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United States Department
of Agriculture

FRAMING PAPER

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USDA Tribal Consultation: Racial Equity/Tribal Barriers to Accessing USDA Programs & Opportunities *March 9 & 11, 2021*

TOPIC: Executive Order (EO) on [Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#) (January 20, 2021)

SUMMARY: On January 20, 2021, President Joe Biden issued an EO on Racial Equity that requires all federal agencies to consult with tribal nations (“underserved communities”) to assist in reviewing USDA programs and policies for “systemic barriers” to access.

QUESTIONS: As a starting point for discussion, OTR has divided USDA’s programs into five subject categories. Within each category, there are two questions for consideration. OTR encourages the discussion to be as specific as achievable, including solution-oriented recommendations where possible.

- 1) **TRADE, FOOD SECURITY AND SAFETY**
- 2) **ECONOMIC DEVELOPMENT**
- 3) **FARMING, RANCHING, AND CONSERVATION**
- 4) **FORESTRY AND PUBLIC LANDS MANAGEMENT**
- 5) **EDUCATION AND RESEARCH**

QUESTION 1: Have you experienced barriers in accessing procurement, contracting, or employment opportunities at USDA?

QUESTION 2: Have you experienced barriers in accessing USDA’s programs, benefits, and services?

Context and example for each category can be found below. During each of the two (identical) consultations, approximately 30 minutes will be spent on each topic. This is meant to be a starting point to begin the conversation. More in-depth consultations in each area may be scheduled as deemed necessary. Written comments and or resolutions may also be submitted by March 22 to tribal.relations@usda.gov.

1) TRADE, FOOD SECURITY, AND SAFETY

USDA RELATED PROGRAMS: Food security and safety programs at USDA encompass a wide variety of offices which include nutritional food programs as well as food, plant, and animal inspection and regulation. Food Security also encompasses trade opportunities. Programs include but are not limited to:

- **Food and Nutrition Services (FNS):** Food Distribution Program on Indian Reservation (FDPIR), Supplemental Nutrition Assistance Program (SNAP), Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), National School Lunch Program (NSLP)
- **Agricultural Marketing Services (AMS):** hemp regulations, federal procurement of foods, marketing and regulatory programs
- **Animal and Plant Health Inspection Service (APHIS):** bison brucellosis regulation, chronic wasting disease, and other animal and plant health issues
- **Food Safety Inspection Service (FSIS):** meat processing plants and food safety issues
- **Foreign Agriculture Service (FAS):** Market Access Program (MAP)

QUESTION 1: Have you experienced barriers in accessing procurement, contracting, or employment opportunities at USDA?

- Example: Examples of some barriers that have been shared with USDA have focused on USDA food and nutrition programs, in particular the ability to sell indigenous agricultural products to USDA programs. What makes contracting challenging? What specific recommendations do you have for USDA in contracting to purchase its agricultural products in Indian Country?

QUESTION 2: Have you experienced barriers in accessing USDA's programs, benefits, and services?

- Example: An example of a barrier that has been shared with USDA is the requirement that SNAP be administrated through the State rather than the Tribe itself. Another is difficulty in incorporating more indigenous foods into the FDPIR packages. Particularly around smaller purchases to support tribal agriculture.

NOTES: (space saved for participants to keep notes)

2) ECONOMIC DEVELOPMENT

USDA RELATED PROGRAMS: USDA is one of the largest financiers of economic development and infrastructure projects in rural America. USDA's grant and loan programs are expansive and cover a number of different topics.

- **Rural Development (RD):** RD Consists of 3 Agencies: Rural Housing Service, Rural Business-Cooperative Service and the Rural Utilities Service, along with the Business Center, the Innovation Center, and a network of 47 State Offices.
 - **Rural Housing Service:** Rural homeownership, home repair, rental housing, and community facility programs
 - **Rural Business-Cooperative Service:** Rural business, cooperative, and energy programs
 - **Rural Utilities Service:** Rural electric, water/sewer, and broad band

QUESTION 1: Have you experienced barriers in accessing procurement, contracting, or employment opportunities at USDA?

- Example: One example in which tribes have expressed concern in this arena is the lack of many tribal citizens serving as the RD State Directors or employed in the local RD offices. What solutions do you see?

QUESTION 2: Have you experienced barriers in accessing USDA's programs, benefits, and services?

- Example: One example that tribes have expressed is in the broadband and other utility programs, stating that that legacy borrowers receive preferences for USDA funding even when they do not have tribal approval to service their lands. What barriers have you experienced in accessing USDA's infrastructure programs? What solutions do you see?

NOTES: (space saved for participants to keep notes)

3) FARMING, RANCHING, AND CONSERVATION

USDA RELATED PROGRAMS: USDA has a wide variety of programs and services to support farmers and ranchers including loans, risk management tools, commodity programs, conservation assistance, and technical assistance for land and resource management.

- **Farm Service Agency (FSA)**
- **Natural Resource Conservation Service (NRCS)**
- **Risk Management Agency (RMA)**

QUESTION 1: Have you experienced barriers in accessing procurement, contracting, or employment opportunities at USDA?

- Example: One example that tribes have raised are barriers to participating in the FSA County Committee process. What might be some solutions?

QUESTION 2: Have you experienced barriers in accessing USDA's programs, benefits, and services?

- Example: A few examples of barriers that tribal leaders have raised with OTR are the difficulty in obtaining NRCS fencing monies to upgrade existing cattle fencing for bison, and FSA's categorization of trust lands as "federal" lands. What other barriers do Native producers face in accessing USDA's programs?

NOTES: (space saved for participants to keep notes)

4) FORESTRY AND PUBLIC LANDS MANAGEMENT

USDA RELATED PROGRAMS: The United States Forest Service (USFS) cares for shared natural resources in ways that promote lasting economic, ecological, and social vitality including our National Forests and our National Grasslands. Many of these lands under USFS stewardship are traditional tribal homelands.

QUESTION 1: Have you experienced barriers in accessing procurement, contracting, or employment opportunities at USDA?

- Example: One example that tribes have shared is barriers to accessing the concession contracts and the various leases available throughout USFS lands. Do you have ideas for increasing tribal success and involvement?

QUESTION 2: Have you experienced barriers in accessing USDA's programs, benefits, and services?

- Example: An example shared by some tribal leaders includes barriers to integrating indigenous values into more of the daily decisions about federal lands, particularly regarding protections of sacred sites. The other issues stem from grazing lands management.

NOTES: (space saved for participants to keep notes)

5) EDUCATION AND RESEARCH

USDA RELATED PROGRAMS: Education and research play a critical role at USDA. Every year, USDA offers grants and programs in multiple disciplines for schools, including Tribal Colleges and Universities. This supports USDA's mission of supporting the 1994 Land Grant Colleges through efforts such as Tribal College Extension and outreach. USDA also conducts research through multiple agencies to provide studies and statistics to better inform Indian Country on the latest trends and issues. The agencies that fall under this category, and their programs/areas, include but are not limited to:

- **National Institute of Food and Agriculture (NIFA):** Grant programs including: New Beginning for Tribal Students, The Federally Recognized Tribes Extension Program (FRTEP), the Tribal College Extension, Equity and Research programs, and many others
- **Nation Agricultural Statistics Service (NASS):** Census of Agriculture
- **Agricultural Research Service (ARS):** research covering areas including food safety, animal protection, and aquaculture
- **Economic Research Service (ERS):** research involving economic trends and emerging issues in agriculture, food, the environment, and rural America
- **Office of Partnerships and Public Engagement:** promotes scholarship programs for Tribal 1994 land grant institutions funded by USDA agencies

QUESTION 1: Have you experienced barriers in accessing procurement, contracting, or employment opportunities at USDA?

- Example: One example that tribal leaders have provided is barriers to participating in USDA internship programs in a meaningful way. What specific barriers have you identified that could increase participation?

QUESTION 2: Have you experienced barriers in accessing USDA's programs, benefits, and services?

- Example: One example of a barrier in this area brought to OTR's attention is individuals that practice indigenous agrarian practices, like hunting, fishing, and gathering, are not being counted in the Census of Agriculture.

NOTES: (space saved for participants to keep notes)

DIRECTIONS FOR SUBMITTING COMMENTS

Please join us for the consultation on March 9 and 11 beginning at 11:30 am ET (www.usda.gov/tribalrelations/tribal-consultations), and/or submit any written comments by March 22 to tribal.relations@usda.gov.