



2023 FARM BILL OPPORTUNITIES
As of May 23, 2023

The Native Farm Bill Coalition (NFBC) has published more than 150 priorities in its report entitled, "[Gaining Ground: A Report on the 2018 Farm Bill Successes for Indian Country and Opportunities for 2023.](#)" As we near 2023 Farm Bill negotiations, the following priorities have risen to the top given their bipartisan support, score, overall economic impact on American agriculture, and technical corrections to the 2018 Farm Bill.

TRIBAL GOVERNMENT PARITY

NFBC PRIORITY	TITLE	SENATE CHAMPIONS	HOUSE CHAMPIONS
Provide Parity for Tribal Governments with State and Local Governments - PROMOTE PARITY Add ", and Tribes" after "State and Local Governments".	All	<i>Generally supported by the Senate Agriculture Committee</i>	<i>Generally supported by the House Agriculture Committee</i>
Include Tribes in Priority Resource Concerns - PROMOTE PARITY By amending the definition of "Priority Resource Concerns" to include Tribes, Indian Country's natural resource needs will more adequately apply NRCS funding.	II	<u>Draft Language</u> <ul style="list-style-type: none"> Sen. Gary Peters (D-MI) Sen. Roger Marshall (R-KS) 	N/A
Recognize Tribal Departments of Food and Agriculture - PROMOTE PARITY This provision would recognize and incorporate Tribal Departments of Food and Agriculture into the administrative implementation of USDA programs and ongoing government-to-government relationships.	XII	SCIA outreach See page 76 of the <u>NFBC's Proposed Language</u>	N/A



<p>Recognize Tribal governments, Tribal entities, and Tribal producers as Farmers or Ranchers - PROMOTE PARITY By amending 7 U.S.C. Section 8792, the “Geographically Disadvantaged Farmers and Ranchers” section, to ensure Tribal governments, Tribal entities, and Tribal producers are recognized as farmers and ranchers eligible to receive direct reimbursement payments for transportation of an agricultural commodity, or inputs, used to produce an agricultural commodity occurring over a distance of more than 30 miles.</p>	<p>I</p>	<p>Priority submitted to the Senate Agriculture Committee</p> <ul style="list-style-type: none"> ● Sen. Brian Schatz (D-HI) ● Sen. Lisa Murkowski (R-AK) 	
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TRIBAL SOVEREIGNTY

<p>NFBC PRIORITY</p>	<p>TITLE</p>	<p>SENATE CHAMPIONS</p>	<p>HOUSE CHAMPIONS</p>
<p>Make the 638 FDPIR Pilot Program Permanent - PROTECT EXISTING AUTHORITY WITH ECONOMIC IMPACT Making the 638 FDPIR pilot permanent will provide the certainty needed for participating Tribes to sell more of their products, support Tribal producers who want to ramp up production, and improve the overall health and wellbeing of their Tribal members.</p>	<p>IV</p>	<p><u>Draft Language</u></p> <ul style="list-style-type: none"> ● Sen. Tina Smith (D-MN) <p>Priority submitted to the Senate Agriculture Committee</p> <ul style="list-style-type: none"> ● Sen. Brian Schatz (D-HI) ● Sen. Lisa Murkowski (R-AK) 	<p>N/A</p>
<p>Expand 638 Forestry to Additional Forest Service Authorities (e.g. recreational, visitor centers, trails, boat launches, etc.) - EXPAND EXISTING AUTHORITY WITH ECONOMIC IMPACT Congress should build on progress made in the 2018 Farm Bill to expand 638 forestry opportunities to allow for increased Tribal control over conservation practices and open the door for more economic development opportunities.</p>	<p>VIII</p>	<p>Priority submitted to the Senate Agriculture Committee</p> <ul style="list-style-type: none"> ● Sen. Brian Schatz (D-HI) ● Sen. Lisa Murkowski (R-AK) 	<p>N/A</p>
<p>Establish USDA Office of Self-Governance - ENACT NEW AUTHORITY WITH ECONOMIC IMPACT</p>	<p>XII</p>	<p>Priority submitted to the Senate Agriculture Committee</p>	<p>N/A</p>

<p>This provision would provide the expertise needed to negotiate 638 agreements across all of USDA in a centralized place, instead of spending USDA dollars to contract services from the Bureau of Indian Affairs (BIA).</p>		<ul style="list-style-type: none"> ● Sen. Brian Schatz (D-HI) ● Sen. Lisa Murkowski (R-AK) 	
<p>Expand 638 to SNAP through the Enactment of the SNAP Tribal Food Sovereignty Act - <i>ENACT NEW AUTHORITY WITH ECONOMIC IMPACT</i> With approximately 24% of all Native households receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Tribal governments should be allowed to administer SNAP programs.</p>	<p>IV</p>	<p>S.2757, the Tribal Food Sovereignty Act (as introduced in the 117th Congress)</p> <ul style="list-style-type: none"> ● Sen. Tina Smith (D-MN) ● Sen. Mike Rounds (R-SD) ● Sen. Catherine Cortez Masto (D-NV) ● Sen. Kirsten Gillibrand (D-NY) ● Sen. Elizabeth Warren (D-MA) ● Sen. Tammy Baldwin (D-WI) ● Sen. Dianne Feinstein (D-CA) ● Sen. Ron Wyden (D-OR) ● Sen. Cory Booker (D-NJ) 	<p>H.R. 6334, the Tribal Food Sovereignty Act (as introduced in the 117th Congress)</p> <ul style="list-style-type: none"> ● Rep. Joe Neguse (D-CO)
<p>Expand 638 to FSIS Inspections - <i>ENACT NEW AUTHORITY WITH ECONOMIC IMPACT</i> Recognizing the shortage of USDA certified food inspectors throughout the country, Congress should expand 638 authority to Food Safety and Inspection Services (FSIS) to allow Tribal governments to inspect beef, bison, chicken, fish, seafood, and other products put into their food programs.</p>	<p>XII</p>	<p>Draft Removing Administrative and Regulatory Excess in Meat Processing Act (RARE Meat Act)</p> <ul style="list-style-type: none"> ● Sen. Tina Smith (D-MN) ● Sen. Markwayne Mullin (R-OK) <p>Priority submitted to the</p>	<p>N/A</p>

		Senate Agriculture Committee <ul style="list-style-type: none"> Sen. Brian Schatz (D-HI) Sen. Lisa Murkowski (R-AK) 	
Expand 638 to NRCS (e.g. EQIP, CRP, etc.) - ENACT NEW AUTHORITY WITH ECONOMIC IMPACT Expanding 638 to NRCS programs would provide Tribes with the authority to better utilize conservation programs in a way that best meets their needs.	II	Priority submitted to the Senate Agriculture Committee <ul style="list-style-type: none"> Sen. Brian Schatz (D-HI) Sen. Lisa Murkowski (R-AK) 	N/A
Establish Demonstration Project Allowing Tribes to Procure Local and Traditional Foods for the Senior Food Box Program (Commodity Supplemental Food Program) - ENACT NEW AUTHORITY WITH ECONOMIC IMPACT Similar to the FDPIR pilot in the 2018 Farm Bill, Congress should establish a 638 demonstration project to allow Tribes to procure both local and traditional foods for the elders they serve.	IV	<u>Draft Language</u> <ul style="list-style-type: none"> Sen. Mark Kelly (D-AZ) 	N/A
Establish an Assistant Secretary of Agriculture for the Office of Tribal Relations - UPHOLD USDA'S TRUST OBLIGATION TO TRIBES Recognizing the unique government-to-government relationship that Tribal governments have with USDA, Congress should elevate the Office of Tribal Relations and establish an Assistant Secretary position.	XII	<u>Draft Language</u> <ul style="list-style-type: none"> Sen. Martin Heinrich (D-NM) 	N/A
Require USDA to Consult with Tribal Governments - UPHOLD USDA'S TRUST OBLIGATION TO TRIBES Recognizing the unique government-to-government relationship that Tribal governments have with USDA, Congress should require USDA to consult with Tribal governments on the annual budget, Farm Bill, and other priorities, streamline applications for economic		N/A	<u>Draft Rural and Tribal Economic Development Improvement Act of 2023</u> <ul style="list-style-type: none"> Rep. Derek Kilmer (D-WA)

development programs, and publish a comprehensive repository of economic development programs available to Tribes and Tribal entities.			
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ACCESS TO HEALTHY FOODS

NFBC PRIORITY	TITLE	SENATE CHAMPIONS	HOUSE CHAMPIONS
<p>Allow for the Dual Use of SNAP & FDPIR - REMOVE BARRIER ONLY IMPACTING INDIANS</p> <p>Currently, a statutory bar prevents individuals who qualify for both FDPIR and SNAP from using both in the same month, even though individuals who qualify for TEFAP and SNAP or WIC and SNAP may use both programs.</p>	IV	<p>Draft FDPIR and SNAP Equity Act of 2023</p> <ul style="list-style-type: none"> Sen. Jon Tester (D-MT) 	N/A
<p>Increase the Secretary's Use of Waivers for FDPIR - IMPROVE SERVICE DELIVERY</p> <p>Issuing waiver authority to allow FDPIR sites to be able to provide non-domestically sourced produce in the event of natural disasters and other crises would ensure uninterrupted access to healthy foods for FDPIR participants. Additionally, specific waiver language in the Farm Bill giving the Secretary broad authority to waive discretionary regulatory and statutory requirements for FDPIR would give Tribal Nations the kind of flexibility to make much-needed programmatic improvements and find cost savings for the program.</p>	IV	<p>Draft Language - <i>Forthcoming</i></p> <p>See pages 26-27 of the NFBC's Proposed Language</p> <ul style="list-style-type: none"> Sen. Ben Ray Lujan (D-NM) 	N/A
<p>Establish a Pilot Program to Enable ITO Direct Sourcing of Locally Produced Herbs and Spices - ENACT NEW AUTHORITY WITH ECONOMIC IMPACT</p> <p>A pilot or demonstration project to provide Intertribal Organizations (ITO) funding to source herbs and spices would improve participant engagement with the foods provided and enhance nutrition education.</p>	IV	<p>Draft Language - <i>Forthcoming</i></p> <p>See page 26 of the NFBC's Proposed Language</p> <ul style="list-style-type: none"> Sen. Ben Ray Lujan (D-NM) 	N/A

<p>Provide Additional Infrastructure Dollars to FDPIR for Necessary Upgrades to Facilities and Equipment - <i>PROVIDE ADDITIONAL RESOURCES FOR EXISTING AUTHORITY</i></p> <p>Since 2008, Tribes have not received funding to invest in FDPIR infrastructure. Tribes need more resources to support the programs feeding their people.</p>	<p>IV</p>	<p>Draft Language - <i>Forthcoming</i> See page 28 of the NFBC's Proposed Language</p> <ul style="list-style-type: none"> Sen. Ben Ray Lujan (D-NM) 	<p>N/A</p>
<p>Include More Traditional and Tribally-produced Foods in FDPIR on a Regional Basis - <i>EXPAND EXISTING AUTHORITY FOR ECONOMIC IMPACT</i></p> <p>Sourcing more foods regionally instead of nationally would make it easier for Tribal producers to enter USDA markets and sell their products, while increasing healthy food options for FDPIR.</p>	<p>IV</p>	<p>Draft Language - <i>Forthcoming</i> See page 28 of the NFBC's Proposed Language</p> <ul style="list-style-type: none"> Sen. Ben Ray Lujan (D-NM) 	<p>N/A</p>
<p>Eliminate the FDPIR Matching Requirement for FDPIR - <i>REMOVE BARRIER FOR ECONOMIC IMPACT</i></p> <p>To operate FDPIR, Tribes must provide an 80% match, which can be a barrier to operating the program. Removing the match requirement would allow more Tribes to participate.</p>	<p>IV</p>	<p>Draft Language - <i>Forthcoming</i> See page 28 of the NFBC's Proposed Language</p> <ul style="list-style-type: none"> Sen. Ben Ray Lujan (D-NM) 	<p>N/A</p>

ECONOMIC DEVELOPMENT

NFBC PRIORITY	TITLE	SENATE CHAMPIONS	HOUSE CHAMPIONS
<p>Increase Access to GAP Audits - <i>REMOVE BARRIER FOR ECONOMIC IMPACT</i></p> <p>GAP audits in Tribal communities are costly due to the remoteness of some communities. Increasing access to GAP audit funding support will help Tribal producers maintain market access for their products.</p>	<p>X</p>	<p>Draft Language</p> <ul style="list-style-type: none"> Sen. Tina Smith (D-MN) 	<p>N/A</p>
<p>Expand the Buy Indian Act (25 U.S.C. 47) - <i>ENACT NEW AUTHORITY WITH ECONOMIC IMPACT</i></p>	<p>XII</p>	<p>Priority submitted to the Senate Agriculture</p>	<p>N/A</p>

<p>USDA’s Equity Action Plan commits the USDA to reviewing existing Tribal contracting preferences, such as the Buy Indian Act and other federal government procurement preferences for Tribal businesses and producers. To ensure that USDA meets this obligation, the 2023 Farm Bill should expand the Buy Indian Act to USDA and set aggressive procurement targets (e.g. 5%).</p>		<p>Committee</p> <ul style="list-style-type: none"> ● Sen. Brian Schatz (D-HI) ● Sen. Lisa Murkowski (R-AK) 	
<p>Establish Indian Hiring Employment Preference (25 U.S.C. 47) to all USDA Programs - REMOVE BARRIER FOR ECONOMIC IMPACT Historically, USDA has filled Tribal-related positions from the pool of staff already working for the USDA. This has discouraged Tribal experts from applying.</p>	<p>XII</p>	<p>See page 77 of the NFBC’s Proposed Language</p>	
<p>Fully fund the Federally Recognized Tribal Extension Program (FRTEP) - PROMOTE PARITY AND ECONOMIC IMPACT FRTEP is chronically underfunded, with fewer than 40 FRTEP agents nationwide expected to serve Native producers on 55 million acres. A single FRTEP program can lead to \$1 million in economic impact for Tribes in its service area. Fully funding FRTEP will improve Tribal economies.</p>	<p>VII</p>	<p>Interested office</p> <ul style="list-style-type: none"> ● Sen. Cory Booker (D-NJ) <p>See page 47-50 of the NFBC’s Proposed Language</p>	<p>N/A</p>
<p>Native Community Navigator Program - INCREASE INDIAN COUNTRY’S ACCESS TO USDA PROGRAMS AND SERVICES Many USDA programs and services are difficult to access. By establishing a Navigator Program to specifically serve producers, Indian Country agriculture will thrive.</p>	<p>XII</p>	<p>Priority submitted to the Senate Agriculture Committee</p> <ul style="list-style-type: none"> ● Sen. Brian Schatz (D-HI) ● Sen. Lisa Murkowski (R-AK) 	<p>N/A</p>

ACCESS TO CREDIT AND DISASTER ASSISTANCE

<p>NFBC PRIORITY</p>	<p>TITLE</p>	<p>SENATE CHAMPIONS</p>	<p>HOUSE CHAMPIONS</p>
<p>Establish a CDFI Relending Pilot - ENACT NEW AUTHORITY WITH ECONOMIC IMPACT</p>	<p>V</p>	<p>SCIA outreach</p>	<p>N/A</p>

<p>Authorizing Native-serving CDFIs to administer Farm Service Agency (FSA) and RD programs directly would allow them to structure loan programs to better suit producers in Indian Country.</p>		<p>See pages 37-38 of the NFBC's Proposed Language</p>	
<p>Remove the Graduation Requirement for FSA programs - REMOVE BARRIER FOR ECONOMIC IMPACT Removing the FSA graduation requirement for producers on Indian reservations would increase access to credit for Tribal producers and allow agriculture operations to be more stable and assist other producers who farm and ranch in areas where credit access is tenuous at best.</p>	<p>V</p>	<p>See page 39 of the NFBC's Proposed Language</p>	
<p>Ensure Tribal Representation on FSA County Committees in Areas of Predominantly Native Populations - INCREASE TRIBAL PARTICIPATION County committees do not always reflect the Native populations the committees serve. FSA should conduct an assessment based on Census data and Census of Agriculture data to determine the population makeup of each county committee and devise a way, in consultation with Tribal governments, to ensure that Tribal members are effectively notified of the opportunity to be nominated and considered for county committee membership.</p>	<p>I</p>	<p><i>NFBC Language Forthcoming</i></p>	
<p>Require Coordination Between USDA and Interior - REMOVE BARRIER FOR ECONOMIC IMPACT Many of USDA's FSA and Natural Resource Conservation Services (NRCS) programs are administered on a county framework that does not account for the unique status of Tribal lands and BIA oversight over Tribal lands. Program determinations, such as normal grazing periods and drought monitor intensity on Tribal lands should be established by the national FSA office, in consultation with Tribes, not by state or county officials.</p>	<p>I</p>	<p>See page 7 of the NFBC's Proposed Language</p>	

INFRASTRUCTURE DEVELOPMENT

NFBC PRIORITY	TITLE	SENATE CHAMPIONS	HOUSE CHAMPIONS
<p>Provide Additional Infrastructure Dollars to FDPIR for Necessary Upgrades to Facilities and Equipment - <i>PROVIDE ADDITIONAL RESOURCES FOR EXISTING AUTHORITY</i></p> <p>Since 2008, Tribes have not received funding to invest in FDPIR infrastructure. Tribes need more resources to support the programs feeding their people.</p>	IV	<p>Draft Language - <i>Forthcoming</i></p> <p>See page 28 of the NFBC's Proposed Language</p> <ul style="list-style-type: none"> ● Sen. Ben Ray Lujan (D-NM) 	N/A
<p>Widespread Substantially Underserved Trust Areas (SUTA) Application to all Rural Development Programs - <i>EXPAND EXISTING AUTHORITY WITH ECONOMIC IMPACT</i></p> <p>Implementing SUTA provisions across the broad array of Rural Development (RD) loans, loan guarantees, and grants would provide important support to Tribal citizens living in remote, rural, isolated communities who are in dire need of RD assistance.</p>	VI	<p>SCIA outreach</p> <p>See page 41 of the NFBC's Proposed Language</p>	N/A
<p>Water Systems for Rural and Native Villages in Alaska - <i>PROVIDE ADDITIONAL RESOURCES FOR EXISTING AUTHORITY</i></p> <p>This Program plays a critical role in the health in communities in rural Alaska and must be not only reauthorized but expanded to include other critical water and wastewater services to benefit Alaska Native homes in rural Alaska, 20 percent of which remain unserved.</p>	VI	<p>Priority submitted to the Senate Agriculture Committee</p> <ul style="list-style-type: none"> ● Sen. Brian Schatz (D-HI) ● Sen. Lisa Murkowski (R-AK) 	N/A

RESEARCH & EDUCATION

NFBC PRIORITY	TITLE	SENATE CHAMPIONS	HOUSE CHAMPIONS
<p>Parity for Tribal Colleges and Universities - <i>PROMOTE PARITY</i></p>	VII	See page 46 of the NFBC's Proposed Language	

TCUs lack authority to access all funding available to 1862 and 1890 universities through the National Institute of Food and Agriculture (NIFA).		
<p>Supporting Indigenous-led Agricultural Education and Science - <i>SUPPORT THE NEXT GENERATION OF AGRICULTURE</i></p> <p>Provide set-asides in the Beginning Farmer and Rancher Development Program, AFRI and NIFA programs supporting Native youth and Tribal agriculture to help develop a pathway for Native students to see themselves in agricultural careers and build the next generation of Indian Country’s agriculture professionals.</p>	VII	See page 46-47 of the NFBC’s Proposed Language

TRIBAL NATURAL RESOURCE MANAGEMENT

NFBC PRIORITY	TITLE	SENATE CHAMPIONS	HOUSE CHAMPIONS
<p>Recognition of TEK-Based Conservation - <i>PROMOTE PARITY AND ECONOMIC IMPACT</i></p> <p>Develop a new section authorizing Tribes to develop traditional, ecological, knowledge-based (TEK) technical standards for conservation projects, unlocking conservation funding for these activities and preserving working lands so they continue to support agricultural economies.</p>	II	<p>Priority submitted to the Senate Agriculture Committee</p> <ul style="list-style-type: none"> Sen. Brian Schatz (D-HI) Sen. Lisa Murkowski (R-AK) 	
<p>Protect Tribal Seed Cultivators - <i>INCREASE TRIBAL PARTICIPATION</i></p> <p>Incorporate key language from the Native American Seeds Protection Act of 2019 and the Seeds and Breeds of the Future Act to require Tribal consultation and engagement with Tribal institutions regarding the protection of seeds and other related activities.</p>	X	<p>S. 2241, Native American Seeds Protection Act (as introduced in the 116th Congress)</p> <ul style="list-style-type: none"> Supported on a bipartisan basis <p>Seeds and Breeds of the Future Act</p> <ul style="list-style-type: none"> Sen. Tammy Baldwin 	<p>H.R. 3916, Native American Seeds Protection Act (as introduced in the 116th Congress)</p> <ul style="list-style-type: none"> Supported on a bipartisan basis

		(D-WI) ● Sen. Martin Heinrich (D-NM)	
<p>Allow Lands Held in Common and by Tribal Entities to Access Conservation Programs - REMOVE BARRIER FOR ECONOMIC IMPACT</p> <p>Ensure that lands held in common, such as reservation lands that are controlled and farmed/ranched by groups of individuals, can fully and simply participate in all Conservation Title programs.</p>	II	<p>Draft Language</p> <ul style="list-style-type: none"> ● Sen. Martin Heinrich (D-NM) 	N/A
<p>Enact the Treating Tribes and Counties as Good Neighbors Act - TECHNICAL FIX TO THE 2018 FARM BILL</p> <p>Due to a drafting error in the 2018 Farm Bill, Tribes and counties cannot retain and utilize revenue generated from Good Neighbors Agreement projects.</p>	VIII	<p>S.697, Treating Tribes and Counties as Good Neighbors Act</p> <ul style="list-style-type: none"> ● Sen. James Risch (R-ID) ● Sen. Jon Tester (D-MT) ● Sen. Steve Daines (R-MT) ● Sen. Mike Crapo (R-ID) 	<p>H.R.1450, Treating Tribes and Counties as Good Neighbors Act - Ordered to be Reported by the Yeas and Nays: 51 - 0</p> <ul style="list-style-type: none"> ● Rep. Russ Fulcher (R-ID) ● Rep. Marie Gluesenkamp Perez (D-WA) ● Rep. Dan Newhouse (R-WA) ● Rep. Derek Kilmer (D-WA) ● Rep. Kim Schrier (D-WA) ● Rep. Ryan Zinke (R-MT)
<p>Transfer USDA Lands to Tribes - ENACT NEW AUTHORITY WITH ECONOMIC IMPACT</p> <p>Any time USDA-owned lands are made available for sale or exchange, Tribes who claim them as part of their ancestral territories should be accorded the first right to receive or purchase those lands. Additionally, in certain instances the Forest Service wishes to transfer lands to Tribes for public safety and recreational purposes but lacks the authority. Congress should specifically authorize the sale, purchase, and transfer of these lands.</p>	XII	<p>SCIA outreach</p> <p>See page 81 of the NFBC's Proposed Language</p>	N/A