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IFAI Analysis: Senate Ag Committee Release Farm Bill

Last week, the Senate Agriculture Committee released its long-awaited Farm Bill text, the [Agriculture Act of 2026](#). The legislation includes new safeguards against FDPIR warehouse disruptions, support for seafood producers, and advances for Tribal-led conservation and forest management. It also includes several recommendations from USDA's Tribal Advisory Committee to increase access to capital for Tribal producers, expands access to Rural Development programs for Tribes, and reauthorizes and expands support for Tribal Colleges and Universities.

However, the legislation does not delay new state cost-sharing requirements for the Supplemental Nutrition Assistance Program (SNAP) that take effect next fall. States will be on the hook for [tens to hundreds of millions](#) in SNAP funding, which may result in States restricting access to SNAP or [withdrawing](#) from the program entirely. Over [one million Tribal citizens](#) participate in SNAP.

The legislation also cuts conservation funding for the Environmental Quality Incentives Program (EQIP) and the Conservation Stewardship Program (CSP), despite both programs being oversubscribed. Unlike the House Farm Bill, the bill does not designate an Office of Self-Determination or establish a new 638 pilot program for the Commodity Supplemental Food Program (CSFP).

The Senate Agriculture Committee is expected to mark up the bill in July. However, the legislation faces an uncertain path forward, as Senate Democrats are likely to oppose the bill without a delay of the SNAP cost-share requirements.

IFAI will publish additional analyses of the Agriculture Act of 2026 in the coming days, including a section-by-section analysis of provisions with Tribal implications. Read IFAI's analysis of the House Farm Bill [here](#), including a [section-by-section analysis](#) and an [amendment tracker](#).

New safeguards for FDPIR warehouse disruptions

The legislation would require USDA to provide direct payments or reimbursement to Indian Tribal Organizations (ITOs) for food purchases during any future supply chain disruption impacting FDPIR. During the [2024 FDPIR supply chain crisis](#), some Tribes used their own funds to purchase commodities, expending their own resources to solve a crisis not of their making without any guarantees they would be made whole. USDA did provide funds directly to Tribes administering FDPIR through the Commodity Credit Corporation (CCC), but some Tribes may have spent more than USDA could provide as the crisis went on.

In addition, the bill would require USDA to designate an emergency warehouse contractor within 45 days of determining a supply chain disruption for either FDPIR or CSFP and newly requires annual consultation on CSFP.



These changes are an effort to improve the federal response to a future manmade supply chain crisis. However, the changes may not have the desired impact, since they do not broaden USDA's ability to exercise emergency authorities like those triggered through [Stafford Act declarations](#). These authorities were unfortunately not available during the warehouse disruption that impacted FDPIR, because the definition of "emergency" in that federal law does not include a manmade supply chain disruption.

The Farm Bill committees do not have jurisdiction to amend the Stafford Act through this legislation. However, Congress has responded to previous supply chain crises by expanding USDA's authority: similar [legislation](#) was signed into law in response to the [infant formula supply chain crisis](#) in 2022. Congress may have missed an opportunity to increase USDA's response time here.

Further, although requiring USDA to designate an emergency vendor in 45 days is helpful on paper, in practical reality, USDA can't legally force a vendor to take on that kind of contract, and the availability of qualified vendors with expertise and willingness to take on the venture is not guaranteed by the marketplace. This kind of requirement is therefore far less helpful than giving USDA broader access to activate emergency authorities during manmade supply chain disruptions.

The legislation also includes a new requirement that USDA consult with Tribes prior to evaluating new contracts for FDPIR and to consider Tribal feedback throughout the evaluation process. While likely well-intended to ensure Tribal input in vendor selection, the provision could inadvertently create conflict-of-interest concerns for USDA if a Tribally owned enterprise later submits a bid for the contract. This kind of provision could also create legal issues for USDA under the existing Federal Acquisitions Regulations that the department is legally required to follow, creating a situation that results in bid protests. Bid protests could delay the award and implementation of a contract significantly, potentially creating a supply chain disruption in the process. That would be a serious blow to the program.

An alternative approach that would continue to integrate vital Tribal feedback without creating a potential conflict and delaying awards would be to require USDA to continue utilizing the technical advisory board that establishes vendor selection criteria, which includes representatives designated by the Board of the National Association of Food Distribution Programs on Indian Reservations (NAFDPIR), as well as the National CSFP. USDA took this approach following the 2024 supply chain crisis, on the recommendation of Tribal leaders.

New support for seafood producers

The bill enshrines in the law the Office of Seafood, which was [established](#) by USDA last April. The Office of Seafood is directed to work with Federal, state, local, and non-governmental entities to promote both domestic farmed and wild seafood and to consult with seafood harvesters on federal policies that may impact them. Notably, however, the Office is not directed to work with Tribal governments, in addition to other governments. The provision also does not include required consultation with Tribes. While the Office has the potential to better integrate seafood producers into USDA programs and to promote domestic seafood, without explicit



inclusion of Tribes, the Office's work may not adequately address or include Tribal priorities or ensure inclusion of Tribal fishers and harvesters in USDA programs.

The National Congress of American Indian (NCAI) recently passed a [resolution](#) calling on USDA to consult with the Tribes on the Office of Seafood and to ensure seafood program serve the full spectrum of seafood producers, including Tribal fishers and harvesters.

The legislation also requires USDA to conduct a study on access to domestic seafood processing facilities, including identifying coastal communities whose economies rely on fishing but are limited by inadequate seafood processing facilities. Again, this provision does not explicitly direct USDA to also identify coastal Tribal communities. For many coastal Tribes, fishing and harvesting seafood is central to their way of life, is protected by treaty rights, is an important local food source, and supports the local economy. Including Tribal priorities for seafood processing in USDA's study is critical to ensure Tribal community needs are met.

The bill would also newly allow individuals providing aquatic services to seafood producers to access Farm Credit System loans and for commercial fishers to access FSA Farm Operating Loans. The House [version](#) of the Farm Bill allowed both commercial fishers and seafood processing facilities to access FSA Farm Operating and Ownership Loans.

Inclusion of 2025 USDA Tribal Advisory Committee recommendations

The Credit Title of the legislation included several recommendations from USDA's Tribal Advisory Committee's 2025 [report](#) for improving access to credit at FSA for Native producers. These include –

- Eliminating the \$300,150 cap on the Downpayment Loan Program for beginning farmers and ranchers;
- Increasing the Microloan limit from \$50,000 to \$100,000;
- Allowing distressed borrowers to refinance FSA guaranteed loans as direct loans;
- Striking requirements that members or partners of an eligible entity be related by blood or marriage to qualify as a beginning farmer or rancher;
- Providing flexibility for FSA to disburse funds set aside for beginning farmers and the downpayment program earlier in the year; and
- Allowing producers who have received loan forgiveness from FSA to become re-eligible for FSA loans after seven years.

Support for Tribally led conservation and forestry

The Farm Bill text creates new opportunities to recognize Traditional Ecological Knowledge (TEK), support Tribally led conservation projects, and integrate Tribal priorities and approaches into forestry management. Among other changes, these include –

- Establishing a new Conservation Assistance Program to provide funding to Tribes and States for improving soil health, improving wildlife habitat, and addressing other local resource concerns. Tribes receive an enhanced federal cost share of 75%, compared to 50% for States. The House Farm Bill [established](#) a similar program, but it was limited to programs improving soil health.
- Expanding the Water Source Protection Program to include adjacent Federal lands, including Tribal lands. This change provides new opportunities for Tribes to access



funding, participate in program design, and lead efforts addressing drought, wildfire, and watershed protection in their communities.

- Adding Tribes as eligible partners for Good Neighbor Authority and expanding how funding can be used, allowing Tribes to participate more directly in forest restoration projects and reinvest revenue into critical infrastructure like roads.
- Integrating Tribal priorities into forest management programs by directing USDA to consider Tribal integrated resource management plans and Tribal forest management plans in the Joint Chiefs Landscape Restoration Partnership Program.
- Incorporating Tribal Ecological Knowledge into a national reforestation strategy.
- Expanding Tribal authority to lead forest management projects on federal lands important to them under the Tribal Forest Protection Act (TFPA) and clarifying that Alaska Native Corporation lands are eligible for TFPA projects.

However, the Conservation Title also significantly cuts funding for EQIP and CSP, despite both programs being oversubscribed. As a result, it may be more challenging for producers to secure EQIP and CSP contracts.

No expanded 638 for nutrition, Office of Self-Determination

Unlike the House version, the Senate Farm Bill does not expand self-determination authority for any nutrition programs or establish an Office of Self-Determination. The House-passed Farm Bill, the Farm, Food, and National Security Act of 2026 ([H.R.7567](#)), directed USDA to make an existing office responsible for overseeing Tribal self-determination contracts throughout the department and provided \$1.2 million in authorization of appropriations. It also established a new 638 demonstration project for CSFP.

Neither Senate nor House bill made the 638 pilot demonstration project for FDPIR permanent due to concerns with costs. This demonstration project was established in the 2018 Farm Bill. Existing 638 agreements will likely be able to continue, subject to appropriation.