

Fact Sheet:
**Conservation Opportunities for
Federally Recognized Indian Tribes**

Overview

The Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) continues to address the unique circumstances and concerns of Indian Tribes and Alaska Natives. It provides for voluntary participation, offers payments for conservation application, and focuses on equal access to U.S. Department of Agriculture (USDA) programs and services. Enhancements include streamlined delivery of technical and financial assistance; enhanced programs and services; and flexibility in decisionmaking (with most decisions made at the Tribal level).

Legislative Changes

The 2008 Farm Bill authorizes the Secretary of Agriculture to provide up to 90 percent of the costs associated with planning and implementing conservation practices for Indian Tribes. In addition, up to 30 percent of such payments may be provided in a short-term advance for purchasing materials or contracting. Tribes are also included in the 5 percent set aside of Environmental Quality Incentives Program (EQIP) funds and the 5 percent set aside of Conservation Stewardship Program (CStP) acres for socially disadvantaged farmers or ranchers.

Definitions

“Indian Tribe” means any Indian Tribe, band, nation, pueblo, or other organized group or community including any Alaska Native village or regional corporation as defined in or established pursuant to the Alaska Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

Please refer to the following site for a complete list of federally recognized Tribes.

<http://edocket.access.gpo.gov/2008/E8-6968.htm>.

“Indian Lands” means all lands held in trust by the United States for individual Indians or Tribes, or all land titles held by individual Indians or Tribes, subject to Federal restrictions against alienation or encumbrance, or all lands subject to the rights of use, occupancy and/or benefit of certain Tribes. This term also includes lands for which the title is held in fee status by Indian Tribes, and the U.S. Government-owned land under the Bureau of Indian Affairs jurisdiction.

Adjusted Gross Income (AGI)

The Commodity Credit Corporation, USDA, 7 CFR 1400.4 exempts Indian Tribes from AGI payment eligibility determinations and program payment limitations. The payment eligibility and payment limitation requirements remain applicable to individual American Indians or Alaska Natives receiving program payments.

More Information

For more information about these and other Farm Bill topics, please refer to the U.S. Department of Agriculture Web site <http://www.usda.gov/farmbill> or the Natural Resources Conservation Service Web site at <http://www.nrcs.usda.gov/programs> or <http://www.nrcs.usda.gov/programs/farmbill/2008>.

