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GENERAL MEMORANDUM 09-113

Status of Department of Agriculture Appropriations for FY 2010

The House and Senate have approved legislation, HR 2997, which would provide FY 2010 funding for Department of Agriculture programs. The differences between the House and Senate versions will be resolved in a conference committee. The House report is H. Rpt. 111-81 and the Senate report is S. Rpt. 111-39. Below are the recommended funding levels for selected Department of Agriculture programs of particular interest to tribal governments and tribal colleges.

In June 2008 the Food, Conservation, and Energy Act (the Farm Bill) was enacted as Public Law 110-246. For information on that Act, including programs for which tribes are eligible, see our General Memorandum 08-092 dated July 25, 2008.

Office of Tribal Relations

FY 2009 Enacted	-0-
FY 2010 Request	\$1 million
FY 2010 House	\$1 million
FY 2010 Senate	\$1 million

The Senate Report explains the purpose of this new office which is to be located in the Office of the Secretary:

The Office of Tribal Relations will interact with USDA program agencies to understand pending actions that may affect Indian tribes. This interaction and programmatic knowledge will improve USDA's ability to conduct consultation activities, thereby better addressing the needs of USDA tribal constituents and improving relationships. (S.Rpt. 111-39, p. 9)

Federally Recognized Tribes Extension Program

FY 2009 Enacted	\$3.0 million
FY 2010 Request	\$3.0 million
FY 2010 House	\$3.0 million
FY 2010 Senate	\$3.0 million

Under the Federally Recognized Tribes Extension Program, state land grant universities provide education and resources for tribes in areas including range

management, wildlife and fisheries enhancement and education programs for adults and youth.

Outreach for Socially Disadvantaged Farmers

FY 2009 Enacted	\$15 million
FY 2010 Request	\$20 million

Funding for this program is mandatory, and thus not subject to the appropriations process. Funds are provided to community-based organizations and colleges, including tribal colleges, to provide education on agriculturally-related services to farmers and ranchers participating in the Environmental Quality Incentives Program.

Tribal Colleges Extension Services

FY 2009 Enacted	\$3.3 million
FY 2010 Request	\$4.3 million
FY 2010 House	\$4.3 million
FY 2010 Senate	\$4.1 million

Native American Institutions Endowment Fund (tribal colleges)

FY 2009 Enacted	\$11.9 million
FY 2010 Request	\$11.9 million
FY 2010 House	\$11.9 million
FY 2010 Senate	\$11.9 million

The Senate Report explains:

The Native American Institutions Endowment Fund authorized by Public Law 103-382 provides an endowment for the 1994 land-grant institutions (33 tribally controlled colleges). This program will enhance educational opportunity for Native Americans by building educational capacity at these institutions in the areas of student recruitment and retention, curricula development, faculty preparation, instruction delivery systems, and scientific instrumentation for teaching. Income funds are also available for facility renovation, repair, construction, and maintenance. On the termination of each fiscal year, the Secretary shall withdraw the income from the endowment fund for the fiscal year, and after making adjustments for the cost of administering the endowment fund, distribute the adjusted income as follows: 60 percent of the adjusted income from these funds shall be distributed among the 1994 land-grant institutions on a pro rata basis, the proportionate share being based on the Indian student count; and 40 percent of the adjusted income shall be distributed in equal shares to the 1994 land-grant institutions.

(S. Rpt. 111-39, p. 33)

1994 Institutions Equity Grants (tribal colleges)

FY 2009 Enacted	\$3.34 million
FY 2010 Request	\$3.34 million
FY 2010 House	\$3.34 million
FY 2010 Senate	\$3.34 million

1994 Institution Research Initiative (tribal colleges)

FY 2009 Enacted	\$1.6 million
FY 2010 Request	\$1.6 million
FY 2010 House	\$1.6 million
FY 2010 Senate	\$1.6 million

Every two years the tribal colleges compete for these funds.

Community Facility Grants for Tribal Colleges and Universities

FY 2009 Enacted	\$3.97 million
FY 2010 Request	\$3.97 million
FY 2010 House	\$3.97 million
FY 2010 Senate	\$3.97 million

Alaska Native/Native Hawaiian-Serving Higher Education Institutions

FY 2009 Enacted	\$3.17 million
FY 2010 Request	\$3.17 million
FY 2010 House	\$3.17 million
FY 2010 Senate	\$3.17 million

The Senate report notes that funds are to be equally divided among eligible institutions or consortia of eligible institutions that serve significant numbers of Alaska Native or Native Hawaiian students.

Multicultural Scholars Program

FY 2009 Enacted	\$981,000
FY 2010 Request	\$981,000
FY 2010 House	\$981,000
FY 2010 Senate	\$981,000

Rural Business Program Subsidy and Grants

FY 2009 Enacted	\$87 million
FY 2010 Request	\$97 million
FY 2010 House	\$97 million
FY 2010 Senate	\$97 million

The House bill would provide \$4 million in grants for Federally recognized tribes, of which \$250,000 is for transportation technical assistance. The Senate bill would also provide \$4 million for tribes, of which \$250,000 is to be used "to implement an American Indian and Alaska Native passenger transportation development and assistance initiative."

Among the programs funded under this account are the Rural Business Enterprise grants and the Rural Business Opportunity grants, of which tribes were allocated in FY 2009 \$2.76 million and \$990,000, respectively.

Rural Water and Waste Disposal Program Subsidy and Grants

FY 2009 Enacted	\$556 million
FY 2010 Request	\$546 million
FY 2010 House	\$546 million
FY 2010 Senate	\$568 million

Within the total, the House would provide \$41 million for water and waste disposal systems in the Colonias and for Federally recognized tribes, \$800,000 for technical assistance for rural water systems for tribal communities, and \$15 million for a circuit rider program. *The House recommends rescinding \$25 million in FY 2009 funds from the Alaska rural water and waste disposal program.*

Within the total, the Senate would provide \$70 million for water and waste disposal systems grants for Native Americans, including Native Alaskans, the Colonias, and residents of Hawaiian Homelands. The Senate bill includes \$14 million for a circuit rider program.

Indian Tribal Land Acquisition Loans

FY 2009 Enacted	\$3.9 million
FY 2010 Request	\$2.0 million
FY 2010 House	\$3.9 million
FY 2010 Senate	\$2.0 million

Indian Highly Fractionated Land Loan Subsidy

FY 2009 enacted	-0-
FY 2010 Request	\$793,000
FY 2010 House	\$793,000
FY 2010 Senate	\$793,000

A subsidy of \$793,000 would support \$10 million in loans to individual Indians to purchase highly fractionated parcels of land.

Supplemental Nutrition Assistance Program (includes the Food Distribution Program on Indian Reservations)

FY 2009 Enacted	\$54 billion
FY 2010 Request	\$61 billion
FY 2010 House	\$61 billion
FY 2010 Senate	\$61 billion

The House and Senate would provide \$112.7 million for the Food Distribution Program on Indian Reservations. The FY 2009 appropriation was \$114.9 million. The Senate Report states with regard to purchase of bison for this program from Native American producers and producer-owned cooperatives:

The Committee encourages the Secretary to continue the purchase of bison from producer-owned and Native American owned cooperatives for the Food Distribution Program on Indian Reservations. Though funding is not provided specifically for bison purchase, historically these purchases have been important for the Native American population both economically and nutritionally. (S. Rpt. 111-39, p. 93).

The Farm Bill (PL 110-246) allows the Secretary of Agriculture to authorize tribes to administer the commodities program if he determines that a tribal organization "is capable of effectively and efficiently administering a distribution ...". The Secretary is also authorized to pay the administrative expenses associated with a tribe or state administering the Food Distribution on Indian Reservations Program.

Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

FY 2009 Enacted	\$6.9 billion
FY 2010 Request	\$7.8 billion
FY 2010 House	\$7.5 billion
FY 2010 Senate	\$7.5 billion

Rural Empowerment Zones and Enterprise Communities Grants

FY 2009 Enacted	\$8 million
FY 2010 Request	-0-
FY 2010 House	-0-
FY 2010 Senate	-0-

Distance Learning and Telemedicine - Grants

FY 2009 Enacted	\$34.8 million
FY 2010 Request	\$29.8 million
FY 2010 House	\$34.8 million
FY 2010 Senate	\$37.8 million

Broadband Telecommunications— Loan authorization

FY 2009 Enacted	\$400 million
FY 2010 Request	\$532 million
FY 2010 House	\$400 million
FY 2010 Senate	\$532 million

Broadband Telecommunications - Loan subsidies

FY 2009 Enacted	\$15.6 million
FY 2010 Request	\$38.5 million
FY 2010 House	\$28.9 million
FY 2010 Senate	\$38.5 million

Broadband Telecommunications – Grants

FY 2009 Enacted	\$13.4 million
FY 2010 Request	\$13.4 million
FY 2010 House	\$17.9 million
FY 2010 Senate	\$13.4 million

Denali Commission

FY 2009 Enacted	\$434,000
FY 2010 Request	-0-
FY 2010 House	-0-
FY 2010 Senate	-0-

Department of Agriculture funding for the Denali Commission had been used to address deficiencies in solid waste management in Alaska.

Please let us know if we may provide additional information or assistance regarding the FY 2010 Agriculture appropriations.

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