



\*\*\*DRAFT - SUBJECT TO CHANGE DURING THE HOUSE MARKUP\*\*\*

## NATIVE FARM BILL COALITION SUMMARY OF TRIBAL PROVISIONS IN THE HOUSE AGRICULTURE COMMITTEE 2026 FARM BILL

On February 13, 2026, the House Agriculture Committee released text for its version of the Farm Bill - the [Farm, Food, and National Security Act of 2026](#). The House Agriculture Committee plans to begin marking up the bill on Monday, February 23, at 1 p.m. ET.

>> [Watch the markup live](#)

The Native Farm Bill Coalition reviewed the 802-page bill and identified the provisions below that may be of interest to Tribes. The Coalition will continue to analyze the bill following the February 23 markup.

### TITLE I - COMMODITIES (starts at page 13)

There are no Tribal specific provisions.

### TITLE II - CONSERVATION (starts at page 30)

#### **Section. 2001. Definitions.**

- Amends the definition of "Indian Tribe" in the Erodible Land and Wetland Conservation and Reserve Program from "The term 'Indian tribe' has the meaning given the term in section 5304(e) of title 25" to "The terms 'Indian tribe' and 'Indian Tribe' have the meaning given those terms in section 5304(e) of title 25."

#### **Section 2302. State Assistance for Soil Health.**

- Adds State Assistance for Soil Health and includes Tribes as eligible participants along with states.





- An eligible Tribe is one that is implementing a soil health program for the area over which the Indian Tribe has jurisdiction; **and** meeting or exceeding performance measures established by the Indian Tribe for the soil health program.
- Soil health programming is intended to improve soil health on agricultural land that:
  - Is broadly consistent with the soil health principles of the Natural Resources Conservation Service, as determined by the Secretary; and may include—
    - Technical assistance;
    - Financial assistance;
    - On-farm research and demonstration;
    - Education, outreach, and training;
    - Monitoring and evaluation; or
    - Such other components as the Secretary determines appropriate.
- Funding for this program is, in part, contingent upon an assurance that grant funds for this program will **supplement the expenditure of State or Tribal funds in support of soil health, rather than replace such funds.**
- Provides option to Tribes to be incorporated into an application of an eligible state.
- **Authorizes grants to eligible Tribes in the amount of \$5 million or 75% of the cost of implementing the Tribal soil health program in the fiscal year (whereas states are authorized at 50% of the cost of implementing the State soil health program in the fiscal year).**

#### **Section 2405. Emergency Watershed Program.**

- Authorizes the Secretary to enter contracts with Tribes to restore, maintain and/or enhance appropriate vegetative cover, hydrological restoration measures, and other restoration measures on land subject to a floodplain easement pursuant to this section.

#### **Section 2502. Delivery of Technical Assistance.**

*Note: "Persons" eligible to be technical assistance providers pursuant to 16 U.S. Code § 3842 include commercial entities, nonprofit entities, State or local governments or agencies, and other Federal agencies, but not Tribes.*





- Includes “Indian Tribe” within the definition of a non-federal certifying entity for the purpose of certifying a third-party provider of technical assistance with expertise in the technical aspects of conservation planning, watershed planning, environmental engineering, conservation practice design, implementation, evaluation, and other technical skills determined appropriate by the Secretary.
- Payment amounts for technical assistance provided by third-party providers are at rates equivalent to, but that do not exceed, the cost to the Secretary of providing technical assistance directly to an eligible participant.

### **Section 2603. Wetland Reserve Easement.**

*Note: This section amends Section 1265C(b) of the Food Security Act of 1985 (16 U.S.C. 3865c(b)) which already included Tribes for the purpose of adding “Tribes and landowners who are socially disadvantaged farmers or ranchers.”*

- Amends existing provision that allows contractual enrollment “as an option for Indian tribes only” to allow the Secretary to enroll eligible land under this section.

*(D) as an option for Indian Tribes and landowners who are socially disadvantaged farmers or ranchers only, 30-year contracts.*

### **Section 1267A. Definitions.**

- For the purpose of the forest conservation easement program established through Section 1267 for the conservation and restoration of eligible land and natural resources through the acquisition of conservation easements or other interests in land defines “Acreage owned by an Indian Tribes” generally as
  - Land held in Trust by the US for Indian Tribes or individual Indians;
  - Restricted fee lands;
  - Land subject to rights of use, occupancy, and benefit of certain Indian Tribes;
  - Fee lands owned by an Indian Tribe;
  - Land owned by a native corporation (specifically, Section 17 corporations or Alaska Native Corporations)
  - Any combination of 1 or more types of these categories of acreage owned by an Indian Tribe





- Includes Tribes as eligible entities (along with State or local governments).
- Includes acreage owned by an Indian Tribe as land eligible for enrollment.
- Permits, in the case of acreage owned by an Indian Tribe, enrollment via 30-year contracts (the compensation for which shall be equivalent to the compensation for a 30-year easement) or permanent easements.
- Authorizes the Secretary to enter into agreements with Indian Tribes to provide technical assistance to assist land owners in developing a forest reserve easement plan and complying with the terms and conditions of a forest reserve easement.

### TITLE III - TRADE (starts at page 157)

There are no Tribal specific provisions.

### TITLE IV - NUTRITION (starts at page 198)

#### **Section 4103. SNAP Staffing Flexibility.**

*Note: Not Tribal-specific but could still benefit Tribal members in states facing difficulties in the certification of SNAP recipients.*

- Authorizes state SNAP agencies to hire contractors to undertake SNAP certification and carry out any other function of the agency as long as the contract does not provide incentives for the agency or contractor to delay eligibility determinations or deny eligibility for individuals otherwise eligible and the contractor has no direct or indirect financial interest in an approved retail store .
- This authority can be used when:
  - A state experiences an inability to timely process SNAP applications caused by pandemics and other health emergencies, seasonal workforce cycles, temporary staffing shortages, and weather or other natural disasters;
  - A state's error rate must be greater than or equal to six percent based on the most recent available Department of Agriculture data; or
  - A state experiences an increase in SNAP applications.





### **Section 4110. Animal Protein an Eligible Incentive Food (SNAP).**

*Note: Not Tribal-specific but could still benefit Tribal members.*

- Adds “animal protein” after “whole grain.”

### **Section 4113. Food Distribution Program on Indian Reservations.**

*Note: No mention of the FDPIR ISDEAA authority.*

- Extends through 2031.

### **Section 4201. Commodity Distribution Program.**

- Expands the Seniors Farmers’ Market Nutrition Program to include maple syrup and tree nuts.
- Tribal governments are eligible entities for the program.

### **Section 4204. Commodity Supplemental Food Program Demonstration Project for Tribal Organizations.**

*Note: Expands the use of Indian Self-Determination and Education Assistance Act (ISDEAA) self-determination contracts and provides funding for capacity building within USDA for staff to negotiate contracts.*

- Establishes a demonstration program for Tribal organizations that are successfully administering FDPIR.
- Provides \$1,000,000 in advanced appropriations for projects.
- Requires the Secretary of USDA to administer Tribal self-determination contracts.
- Provides \$1,200,000 for each fiscal years 2027 through 2031 for the payment of Department contract officers and program staff salaries and benefits.

### **Section 4303. Reauthorizes the Gus Schumacher Nutrition Incentive Program.**

*Note: Tribes are not specifically mentioned in the bill but are eligible entities.*

- Amends the federal cost share to not exceed 50 percent of the total cost of the activity.
- Authorizes the Secretary to waive the federal cost share requirement in a county that:
  - During the preceding 30-year period has had a population greater than or equal to 20 percent of the population living in poverty.





- Has a census tract with a poverty rate of at least 20 percent during the preceding 30-year period as measured by the most recent 5-year data series available.
- Tribes are eligible to participate in the program.

#### **Section 4305. Dairy Nutrition Incentives Project.**

*Note: Potentially goes against NFBC members' preferences for alternative options.*

- Strikes "Healthy Fluid Milk" to insert "Dairy Nutrition."
- Covered dairy products means cheese made from cow's milk, a good source of protein as determined by the Secretary, sold as a block, chunk, shred, slice, stick, string, or in snack-size form.
- Fluid milk means pasteurized cow's milk that is packaged in liquid form and contains vitamins A and D as levels consistent with FDA, state, and local standards for fluid milk.
- Increases funding from \$20,000,000 to \$50,000,000.

#### **Section 4306. Local Farmers Feeding Our Communities Program.**

- Establishes a program to enter into cooperative agreements on a noncompetitive basis to support covered local producers through building and expanding economic opportunities, establish and broaden partnerships with covered local producers and the food distribution community to ensure distribution of fresh and fresh frozen nutritious foods, and strengthen an entity's local and regional food security systems.
- Authorized funding is \$20,000,000 through 2031.
- 10 percent of funding is allocated to Tribal governments using a formula established by the Secretary.

#### **Section 4307. Healthy Food Financing Initiative.**

- Increases funding from \$125,000,000 to \$135,000,000.
- Tribal governments and their agencies are eligible for the initiative.

#### **Section 4308. Dietary Guidelines.**

*Note: Not Tribal-specific but important for Tribal health.*

- Changes the release of the guidelines from every five years to 10 years.





## TITLE V - CREDIT (starts on page 238)

### **Section 5102. Experience Requirements.**

*Note: Not Tribal-specific but important for Tribal producers.*

- Amends the experience requirement for farm ownership loans to 2 years instead of the previous 3 years. Waivers can be issued if you are a "qualified beginning farmer or rancher," and that brings the requirement down to 1 year; previously, it was 1 or 2 years.

### **Section 5103. Refinancing of Indebtedness Into Direct Loans.**

*Note: Not Tribal-specific but important for Tribal producers.*

- While not Tribal producer specific, this provision requires the Secretary to issue regulations within one year to allow distressed Farm Service Agency-guaranteed loans to be refinanced into direct loans when borrowers are in monetary default or facing foreclosure but could demonstrate a reasonable chance of success under restructuring. This provision is significant because it creates a clear pathway to keep financially distressed producers in operation rather than pushing them toward liquidation.

### **Section 5105. Limitations on Amount of Farm Ownership Loans.**

*Note: Not Tribal-specific but important for Tribal producers.*

- Increases direct loan limit from \$600,000 to \$850,000.
- Increases guaranteed loan limit from \$1,750,000 to \$3,500,000.

### **Section 5107. Authority of Farm Credit System Institutions to Provide Financial Support for Essential Rural Community Facilities Projects.**

*Note: Tribes are not specifically mentioned in the bill but are eligible entities. The 2024 Senate Farm Bill text specifically mentioned Tribes.*

- Adds Indian Tribes on Federal and State reservations and other federally recognized Indian tribes as eligible entities under the Consolidated Farm and Rural Development Act under section 306(a).





### **Section 5108. Down Payment Loan Program.**

*Note: Not Tribal-specific but important for Tribal producers.*

- Aligns the limits on the Down Payment Loan Program with the Loan Limits on Farm Ownership Loans.

### **Section 5203. Limitations on Amount of Operating Loans.**

*Note: Not Tribal-specific but important for Tribal producers.*

- Increases direct loan limit from \$400,000 to \$750,000.
- Increases guaranteed loan limit from \$1,750,000 to \$3,000,000.

### **Section 5202. Limitations on Microloan Amounts.**

*Note: Not Tribal-specific but important for Tribal producers.*

- Increases direct loan limit from \$50,000 to \$100,000.

### **Section 5501. Extension of Credit to Businesses Providing Services to Producers or Harvesters of Aquatic Products.**

*Note: Not Tribal-specific but important for Tribal producers.*

- Various sections of the Farm Credit Act of 1971 are amended to allow businesses supporting the fishing industry to qualify for loans through the Farm Credit System. Although the provision does not explicitly reference Tribes, many Tribes and Tribal producers rely heavily upon this industry, meaning its positive impacts will likely extend to Indian Country.

### **Section 5506. State Agriculture Mediation Programs.**

*Note: Though the 2024 Senate Farm Bill and the 2024 House Farm Bill Texts referenced Tribes, they are not mentioned in this version. This is significant because Tribes are not currently listed as an eligible entity in Title V of the Agriculture Credit Act of 1987.*

- This section reauthorizes appropriations for this program (\$7,500,000 through FY 2031) and determines the limit on how much can be paid to a single State under the matching grants (\$700,000) and limits the amount of carryover funds for States (25 percent) per year.





## TITLE VI - RURAL DEVELOPMENT (starts on page 281)

### **Section 6101. Prioritizations for Distance Learning and Telemedicine and Community Facilities Program.**

*Note: Tribes not specifically mentioned in the bill but are eligible entities.*

- Adds funding uses to include mental health, behavioral health, or maternal health.

### **Section 6102. Distance Learning and Telemedicine Loans and Grants.**

*Note: Tribes not specifically mentioned in the text but are eligible entities.*

- Authorizes \$82,000,000 in funding for each FY 2027 through 2031.
- Tribes are eligible for these loans and grants.

### **Section 6201. Rural Broadband Program Loans and Grants.**

- Establishes the ReConnect Rural Broadband Program to provide grants, loans, and loan guarantees.
- Funding can be used for the purpose of financing the construction, improvement, or acquisition of facilities and equipment necessary for delivering broadband service in rural areas.
- Provides priority for applications with:
  - A population of less than 10,000 inhabitants;
  - In geographically underserved and distressed areas (e.g., a socially vulnerable community, a persistent poverty county, in an economically distressed area);
  - Developed with the participation of two or more stakeholders (e.g., state, local, and Tribal governments, nonprofit institutions, community anchor institutions (public libraries, elementary and secondary schools, institutions of higher education (including 1994s));
  - Healthcare facilities;
  - Facilities for essential for local or regional commerce or for the movement of goods;
  - Private entities;
  - Philanthropic organizations;
  - Cooperatives; or





- Are submitted by an eligible entity or is owned by an entity that has provided broadband service or other utility service for at least five years in rural areas where a project is carried out.
- Subject to a grant agreement of not less than 10 years.
- The Secretary shall establish a grant only award and a grant and loan combination.
- The Secretary may assess an initial guarantee fee for any insured or guaranteed loan in an amount that does not exceed three percent.
- The Secretary may assess a periodic retention fee for any insured or guaranteed loan that does not exceed 0.75 percent of the outstanding principal of the guarantee loan.
- The Secretary must promulgate regulations within 270 days after the date of enactment.
- Eligible entities include Tribes as defined by ISDEAA.
- Authorized funding is \$350,000,000.

**Section 6202. Expansion of Middle Mile Infrastructure Into Rural Areas.**

*Note: Tribes not explicitly mentioned in the text, but they are eligible entities*

- Authorizes the program through 2031.
- Tribes are eligible entities.

**Section 6204. Community Connect Grants.**

*Note: Tribes not explicitly mentioned in the text, but they are eligible entities*

- Provides grants for deploying broadband services in rural, economically challenged, and underserved tribal communities, often where no existing service exists .
- Increases speeds to be not less than:
  - A 25-Mbps downstream transmission capacity (previously 10-Mbps).
  - A 3-Mbps upstream transmission capacity (previously 1-Mbps).
- Tribes and Tribal organizations are eligible entities.

**Section 6205. Rate Regulation.**

*Note: Not Tribal-specific but something Tribes may be interested in.*

- Nothing in this title authorizes the Secretary to regulate the rates charged for broadband service.





**Section 6206. Public Notice, Assessments, Technical Assistance, and Reporting Requirements.**

- The Secretary shall provide grants to eligible entities to provide broadband technical assistance and training to expand access to broadband service in rural communities through USDA broadband programs for:
  - Preparing applications for grants, loans, and loan guarantees;
  - Identifying resources to finance broadband facilities from public and private sources, including other federal agencies;
  - Preparing feasibility studies, financial forecasts, market surveys, environmental studies, and technical design information to support broadband services;
  - Preparing reports and surveys necessary to support the need for broadband services, the price range, and request financial assistance;
  - Analyzing and improving operations related to the management, including financial management of broadband facilities and to the efficiency of the entity;
  - Collecting broadband infrastructure data; or
  - Assisting with other areas of need identified by the Secretary.
- Eligible entities include Tribal governments, Tribal entities, and 1994 land grant institutions.
- Grants cannot exceed \$50,000.

**Section 6207. Limitation on Overbuilding.**

*Note: Not Tribal-specific but impacts the ability of Tribal governments to access USDA broadband dollars.*

- Deems that any proposed service area will not be considered underserved if the applicant in another federal or state broadband program has received an obligation of funding to offer retail broadband service in the area not more than five years from the date of obligation of funds at a speed of at least 100 Mbps download and 20 Mbps upload.





**Section 6301. Rural Energy Savings Program.**

- Provides loans to qualified consumers to implement durable cost-effective energy efficiency measures.
- Adds Tribes, as defined pursuant to ISDEAA, as eligible entities.
- The Secretary shall give priority to applications from eligible entities serving at least 80 percent of their ratepayers residing in rural areas.
- The term of the loan should not exceed 20 years.
- The Secretary may extend the deadline for repayment as the Secretary determines appropriate.
- Not more than 10 percent of the total annual amount of budget authority for loans may be used for the replacement of manufactured housing units or large appliances
- The Secretary may provide an eligible entity a grant to:
  - Pay for a portion of the costs incurred to make repairs to the property of a qualified consumer that facilitates the energy efficiency measures for the property financed through a loan provided to the qualified consumer; or
  - Provide technical assistance, outreach, and training.

**Section 6303. Food Supply Chain Guaranteed Loans.**

*Note: Tribes not specifically mentioned but may be interested in this authority.*

- Authorizes food supply chain capacity and resilience guaranteed loans for the purpose of financing new investments in the start-up or expansion of projects in the U.S. that increase the capacity of the food supply chain to aggregate, process, manufacture, store, transport, wholesale, or distribute food, agricultural products, or agricultural inputs.
- The maximum amount of a food supply chain guaranteed loan shall not exceed \$40,000,000.





**Section 6304. New, Mobile, and Expanded Meat Processing and Rendering Grants.**

- The Secretary shall award grants of up to \$500,000 and not longer than three years to eligible entities.
- Grants can be used to:
  - Identify and analyze business opportunities, including feasibility studies required for credit worthiness;
  - Achieve compliance with applicable Federal, State, or local regulations;
  - Conduct regional, community, and local economic development planning and coordination and leadership development;
  - Incentive new, innovative, or mobile enterprises for increasing or improving local and regional meat or poultry processing and rendering;
  - Implement human handling infrastructure, including holding space for livestock prior to slaughter, shade structures, and structures and equipment for humane slaughter;
  - Develop a feasibility study or business plan for, or carry out any other activity associated with, establishing or expanding a small meat or poultry slaughter, processing, or rendering facility;
  - Purchase equipment that enables the further use or value-added sale of coproducts or by-products; and
  - Purchase cold storage and related equipment.
- The Federal share shall not exceed 90 percent in the case of a grant in the amount of \$100,000 or less or 75 percent in the case of a grant in an amount greater than \$100,000.
- Eligible entities include Tribes as defined by ISDEAA.
- Authorization funding is \$3,000,000.

**Section 6305. Expanding Childcare in Rural America Initiative.**

- Establishes a loan and grant Expanding Childcare in Rural America Initiative to address the availability, quality, and cost of childcare in rural areas.
- Eligible childcare providers are licensed, regulated, or registered in an Indian Tribe in which the provider is located and meets Tribal law.





**Section 6404. Tribal College and University Essential Community Facilities.**

- Extends authorization through 2031.

**Section 6406. Water Systems for Rural and Native Villages in Alaska.**

- Extends authorization through 2031.

**Section 6409. Solid Waste Management Grants.**

- Makes Tribes eligible for solid waste management grants.
- Extends authorization through 2031.

**Section 6416. Intermediary Relending Program.**

*Note: Tribes not specifically mentioned in the text but are eligible entities.*

- Extends authorization through 2031.
- Tribes are eligible entities.

**TITLE VII - RESEARCH, EXTENSION, AND RELATED MATTERS (starts at page 391)**

**Section 7101. National Agricultural Research, Extension, Education, and Economics Advisory Board.**

*Note: Tribes not specifically mentioned in the text but one 1994 is eligible for membership in the Advisory Board.*

- Increases the number of Advisory Board members from 15 to 16.
- The new member must represent the industry consumer, or rural interests of insular areas.
- Decreases the number of additional members to sit on the executive committee from seven to three.
- The Advisory Board requires one member to represent 1994 institutions.

**Section 7107. Education Grants to Alaska Native Serving Institutions and Native Hawaiian Serving Institutions.**

- Adds language to clarify that grants may be for a period of more than one year but not more than five years.
- Extends the grants through 2031





## **Section 7115. New Beginning for Tribal Students.**

- Extends authorization through 2031.

## **Section 7208. Centers of Excellence.**

- The Secretary shall establish at least one center of excellence to carry out research, extension, or education activities including:
  - Reducing duplicative efforts and focus on filling gaps across research, extension, or education activities by enhancing coordination and improving cost-effectiveness;
  - Leverage available resources by using public-private partnerships;
  - Implement training and education initiatives to increase awareness and effectively disseminate solutions to target audiences through extension activities;
  - Increase the economic returns to rural communities by identifying, attracting, and directing funds to high-priority agricultural issues;
  - Rapidly respond to emerging issues that threaten any sector of the U.S. agricultural industry;
  - Focus on workforce development for employers to recruit and retain high-quality employees in rural areas; and
  - Engage in assistance for administrative management and education regarding potentially valuable intellectual property derived from federally-supported research, extension, or education activities.
- Areas of focus include aquaculture, beginning farmers and ranchers, biosecurity and cybersecurity, biosystems and agricultural engineering, biotechnology, crop production, protection, and resilience, digital agriculture, farm business and financial management, food quality, foreign animal disease, forestry, invasive species, livestock and poultry, veterinary medicine, and water quality and quantity.
- Host institutions eligible to host or co-host a center of excellence include 1994 institutions.





**Section 7501. Equity in Educational Land-Grant Status Act of 1994.**

- Extends funding through 2031.
- Amends section 534(a)(1) by striking “equal to” and inserting “that is not less than”

*“(a) AUTHORIZATION OF APPROPRIATIONS.-*

*“(1) IN GENERAL.-For fiscal year 1996, and for each fiscal year thereafter, there are authorized to be appropriated to the Department of the Treasury an amount that is not less than ~~equal~~ to-*

*“(A) \$100,000; multiplied by*

*“(B) the number of 1994 Institutions.*

**Section 7607. Restoration of the 4-H Name and Emblem Authority.**

- The 4-H Program is a youth development program empowering nearly 6 million young people (ages 5–19) through “learn-by-doing” projects in STEM, agriculture, healthy living, and civic engagement. Administered by the USDA and local Cooperative Extension services.
- This section restores the use of 4-H program emblem or name consisting of a green four-leaf clover with stem and the letter “H” in white or gold on each leaflet and the words “4-H”, “4-H Club”, and “4-H Clubs” to identify and distinguish the 4-H Program and activities, clubs, members, goods and services of the program.
- 1994 institutions are eligible to utilize the authority.

**TITLE VIII - FORESTRY (starts at page 502)**

**Section 8303. Conveyances and Leases of Forest Service Administrative Sites.**

*Note: Tribes not specifically mentioned in the text but are eligible entities.*

- Extends the authority through September 30, 2031.

**Section 8305. Reforestation, Nursery, and Seed Orchard Support.**

- The Secretary, acting through the Chief of the Forest Service shall partner with Tribes, and other entities to:





# NATIVE FARM BILL COALITION

- provide training, technical assistance, and research to nursery and tree establishment programs that support natural regeneration, reforestation, agroforestry, and afforestation;
- promote information sharing to improve the technical knowledge, practices, and understanding of the demands, climate change impacts, and other issues necessary to address all facets of the reforestation pipeline;
- provide technical and financial assistance to international nursery and tree establishment programs;
- collaborate with other relevant federal departments and agencies, including the Foreign Agricultural Service, Fish and Wildlife Service, and international organizations;
- coordinate efforts of the Department to address the challenges associated with the reforestation pipeline; and
- expand science-based reforestation supply chains through research, seed collection and storage, and nursery infrastructure and operations in coordination with the Administrator of the Agricultural Research Service.
- Authorizes nursery and seed orchard financial assistance grants not more than two years after the date of enactment.
  - Eligible projects include:
    - to develop, expand, enhance, or improve nursery production capacity or other infrastructure to improve seed collection, processing, and storage; increase seedling production, storage, and distribution; or enhance seedling survival and properly manage tree genetic resources.
    - Develop or implement quality control measures at nurseries or seed orchards.
    - Promote workforce development within any facet of the reforestation pipeline.
    - Carry out other activities authorized by the Secretary.
  - Eligible entities include Tribal governments and private nurseries that have experience growing high-quality native trees of appropriate genetic sources in





bareroot or container stocktypes specific for reforestation, restoration, or conservation, including native plants and seeds that are of cultural significance to Tribes.

- Authorizes \$5,000,000 in funding.

**Section 8407. Forest Management Activities on National Forest System Lands.**

- Authorizes the Secretary to conduct forest management activities on National Forest System land.
- States that a forest management activity conducted on National Forest System land for the purpose of reducing forest fuels is categorically excluded from NEPA if the forest management activities does not exceed 10,000 acres (including not more than 3,000 acres of mechanical thinning) and is developed in coordination with impacted parties.
- Authorizes the Secretary to enter into contracts and cooperative agreements for fuel reduction, soil restoration, erosion control, reforestation, riparian restoration, revegetation, and similar management activities on federal and non-federal lands.
- Impacted parties include Tribal governments.

**Section 8412. Good Neighbor Authority.**

- Adds references to Indian Tribes throughout the Good Neighbor Authority language.

**Section 8413. Collaborative Forest Landscape Restoration Program.**

- Adds language about proposals that seek to reduce the risk of uncharacteristic wildfire or increase ecological restoration activities within areas across land ownerships, including Tribal land.

**Section 8414. Public-Private Wildfire Technology Deployment and Testbed Partnership.**

- Establishes a testbed pilot within one year after the date of enactment for new and innovative wildfire prevention, detection, communication, and mitigation technologies.
- The Bureau of Indian Affairs is a covered agency responsible for establishing and deploying the pilot program.





**Section 8420. Tribal Forest Management Program Technical Correction.**

- Makes the TFPA demonstration project permanent.
- Does not provide any authorized funding.

**Section 8433. Forest and Wood Products Data Tracker.**

- Within two years after the date of enactment, the Secretary, in consultation with federally-recognized Tribes and others, shall establish a public platform to provide measurement, monitoring, verification, and reporting data regarding the carbon emissions sequestration, storage, and related atmospheric impacts of forest management and wood products.

**Section 8434. Biochar Application Demonstration Project.**

- Authorizes a demonstration project, subject to the availability of appropriations, no later than two years after enactment to support the development and commercialization of biochar.
- Funding can be used to:
  - Acquire and test various feedstocks and their efficacy;
  - Develop and optimize commercially and technologically viable biochar production units;
  - Demonstrate the production of biochar from forest residue and to restore forest health and resilience;
  - Build, expand, or establish biochar facilities;
  - Conduct research on new and innovative uses of biochar;
  - Demonstrate cost-effective market opportunities for biochar and biochar-based products;
  - Carry out other activities identified by the Secretaries.
- Eligible entities include Tribal governments.

**TITLE IX - ENERGY (starts on page 604)**

There are no Tribal specific provisions.





**TITLE X - HORTICULTURE, MARKETING, AND REGULATORY REFORM (starts at page 627)**

**Section 10003. Office of Urban Agriculture and Innovative Production.**

- Adds to the mission of the Office of Urban Agriculture and Innovative Production the following language:
  - “Using resources of the Department and of State, Tribal, and local agencies to provide technical assistance for business incorporation, navigating local zoning, and managing farm tract numbers for smaller, noncontiguous parcels to growers implementing activities described in this paragraph”;
  - “Using the resources of the Department and of State, Tribal, and local agencies to promote conservation techniques unique to urban agriculture and innovative production, including techniques that address stormwater runoff and the impacted nature of urban land and the subsurface of the land”; and
  - “Assisting urban and innovative producers in navigating Federal, State, Tribal, and local policies and regulations that impact business or operations”.
- Tribal organizations are eligible entities to receive grants to support the development of urban and innovative agricultural production and technical or financial assistance to producers.
- Tribal organizations are eligible to enter into a cooperative agreement with eligible grant entities to support the development of urban and innovative agricultural production.
- Establishes a pilot program not one year after the date of enactment a pilot program for not fewer than five years to construct at-scale composting, food-to-feed, or anaerobic digestion food waste-to-energy projects.
  - Makes Tribal governments eligible for the pilot program.
- Authorizes the activities of the office through 2031.





### Section 10005. Hemp Production.

- Requires Tribal plans to include:
  - A procedure under which a hemp producer designates the type of hemp production as either only industrial hemp or hemp grown for any purpose other than industrial hemp.
  - A procedure for the use of visual inspections, performance-based sampling methodologies, certified seed, or a similar procedure when developing sampling plans for any producer who elects to be designated as a producer of only industrial hemp.
  - A procedure for eliminating the 10-year period of ineligibility following the date of conviction for a felony related to a controlled substance for producers who elect to be designated as producers of only industrial hemp.
- Should a Tribal plan include procedures for reducing or eliminating sampling or testing requirements for a producer of industrial hemp, the Tribe must require the producer to provide documentation that demonstrates a clear intent to produce, and use in-field practices consistent with production of, only industrial hemp, such as a seed tag, sales contract, FSA report, harvest technique, or harvest inspection.
  - If a producer fails to provide this documentation, a Tribe must require the producer to conduct testing.
- Strikes all references to “delta-9 tetrahydrocannabinol concentration with “total tetrahydrocannabinol concentration (include tetrahydrocannabinolic acid) of not more than 0.3 percent in the plant.
- Requires Tribal governments with an approved Tribal plan to report a hemp producer to the Attorney General, and as applicable the chief law enforcement officer of the Tribe, if they determine that a hemp producer has violated the Tribal plan with a culpable mental state greater than negligence or produced a crop that is inconsistent with the designation of only industrial hemp.
- Any person who knowingly produces a crop that is inconsistent with the designation of only industrial hemp, will become ineligible to participate in the program for a period of five years beginning on the date of the violation.





- Requires the Secretary, in consultation with the Administrator of the FDA, must require a process by which USDA can issue certificates of accreditation to laboratories for testing hemp in accordance with this section.

### **Section 10102 - Local Agriculture Market Program**

*Note: Tribes not specifically mentioned in the text but are eligible entities.*

- Adds a definition of a food hub to be a business or organization that actively manages the aggregation, distribution, and marketing of source-identified food products to multiple buyers from multiple producers, who are primarily local and regional producers, to strengthen the ability of such producers satisfy local and regional wholesale, retail, and institutional demands.
- Creates a simplified application form for eligible entities that request less than \$100,000 and choose from a limited set of key activities with predefined requirements.
- Project categories include: direct-to-consumer projects (e.g., outreach and promotion project, funding for farmers market manager staff time, provide vendor training, planning and design project, and data collection and evaluation project) local and regional food markets and enterprise projects (e.g., food hub feasibility subsidy, funding for regional food chain coordination staff time, provide technical assistance, data collection and evaluation, purchase of special equipment).
- Tribes are eligible to participate in the Local Agriculture Market Program.

### **Section 10106. Report on Procurement.**

- Requires the Secretary to submit to the House and Senate Agriculture Committees a report on:
  - The process that USDA uses to produce domestic commodities and products, including the solicitation process;
  - Barriers to enter for nontraditional, culturally relevant, or local and regional commodities and products;
  - The diet quality and accessibility of commodities and products; and
  - Recommendations to improve procurement processes.





**Section 10212. Safe Harbor for Certain Discharges of Wildland Fire Chemicals.**

- Prohibits Tribes, and other entities, from enjoining under the Federal Water Pollution Control Act from conducting an aerial application of a covered fire retardant and water enhancer for wildfire suppression, control, or prevention activities that results in a discharge, if the aerial application is conducted in accordance with the requirements of the Federal Facility Compliance Agreement between the EPA and U.S. Forest Service.

**TITLE XI - CROP INSURANCE (starts at page 692)**

There are no Tribal specific provisions. This is a topic of interest, however, to many individual Tribal producers. The cost of crop insurance often makes it out-of-reach from Tribal producers with small to mid-sized operations.

**TITLE XII - MISCELLANEOUS (starts at page 731)**

**Section 12205. Functions of the Office of Tribal Relations (OTR).**

- Requires OTR to:
  - Advise the Secretary on policies related to Tribes.
  - Oversee each self-determination contract entered into between the Secretary and a Tribal organization.
  - Oversee each self-governance compact entered into between the Secretary and a Tribe.

**Section 12402. Commission on Farm Transitions - Needs for 2050.**

- Requires a study and recommendations on farm transitions, including heirs' property and success of agricultural land.

