Rep. Mike Rogers (R-AL)  
Rep. Austin Scott (R-GA)  
Rep. Rick Crawford (R-AR)  
Rep. Vicky Hartzler (R-MO)  
Rep. Rodney Davis (R-IL)  
Rep. Ted Yoho (R-FL)  
Rep. David Rouzer (R-NC)  
Rep. Roger Marshall (R-KS)  
Rep. Jodey Arrington (R-TX)  
*Ranking Member Collin Peterson (D-MN)*  
*Rep. David Scott (D-GA)*  
*Rep. Jim Costa (D-CA)*  
*Rep. Tim Walz (D-MN)*  
*Rep. Marcia Fudge (D-OH)*  
*Rep. Jim McGovern (D-MA)*  
*Rep. Filemon Vela (D-TX)*  
*Rep. Michelle Lujan Grisham (D-NM)*  
*Rep. Ann Kuster (D-NH)*  
*Rep. Tom O'Halleran (D-AZ)*

Foreign Affairs (2R/1D):

Chairman Ed Royce (R-CA)  
Rep. Steve Chabot (R-OH)  
*Ranking Member Eliot Engel (D-NY)*

Natural Resources (2R/1D):

Chairman Rob Bishop (R-UT)  
Rep. Bruce Westerman (R-AR)  
*Ranking Member Raúl Grijalva (D-AZ)*

Oversight and Government Reform (2R/1D):

Rep. Mark Walker (R-NC)  
Rep. James Comer (R-KY)  
*Rep. Stacey Plaskett (D-VI)*

Science, Space, and Technology (2R/1D):

Rep. Ralph Abraham (R-LA)  
Rep. Neal Dunn (R-FL)  
*Ranking Member Eddie Bernice Johnson (D-TX)*

Transportation and Infrastructure (2R/1D):

Rep. Jeff Denham (R-CA)  
Rep. Bob Gibbs (R-OH)  
*Rep. Cheri Bustos (D-IL)*

Education and Workforce (2R/1D):

Chairwoman Virginia Foxx (R-NC)  
Rep. Rick Allen (R-GA)  
*Rep. Alma Adams (D-NC)*

Energy and Commerce (2R/1D):

Rep. John Shimkus (R-IL)  
Rep. Kevin Cramer (R-ND)  
*Rep. Paul Tonko (D-NY)*

Financial Services(2R/1D):

Chairman Jeb Hensarling (R-TX)  
Rep. Sean Duffy (R-WI)  
*Ranking Member Maxine Waters (D-CA)*