



School of Law

Indigenous Food and Agriculture Initiative



Agriculture Improvement Act of 2018

Senate Committee on Agriculture 2018 Farm Bill Draft

Review of Tribal-Specific Provisions – June 11, 2018

Title I – Commodities

Sec. 1501 – Supplemental Agricultural Disaster Assistance

- Adds tribes and tribal organization to definition of an eligible producer for the program.
 - Sec.1501 (a) amends section 1501(a)(1)(B) of the Agricultural Act of 2014 to add an Indian tribe or tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304) as an eligible producer.
 - Sec.1501 (c) amends section 1501(e) of the Agricultural Act of 2014 to require a reimbursement of 75 percent of the losses for beginning farmers, ranchers and veterans under the Tree Assistance Program.

Title II – Conservation

Sec. 2101 – Extension and Enrollment Requirements of Conservation Reserve Program

- Authorizes a State or Indian Tribe, in consultation with FSA State Technical Committee to submit a request to designate a SAFE area. The Secretary is directed to give priority to certain requests, including wildlife habitat for targeted species and where a commitment of funds for incentive payments is provided, and to maintain a regional balance when making designations.

Sec. 2503 – Administrative requirements for conservation programs

- 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 to certain farmers, ranchers, acequias, and Indian Tribes. Certain reporting requirements will not apply to commodity program participants in the Farm Service Agency. The Secretary is directed to encourage source water protection practices in the conservation stewardship program and environmental quality incentives program. Provides administrative requirements for payments to acequias.

Title IV – Nutrition

Sec. 4102(a) – Food Distribution Program on Indian Reservations

- Requires USDA to pay 90 percent of administrative costs FDPIR, with a 10 percent tribal match;
- Adds waiver of match requirement if it causes a substantial burden on a tribe;
- Tribes can use other federal funding sources to meet matching requirement; and
- Does not allow the Secretary to limit the administrative costs for tribes that receive a waiver; and
- Allows FDPIR administrative funds to remain available for two fiscal years.

Sec. 4102(b) – Food Distribution Program on Indian Reservations

- Authorizes demonstration projects for tribal organizations to enter into 638 self-determination contracts to procure foods for FDPIR packages.

Sec. 4303 – The Gus Schumacher Food Insecurity Nutrition Incentives

- Tribal agencies can use other federal resources and funds (i.e. IHS) to meet the Food Insecurity Nutrition Incentive program matching requirement.

Title VI – Rural Development

Sec. 6104 – Tribal college and university essential community facilities

- Reauthorized at current funding level.
 - This program was cut in half in the House version

Sec. 6117 – Rural Business-Cooperative Service Programs Technical Assistance and Training

- Tribal government eligibility for technical assistance/training programs under Rural Business-Cooperative Service

Sec. 6201 – Electric Loan Refinancing; Sec. 6208 – Refinancing of Broadband and Telephone Loans; and multiple other Secs. in Title VI

- Provides refinancing authority to USDA projects made in Substantially Underserved Trust Areas (SUTA) to make finance improvements to electric, broadband, and water infrastructure in underserved tribal communities.

Sec. 6205 – Access to Broadband Telecommunications Services in Rural Areas

- Priority for tribes and other underserved communities in grants and loans for broadband.

Sec. 6206 – Community Connect Grant Program

- Codifies community connect for tribes and other underserved communities.

Title VII – Research

Sec. 7109 – Education grants to Alaska Native serving institutions and Native Hawaiian serving institutions

- Both reauthorized at current levels.

Sec. 7118 – New Beginning for Tribal Students

- Creates a new Native American student scholarship fund for tribal students attending land-grant universities and colleges.

Sec. 7121 – Partnerships to build capacity in international agricultural research, extension, and teaching

- Includes 1994 Tribal Colleges as eligible for program to build the capacity and improve the performance activities substantially similar to agricultural research, extension, and teaching activities.

Sec. 7206 – National Genetics Resources Program

- 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 – Equity in Educational Land-Grant Status Act of 1994

- 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 – Assistance for forestry research under the McIntire-Stennis Cooperative Forestry Act

- Makes 1994 Tribal Colleges to be eligible for McIntire-Stennis Forestry program capacity funding.

Title VIII – Forestry

Sec. 8624 – Good Neighbor Authority

- Includes tribes as eligible under the Good Neighbor Authority; and
- Adds trust land, restricted fee, land held for a tribe's benefit, fee land, Section 17 corporation owned land, and an Alaska Native Village Corporation.

Title X – Horticulture

Sec. 10102 – Local Agriculture Market Program

- Establishes tribal eligibility in local food programs to grow, process, and market Native foods.

Sec. 10111 – Hemp Production

- Makes hemp farming legal and creates new State and Tribal plans to develop and expand hemp production;
- Does not preempt state and tribal laws on hemp production as long as they are consistent with federal law.

Title XI – Crop Insurance

Sec. 11111 – Farming Opportunities Training and Outreach

- 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.

Title XII – Miscellaneous

Sec. 12301 – Farming Opportunities Training and Outreach

- Creates permanent mandatory baseline funding for outreach, education, and training for beginning and socially disadvantaged farmers and ranchers, including Tribal farmers and ranchers in the new Farming Opportunities Training Outreach program.

Sec. 12304 – Tribal Advisory Committee

- Creates a new Tribal Advisory Council to provide advice to the Secretary on tribal related issues and policies throughout the Department.

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