



2018 Farm Bill Implementation Tracker:
Where the Tribal Specific Provisions Stand at USDA
 October 20, 2020

Conference Committee Farm Bill
H.R. 2 - Agriculture Improvement Act of 2018
Passed by Senate 87-13; Passed by House 369-47
Signed into law December 20, 2018

Title I – Commodities		
2018 Farm Bill Provision	Implementation Status	Notes
<p><i>Sec. 1501 – Supplemental Agricultural Disaster Assistance</i></p> <ul style="list-style-type: none"> • Adds tribes and tribal organizations to definition of an eligible producer for the program. <ul style="list-style-type: none"> ○ 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 	Unclear	<p>USDA website and guidance is not updated to include any post-2018 Farm Bill information. All information points to authorities from the 2014 Farm Bill and before the 2018 Farm Bill was signed. Additionally, no current information on applications is available online.</p> <p>https://www.fsa.usda.gov/programs-and-services/disaster-assistance-program/</p>

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<p>the Agricultural Act of 2014 to require the Secretary to provide a reimbursement of 75 percent of the losses for beginning and veteran farmers and ranchers under the Tree Assistance Program.</p>		
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Title II – Conservation		
2018 Farm Bill Provision	Implementation Status	Notes
<p><i>Sec. 2304 - Establishment and Administration of Environmental Quality Incentive Program</i></p> <ul style="list-style-type: none"> Moved to section 2304(d) and replaces the “opt-out” language with an assurance of notification of producers, per Note #16 in Title II - Conservation, Joint Explanatory Statement. 	<p>Implementation complete.</p>	<p>Information listed on USDA website as part of updated payment eligibility. Program criteria updated to match legislation.</p> <p>https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/financial/eqip/</p>
<p><i>Sec. 2202 - Conservation Reserve Enhancement Program</i></p> <ul style="list-style-type: none"> Allows the Secretary to enter into cost-share agreements with tribes, and other partners, to carry out the conservation reserve enhancement program. 	<p>Pending.</p>	<p>USDA-FSA website only lists state governments as eligible partners with the federal government under the CREP program.</p> <p>https://www.fsa.usda.gov/programs-and-services/conservation-programs/conservation-reserve-enhancement/index</p>

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<p><i>Sec. 2204 Pilot Programs [Conservation Reserve Easements]</i></p> <ul style="list-style-type: none"> • Creates pilot project for 30-year conservation easements called Clean Lakes Estuaries and Rivers (CLEAR 30) practices • Secretary may enter into one or more agreements with tribes under CLEAR 30. 	<p>Implemented.</p>	<p>Sign-ups for the program opened during summer 2020. Awards to be announced. Contracts will be effective October 1, 2020.</p> <p>https://www.fsa.usda.gov/news-room/news-releases/2020/usdas-new-crp-pilot-program-offers-longer-term-conservation-benefits</p>
<p><i>Sec. 2701 - Regional Conservation Partnership Program</i></p> <ul style="list-style-type: none"> • Expressly includes tribes who own or operate eligible land as eligible producers for the Regional Conservation Partnership Program. 	<p>Implementation complete.</p>	<p>Tribes included as eligible partners under current RCPP announcement for 2020:</p> <p>https://www.grants.gov/web/grants/view-opportunity.html?oppld=328578</p>
<p><i>Sec. 2501(a) - Funding of Conservation Stewardship Program - Transition Incentives Program.</i></p> <ul style="list-style-type: none"> • Increases funding to \$50 million, including up to \$5 million for outreach and technical assistance, for the transfer of retiring agriculture land to new and beginning or socially disadvantaged producers under the CSP- Transition Incentives Program. 	<p>Self-implementing.</p>	<p>Funding increase.</p>
<p><i>Section 2501(d) - Assistance to Certain Farmers or Ranchers for Conservation Access</i></p> <ul style="list-style-type: none"> • Set-asides for ‘beginning’ and ‘socially disadvantaged’ farmers or ranchers are reauthorized at 5 percent. 	<p>Self-implementing.</p>	<p>Reauthorization of existing set-asides.</p>

<p>Sec. 2503(c) – Administrative requirements for conservation programs</p> <ul style="list-style-type: none"> Requires USDA to enter into alternative funding arrangements for conservation programs under the Conservation Stewardship Program and Environmental Quality Incentives Program. 	<p>Pending</p>	<p>Awaiting administrative guidance and/or regulation from the USDA.</p> <div data-bbox="1234 326 1377 509" style="text-align: center;"> </div> <p>IFAI Resource: NRC's Alternative Funding Arrangements (AFAs)</p>
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Title III – Trade		
2018 Farm Bill Provision	Implementation Status	Notes
<p>Sec. 3312 – Foreign Trade Missions</p> <ul style="list-style-type: none"> Requires the Secretary to seek to support greater inclusion and participation of Native farmers, ranchers, and producers on international trade missions. Requires a report to Congress within 2 years regarding the efforts of the agencies to increase tribal inclusion on international trade missions. 	<p>Pending.</p>	<p>No report is publicly available.</p>

Title IV – Nutrition		
2018 Farm Bill Provision	Implementation Status	Notes
<p><i>Sec. 4003(a) – Food Distribution Program on Indian Reservations</i></p> <ul style="list-style-type: none"> • Authorizes 2-year carryover funding • Requires USDA to pay 80 percent of administrative costs FDPIR, with a 20 percent tribal match. • USDA must waive the match requirement if a tribe is financially unable or substantially burdened by the match requirement. • A tribe may use other federal funding sources to meet the match requirement. • USDA may not limit the administrative costs for a tribe that receives a waiver. • Adds “regionally-grown” to the traditional foods provision purchase provision for FDPIR. • Requires the Secretary to purchase traditional foods that can be procured “cost-effectively.” 	Implementation complete.	Several of these provisions were self-implementing. USDA did release an Interim Final Rule in 2019 regarding the matching funds waiver process and received multiple comments in the Federal Register and in consultation with Tribal leaders suggesting the process USDA utilized was too burdensome. Those regulations are currently operable, however, and the changes made by the Farm Bill have been implemented.
<p><i>Sec. 4003(b) – Food Distribution Program on Indian Reservations - Demonstration Project for Tribal Organizations</i></p> <ul style="list-style-type: none"> • Authorizes \$5 million for demonstration projects for tribal organizations to enter into 638 self-determination contracts to procure foods for FDPIR packages. 	Pending.	Congress appropriate \$3 million for this demonstration project, available to be expended until Sept. 30, 2021. USDA is still in the process of finalizing guidelines for applications and has not yet opened the application process.

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<ul style="list-style-type: none"> Only funds specifically appropriated in advance for this purpose may be used to carry out this demonstration project. 		 <p>IFAI Resource: Food Distribution on Indian Reservations: “638” Self-Governance Demonstration Project</p>
<p>Sec. 4203 - Service of Traditional Foods in Public Facilities</p> <ul style="list-style-type: none"> Adds state, county, and local education programs as eligible for the donation of traditional foods provision into public and nonprofit facilities. 	Self-implementing.	No further action needed.
<p>Sec. 4205 - The Gus Schumacher Food Insecurity Nutrition Incentives</p> <ul style="list-style-type: none"> Tribal agencies can use other federal resources and funds (including IHS funding) to meet the Food Insecurity Nutrition Incentive program matching requirement. 	Implementation complete.	No further action needed.
<p>Sec. 4206 – Micro-Grants for Food Security</p> <ul style="list-style-type: none"> Provides money to states to award grants of up to \$5,000 to individuals and up to \$10,000 to eligible entities, including tribes and tribal organizations, for small-scale gardening, herding, and livestock operations directed to food insecure communities. 	Implementation complete.	The 2020 Request for Applications (RFA) closed on August 19, 2020. Interested applicants should follow the Agricultural Marketing Service (AMS) Micro-Grants page for information on future RFA's.

Title V – Credit		
2018 Farm Bill Provision	Implementation Status	Notes
<p><i>Sec. 5415 - GAO Report on Availability of the Farm Credit System to Meet the Agriculture Credit Needs of Indian Tribes and their Members</i></p> <ul style="list-style-type: none"> Requires the GAO to study the availability of agriculture credit to tribes and tribal producers within the Farm Credit System. 	Implementation complete.	Link to report: https://www.gao.gov/products/GAO-19-464

Title VI – Rural Development		
2018 Farm Bill Provision	Implementation Status	Notes
<p><i>Sec. 6302 – Establishment of Technical Assistance Program</i></p> <ul style="list-style-type: none"> Establishes a permanent Rural Development Tribal Technical Assistance Office to provide technical assistance across all areas of rural development funding for tribal governments, tribal producers, tribal businesses, tribal business entities, and tribally designated housing entities. 	Pending.	No information publicly available.
<p><i>Sec. 6406 – Tribal College and University Essential Community Facilities</i></p> <ul style="list-style-type: none"> Reauthorized at current \$10 million funding level. 	Self-implementing.	Funding reauthorized at current level.

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<p><i>Sec. 6408 – Water Systems for Rural and Native Villages in Alaska</i></p> <ul style="list-style-type: none"> Reauthorized at current funding level and includes eligibility for tribal consortia (with a 2 percent set-aside for the consortia) and Alaska Native villages. 	<p>Self-implementing.</p>	<p>Funding reauthorized at current level.</p>
<p><i>Sec. 6401 – Strategic Economic and Community Development</i></p> <ul style="list-style-type: none"> Requires the Secretary to coordinate with tribes and other governments and provide priority, under any Rural Development program, to Strategic Community Investment Plans that improve broadband across a multijurisdictional basis, as well as include investment from strategic partners such as tribal governments. 	<p>Implementation complete.</p>	<p>Program criteria includes Tribal applicants as eligible: https://www.rd.usda.gov/files/1980k.pdf</p>
<p><i>Sec. 6701(a)(1) – Corrections Relating to the Consolidated Farm and Rural Development Act</i></p> <ul style="list-style-type: none"> Technical amendment clarifying the eligibility of tribes as defined under Section 4(e) of the Indian Self-Determination and Education Assistance Act. 	<p>Self-implementing.</p>	<p>Technical correction to statutory authority.</p>
<p><i>Sec. 6419 – Rural Business-Cooperative Service Programs Technical Assistance and Training</i></p> <ul style="list-style-type: none"> Expressly authorizes tribal governments as eligible grantees for technical assistance/training programs under the Rural Business-Cooperative Service. 	<p>Implementation complete.</p>	<p>Example of funding announcement in Notice to Federal Register implementing this eligibility can be found at https://www.federalregister.gov/documents/2020/02/14/2020-02949/notice-of-solicitation-of-applications-for-inviting-applications-for-the-rural-business-development.</p>

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<p><i>Secs. 6205, 6209, 6211, 6501, 6505 [Refinancing Authority for Rural Development Infrastructure Loans]</i></p> <ul style="list-style-type: none"> Per Note # 26, Title VI Joint Explanatory Statement, the Managers intend that an existing loan may be refinanced using the Substantially Underserved Trust Area program, and the USDA must publish a notice detailing its implementation of this refinancing authority (See Conference Bill at Sec. 6211). 	<p>Implementation complete.</p>	<p>Implementing regulation as Interim Final Rule available at:</p> <p>https://www.federalregister.gov/documents/2020/03/12/2020-04086/rural-broadband-loans-loangrant-combinations-and-loan-guarantees.</p>
<p><i>Sec. 6201 – Access to Broadband Telecommunications Services in Rural Areas</i></p> <ul style="list-style-type: none"> Priority for tribes and other underserved communities for broadband grants and loans. 	<p>Implementation complete.</p>	<p>Implementing regulation available at:</p> <p>https://www.govinfo.gov/content/pkg/FR-2020-03-12/pdf/2020-04086.pdf</p>
<p><i>Sec. 6204 – Community Connect Grant Program</i></p> <ul style="list-style-type: none"> Codifies the Community Connect program with tribes and tribal organizations eligible for grants, as well as other underserved communities. 	<p>Implementation complete.</p>	<p>The initial round of ReConnect grants included Tribal priority points, however that was not included in subsequent rounds. Funding application period open through December. More information available at:</p> <p>https://www.rd.usda.gov/programs-services/community-connect-grants</p>

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<p><i>Sec. 6306 – Council on Rural Community Innovation and Economic Development</i></p> <ul style="list-style-type: none"> Creates a Council with representatives from 26 Executive Branch agencies to streamline and leverage federal investments in rural areas, and coordinate with all stakeholders, including tribal governments. Rural Broadband Integration Working Group not included. 	<p>Unclear.</p>	<p>No information on creating this Council is publicly available.</p>
<p><i>Sec. 6424 – Rural Innovation Stronger Economy Program</i></p> <ul style="list-style-type: none"> Establishes a grant program to create job accelerators and programs in low-income rural areas, prioritizing entities/applications with a tribal government as the lead applicant. 	<p>Pending.</p>	<p>This program is still being developed. Listening sessions surrounding pending program criteria were held in July 2020.</p> <p>Link to Notice in Federal Register:</p> <p>https://www.govinfo.gov/content/pkg/FR-2020-07-22/pdf/2020-15821.pdf</p>


Title VII – Research		
2018 Farm Bill Provision	Implementation Status	Notes
<p><i>Sec. 7109 – Education grants to Alaska Native serving institutions and Native Hawaiian serving institutions</i></p> <ul style="list-style-type: none"> Both reauthorized at current levels. 	<p>Self-implementing.</p>	<p>Reauthorized at current levels.</p>

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<p>Sec. 7502 – Equity in Educational Land-Grant Status Act of 1994</p> <ul style="list-style-type: none"> • 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. 	<p>Self-implementing.</p>	<p>Reauthorized at current levels and expanded institutional eligibility.</p>
<p>Sec. 7120 – New Beginning for Tribal Students</p> <ul style="list-style-type: none"> • Creates a new Native American student scholarship fund for tribal students attending land-grant universities and colleges. 	<p>Implementation complete.</p>	<p>Link to current RFA: https://nifa.usda.gov/funding-opportunity/new-beginning-tribal-students-programs-nbts?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=</p>
<p>Sec. 7123 – Partnerships to build capacity in international agricultural research, extension, and teaching</p> <ul style="list-style-type: none"> • 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. 	<p>Implementation complete.</p>	<p>Recent RFAs to each subset of grants under this statutory authority available at: https://nifa.usda.gov/opportunities-global-engagement</p>
<p>Sec. 7206 – National Genetics Resources Program</p> <ul style="list-style-type: none"> • 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. 	<p>Implementation complete.</p>	<p>1994 Tribal College representation included in most recent solicitation for membership in the Federal Register: https://nareeeab.ree.usda.gov/sites/default/files/2020-05/NAREE%20Board%20Published%20Federal%20Register%20Volume%2085_0.pdf</p>

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<p>Sec. 7412 - Farm and Ranch Stress Assistance Network</p> <ul style="list-style-type: none"> • Adds tribes as eligible for competitive USDA/HHS grants to support work with non-profit organizations under the Farm and Ranch Stress Assistance Network program. 	<p>Implementation complete.</p>	<p>Indian tribes eligible as applicants under most recent RFA:</p> <p>https://nifa.usda.gov/sites/default/files/rfa/FY-2020-FRSAN-20200430.pdf</p>
<p>Sec. 7604 – Assistance for forestry research under the McIntire-Stennis Cooperative Forestry Act</p> <ul style="list-style-type: none"> • Makes 1994 Tribal Colleges eligible for McIntire-Stennis Forestry program capacity funding. 	<p>Implementation complete.</p>	<p>TCUs eligible applicants as “State-certified Schools of Forestry” in most recent RFA:</p> <p>https://nifa.usda.gov/sites/default/files/resources/FY2021-McIntire-Stennis-Cooperative-Forestry-Research-Program-RFA-508.pdf</p>
<p>Sec. 7609 – Smith-Lever Community Extension Program</p> <ul style="list-style-type: none"> • Adds TCUs as eligible for funding for the Children, Youth and Families at Risk (CYFAR) Program and the Federally Recognized Tribes Extension Program (FRTEP). 	<p>Pending</p>	<p>No information on the USDA-NIFA website indicates that 1994 TCUs are eligible for funding under FRTEP and/or CYFAR. No recent RFA has been posted.</p> <p>https://nifa.usda.gov/program/federally-recognized-tribes-extension-grant-program</p> <p>https://nifa.usda.gov/program/children-youth-and-families-risk-cyfar</p> <p>IFAI Resource: Program Highlight: Federally Recognized Tribes Extension Program (FRTEP)</p> 

Title VIII – Forestry		
2018 Farm Bill Provision	Implementation Status	Notes
<p>Sec. 8102 – State and Private Forest Landscape-scale Restoration Program</p> <ul style="list-style-type: none"> Includes forest land owned by an Indian tribe within the definition of “nonindustrial private forest land” as eligible for a competitive grant awarded by the USDA in coordination with a state agency. 	Implementation complete.	<p>Tribes are listed as eligible applicants under most recent RFA:</p> <p>https://www.fs.usda.gov/naspf/sites/default/files/fy2021-lsr-r9-guidance-final-20200622.pdf</p>
<p>Sec. 8401 – Promoting Cross-Boundary Wildfire Mitigation</p> <ul style="list-style-type: none"> 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. 	Unclear.	No RFA/RFP or project update publicly available on DOI or USDA-FS website.
<p>Sec. 8624 – Good Neighbor Authority</p> <ul style="list-style-type: none"> Adds tribes as eligible for Good Neighbor Authority agreements, includes land owned by an Indian tribe. Tribes are defined under Section 4(e) of the Indian Self-Determination and Education Assistance Act. 	Implementation partially complete.	<p>GNA Agreement signed with Chugachmiut, an Alaska Native 501(c)3 non-profit tribal consortium incorporated in 1974 to promote health, education, training and provide technical assistance to seven Native communities of the Chugach Region. However, criteria for executing these agreements is presumptively in development following multiple USDA listening sessions.</p> <p>https://www.fs.usda.gov/inside-fs/delivering-mission/excel/chugach-national-forest-and-chugachmiut-work-together-thanks</p>

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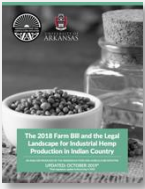
<p><i>Sec. 8407 – Healthy Forests Restoration Act of 2003 Amendments</i></p> <ul style="list-style-type: none"> Allows use of any combination of a 30-year contract, a 10-year cost-share agreement, or permanent easement to enroll tribal acreage into the plan. 	<p>Unclear.</p>	<p>Secretarial discretionary authority altered, so no additional action needed. However, no information on executed agreements is publicly available.</p>
<p><i>Sec. 8703 – Tribal Forest Management Demonstration Project</i></p> <ul style="list-style-type: none"> Permits the Secretaries of Interior and Agriculture to enter into 638 self-determination demonstration project agreements with Tribes to take over the management and functions of the federal government under the Tribal Forest Protection Act (TFPA), provided that the Secretaries make any decisions required to be made by NEPA and TFPA, and provided further, that the 638 contract be subject to negotiation under 25 U.S.C. 5363(b)(2). 	<p>Implementation partially complete.</p>	<p>Tribal listening sessions hosted surrounding development of 638 agreement templates and criteria, but no information about this criteria is publicly available. However, on September 16, 2020, the Mt. Baker-Snoqualmie National Forest and the Tulalip Tribes of Washington signed a 638 forestry agreement under this authority to expand wildlife and watershed restoration projects in northwest Washington.</p>
<p><i>Sec. 8404 – Water Source Protection Program</i></p> <ul style="list-style-type: none"> Requires the Secretary to create a Water Source Protection Program to carry out watershed restoration projects on National Forest System land and coordinate/partner with tribes to develop water source management plans. 	<p>Pending.</p>	<p>Currently under development based on the latest information from USDA Forest Service.</p> <p>https://www.fs.usda.gov/sites/default/files/USFSWatershedManual20190825-508.pdf</p>

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<p>Sec. 8405 – Watershed Condition Framework</p> <ul style="list-style-type: none"> Requires the Secretary to create a Watershed Condition Framework for National Forest System land in coordination with tribes and other governments within watershed areas. 	<p>Unclear.</p>	<p>No information publicly available on USDA website concerning this framework for National Forest System land. All information posted on an existing structure of this program is pre-2012.</p> <p>https://www.fs.fed.us/naturalresources/watershed/condition_framework.shtml</p>
<p>Sec. 8643 – Wood Innovation Grant Program</p> <ul style="list-style-type: none"> New program available to tribal, state, and local governments for advancing the innovative use of wood products, with a priority for the use of existing milling capacity. 	<p>Implementation complete.</p>	<p>Tribal governments listed as eligible entities under recent RFP:</p> <p>https://www.fs.usda.gov/naspf/sites/default/files/cst29fy20woodinnovrpfinstructions_final_20190924.pdf</p>

<p>Title X – Horticulture</p>		
<p>2018 Farm Bill Provision</p>	<p>Implementation Status</p>	<p>Notes</p>
<p>Sec. 10102 – Local Agriculture Market Program</p> <ul style="list-style-type: none"> Establishes tribal eligibility in local food programs to grow, process, and market Native foods. 	<p>Implementation complete.</p>	<p>The LAMP program partially combines and streamlines two existing, cornerstone local/regional food system programs: the Farmers Market and Local Food Promotion Program (FMLFPP) and Value-Added Producers Grant Program (VAPG).</p> <p>Tribal governments listed as eligible applicants on USDA-Agricultural Marketing Service website for LFMPP grants:</p>

		<p>https://www.ams.usda.gov/services/grants/fmpp https://www.ams.usda.gov/services/grants/lfpp</p> <p>Same for the most recent FOA for the VAPG grant within USDA-Rural Development: https://www.govinfo.gov/content/pkg/FR-2019-12-11/pdf/2019-26626.pdf</p>
<p>Sec. 10116 – Study on Methyl Bromide Use in Response to an Emergency Event</p> <ul style="list-style-type: none"> Requires USDA and EPA to complete a study on the use of methyl bromide in response to an emergency, including a risk-benefit analysis of authorizing use by state, local, or tribal authorities. 	<p>Unclear.</p>	<p>No information publicly available.</p>
<p>Sec. 10113 – Hemp Production</p> <ul style="list-style-type: none"> Makes hemp farming legal and authorities new State and Tribal plans and regulations 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. USDA can provide technical assistance to tribes and states in the development of plans. Any person with a controlled-substance felony conviction must wait 10 years following their date of conviction to participate. 	<p>Implementation partially complete.</p>	<p>Interim Final Rule issued. Original comment period closed on December 30, 2019 but was reopened September 7, 2020 through October 8, 2020. Final rule to be issued after IFR expires on November 1, 2021. Tribal consultation held on September 23, 2020.</p> <p>Link to IFR: https://www.federalregister.gov/documents/2019/10/31/2019-23749/establishment-of-a-domestic-hemp-production-program</p>

		 <p>IFAI Resource: The 2018 Farm Bill and the Legal Landscape for Industrial Hemp Production in Indian Country</p>
<p>Sec. 10114 – Interstate Commerce [Hemp]</p> <ul style="list-style-type: none"> No State (or Tribe) can prohibit the transportation or shipment through its territory of hemp or hemp products produced in accordance with an approved Tribal or State Plan. 	<p>Implementation partially complete.</p>	<p>Interim Final Rule issued. Original comment period closed on December 30, 2019 but was reopened September 7, 2020 through October 8, 2020. Final rule to be issued after IFR expires on November 1, 2021. Tribal consultation held on September 23, 2020.</p> <p>Link to IFR:</p> <p>https://www.federalregister.gov/documents/2019/10/31/2019-23749/establishment-of-a-domestic-hemp-production-program</p>

Title XI – Crop Insurance		
2018 Farm Bill Provision	Implementation Status	Notes
<p>Sec. 11108 - Underserved Producers</p> <ul style="list-style-type: none"> Includes tribal producers in definition of underserved producers for review and report of whether crop insurance is providing adequate coverage. 	<p>Unclear/Pending.</p>	<p>Tribes included as part of “underserved producers” in legislation, but no RMA report is publicly available.</p>

Title XII – Miscellaneous		
2018 Farm Bill Provision	Implementation Status	Notes
<p><i>Sec. 12101(b) – Animal Disease Preparedness and Response</i></p> <ul style="list-style-type: none"> Includes tribes as eligible entities for a new National Animal Disease Preparedness and Response Program. 	Implementation complete.	Indian tribes included as eligible applicants under most recent RFA: https://www.aphis.usda.gov/animal_health/farmbill/farmbill-2020-funding-opportunity.pdf
<p><i>Sec. 12101(c) – National Animal Vaccine and Veterinary Countermeasures Bank</i></p> <ul style="list-style-type: none"> The Secretary can enter into cooperative agreements with tribes regarding the prevention, detection, and rapid response to animal pests and diseases. 	Self-Implementing.	Parity in discretionary Secretarial authority. No further action needed.
<p><i>Sec. 12203 – Agriculture and Food Defense</i></p> <ul style="list-style-type: none"> State and regional strategic response plans must include the appropriate roles and interactions with tribal governments. 	Unclear.	No information publicly available.
<p><i>Sec. 12406 – Office of Partnerships and Public Engagement</i></p> <ul style="list-style-type: none"> Changes the name of the Office of Advocacy and Outreach to the Office of Partnerships and Public Engagement; specific reference to tribal producers, as socially disadvantaged definition includes tribal producers. 	Implementation complete.	The Office of Advocacy and Outreach changed to the Office of Partnerships and Public Engagement by Secretary of Agriculture.

<p>Note #17, Title XII Joint Explanatory Statement of the Managers Recognizing Importance of the Office of Tribal Relations</p> <ul style="list-style-type: none"> “The Managers recognize that the Office of Tribal Relations (OTR) is an important function of USDA and should be within the Office of the Secretary. The Director of OTR serves as USDA’s primary point of contact for consultation and coordination with Tribal Governments and should continue to directly advise the Secretary on tribal issues and policies. The Managers agree that OTR should coordinate with OPPE to provide outreach and assistance to tribes and tribal farmers and ranchers to improve access to USDA programs and resources.” 	<p>Implementation complete.</p>	<p>OTR was maintained as a standalone office within the Office of the Secretary at USDA for policy purposes.</p>
<p>Sec. 12301 – Farming Opportunities Training and Outreach</p> <ul style="list-style-type: none"> 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, and specifies tribal government and tribal producer eligibility for grants under the programs. 	<p>Implementation complete.</p>	<p>This program merged the Beginning Farmer and Rancher Development Program (BFRDP) and the Outreach and Assistance to Socially Disadvantaged and Veteran Farmers and Ranchers Program (aka “Section 2501”) programs under the same umbrella, while also slightly modifying the criteria for each. Under the most recent RFA for BFRDP, Tribal agencies are listed as eligible applicants. The funding announcement for Section 2501 grants also lists Indian tribes and 1994 TCUs as eligible applicant entities.</p> <p>RFA for BRFDP: https://nifa.usda.gov/sites/default/files/rfa/FY2020-BFRDP-2019-508-Mod-3-18-2020.pdf</p>

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		FOA for 2501: https://www.govinfo.gov/content/pkg/FR-2020-07-13/pdf/2020-14321.pdf
<p>Sec. 12302 – Urban Agriculture</p> <ul style="list-style-type: none"> Establishes a new Office of Urban Agriculture and Innovative Production and Advisory Committee; tribal governments are eligible for urban agriculture grants provided under the new Office. 	Implementation complete.	Office/program established. Link at: https://www.farmers.gov/manage/urban/opportunities
<p>Sec. 12303 – Tribal Advisory Committee</p> <ul style="list-style-type: none"> Creates a new Tribal Advisory Council to provide advice to the Secretary on tribal related issues and policies throughout the Department. 	Pending.	<p>Presidential signing statement accompanying the 2018 Farm Bill stating that this provision was unconstitutional as it violated a separation of powers doctrine. USDA OGC was reported to be evaluating the legality of TAC in light of the currently operating Tribal Technical Advisory Committee at the Department of the Treasury. Secretary Perdue was also examining establishing an administrative advisory committee to accomplish these goals as well.</p> <p>On September 24, 2020, OTR advised on a Tribal Consultation regarding the Interim Final Rule for Hemp that an alternative version of TAC was in development by the Secretary of Agriculture.</p>

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<p>Sec. 12409 – Rural Health Liaison</p> <ul style="list-style-type: none"> Establishes a new Rural Health Liaison position to work in consultation with HHS regarding the integration of USDA and HHS programs to support rural health, including outreach to tribal governments on the availability of grants, information, and programs. 	<p>Implementation complete.</p>	<p>Betty-Ann Bryce was installed into this position.</p> <p>https://www.rd.usda.gov/sites/default/files/USDA_RD_Rural_Health_Liaison2142020.pdf</p>
<p>Sec. 12502 – [Emergency Housing for Domestic Violence Victims with Support Animals & Pets]</p> <ul style="list-style-type: none"> In coordination with DOJ, HUD, and HHS, provides funding and grants to tribes and other eligible entities to provide emergency and transitional shelter and housing assistance to domestic violence victims with support animals and pets. 	<p>Implementation complete.</p>	<p>RFA has expired, but Indian tribes were listed as eligible applicants for the FY2020 funding cycle.</p> <p>https://ovc.ojp.gov/sites/g/files/xyckuh226/files/media/document/fy-2020-emergency-transitional-pet-shelter-housing-and-assistance-presentation.pdf</p>
<p>Sec. 12510 – Tribal Promise Zones</p> <ul style="list-style-type: none"> Codifies the existence and access to federal agency resources and technical assistance for Tribal Promise Zones. <i>Not Included:</i> competitive enhancement provisions. 	<p>Pending.</p>	<p>While existing Tribal Promise Zones are codified under the 2018 Farm Bill, no information is publicly available regarding the Secretarial designation of additional Tribal Promise Zones being designated by the required date of January 1, 2020.</p>
<p>Sec. 12511 – Precision Agriculture Connectivity</p> <ul style="list-style-type: none"> Creates a new task force with a position for an agriculture producer representing tribal agriculture to look at gaps in broadband connectivity for precision agriculture. 	<p>Pending.</p>	<p>FCC is in the process of establishing this task force as of 9/24/2020.</p> <p>https://www.fcc.gov/task-force-reviewing-connectivity-and-technology-needs-precision-agriculture-united-states</p>

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<p><i>Sec. 12515 – Prohibition on Slaughter of Dogs and Cats for Human Consumption</i></p> <ul style="list-style-type: none">Prohibits the slaughter and transportation of dogs and cats for the purpose of human consumption, with a religious ceremony exception provided for Indians.	Self-Implementing.	No further action required.
<p><i>Sec. 12608 – Reauthorization of Rural Emergency Medical Services Training and Equipment Assistance Program</i></p> <ul style="list-style-type: none">Includes tribal government-operated emergency medical services (fire and non-fire based) as eligible for grants for rural emergency medical equipment and training.	Implementation complete.	Tribal government-operated emergency medical services included as eligible applicants in most recent RFA: https://www.samhsa.gov/sites/default/files/grants/pdf/fy-2020-ems-training-foa.pdf

For more information, please contact:

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