



**USDA  
State  
Outreach  
Council**

## **Opportunities for Tribes and Tribal Members**



## **The Food, Conservation, and Energy Act of 2008**

[www.usda.gov](http://www.usda.gov)

November 19, 2008

# **2008 Farm Bill**



The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W. Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).

**USDA is an equal opportunity provider and employer.**

## The Food, Conservation, and Energy Act of 2008

The Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill) provides nearly \$300 billion in USDA programs over the next 5 years. 73% of this amount will be spent on nutrition programs. The Farm Bill also covers conservation, credit and loan programs, forestry, rural development, research, energy, livestock, disaster programs and other miscellaneous programs. The following provides basic information on a few select programs, to raise the awareness of the potential benefits forthcoming through Farm Bill Programs and where to access the programs and services.

<u>Cultural and Heritage Opportunities</u>	Agency to Contact
<p><b>Cultural and Heritage Cooperative Authority—</b></p> <ul style="list-style-type: none"> <li>• Authorizes reburial of human remains and cultural items on National Forest System land, including human remains and cultural items repatriated under NAGPRA.</li> <li>• Prevents disclosure of information regarding reburial sites as well as other culturally sensitive information under the Freedom of Information Act (FOIA).</li> <li>• Allows the temporary closure of Forest System land for traditional and cultural purposes with Secretarial approval.</li> <li>• Allows free gathering of forest products for cultural and traditional purposes.</li> <li>• Increases the availability of Forest Service programs and resources to Indian tribes.</li> <li>• Aims to strengthen support of traditional practices in accordance with American Indian Religious Freedom Act.</li> </ul>	<p><b>Forest Service</b></p>

## Providing Input into the Development of the Program Rules

### How can I provide suggestions on implementation of these USDA programs?

During the period when Congress is debating the farm bill, the public can provide input into their needs to their Senators and Representatives in Congress. After the farm bill was passed by Congress, and signed by the President, the public can still have input into the development of the rules that are used to implement the farm bill programs through the Federal Register System.

### What is the Federal Register?

The Federal Register publication system is a method of informing the public of the regulations affecting them. The Federal Register Act, which became law on July 26, 1935, established this uniform system for handling regulations for all agencies of the Federal Government. The Administrative Procedure Act (June 11, 1946) added the procedures for giving the public the right to participate in the rulemaking process by commenting on the rules that government employees propose to implement.

### How can I make suggestions?

As the detailed rules are developed for the programs described in this brochure, each rule will be published in the Federal Register providing the public a specific timeframe in which they can submit comments. You can see what regulations have recently been published in the Federal Register at [http://www.usda.gov/wps/portal/tut/p/\\_s.7\\_0\\_A/7\\_0\\_2KD?navid=FARMBILL2008](http://www.usda.gov/wps/portal/tut/p/_s.7_0_A/7_0_2KD?navid=FARMBILL2008). You can also find links to proposed regulations on the web pages of Natural Resources Conservation Service, Farm Service Agency, and Rural Development.

### What kind of suggestions can I make?

Comments generally help provide the writer of the regulation with suggested changes to the rules that would make the program work better for all customers. Agriculture is different in all parts of the country. Comments help the writer of the regulation understand the needs of farmers and ranchers throughout the country and helps to ensure that barriers to participation are eliminated.

### Is it worth my effort to try to provide suggestions?

When comments/suggestions are received, the writer of the regulation must address each comment/suggestion and explain why it was accepted or why it was not accepted into the final rules that are used to run the program. Therefore, this system allows the public the opportunity to provide suggestions on the rules that will be used for the next few years to run the programs. Once the rules are finalized, they are not easily changed. Often the same rules will apply until the next time that a farm bill is passed by Congress. Therefore, now is a timely opportunity for providing your suggestions on the best rules to run the USDA programs.

### When will proposed rules be available for comment?

Most of the proposed regulations for programs from the 2008 Farm Bill will be published in the Federal Register during the fall of 2008 and early in 2009.







<u>Nutrition Opportunities Specific for Tribes</u>	Agency to Contact
<p><b>Food Distribution Program on Indian Reservations (FDPIR)—</b></p> <ul style="list-style-type: none"> <li>• <b>Allows for the purchase of bison meat</b> from Native American bison producers, and/or producer-owned cooperatives of bison ranchers.</li> <li>• Establishes a “<b>Traditional and Locally Grown Food Fund</b>” that allows the purchase of food designated “traditional” or locally grown for inclusion into food packages, and supports the procurement of the foods by Native American farmers and ranchers up to 50% where practicable.</li> <li>• <b>Requires USDA to conduct an assessment and report</b> on the nutritional value of the FDPIR food package, how foods are selected, and how USDA plans to update the food packages.</li> </ul>	



<u>Nutrition Opportunities for the General Public</u>	Agency to Contact
<ul style="list-style-type: none"> <li>• The <b>Food Stamp Program</b> is renamed as the “<b>Supplemental Nutrition Assistance Program (SNAP)</b>.”</li> <li>• <b>Helps restore the food purchasing ability</b> of low-income families by adjusting the standard deduction and indexing the amount to inflation.</li> <li>• <b>Assists low-income families with high child care expenses</b> by allowing a full deduction for child care expenses in calculating family income and food assistance levels.</li> <li>• <b>Expands the ability of states to provide simplified reporting</b> of income and circumstances for participants.</li> <li>• <b>Increases the minimum benefit from \$10 to \$14</b> and indexes that level to future inflation.</li> </ul>	



<u>Disaster and Crop Insurance Opportunities</u>	Agency to Contact
<p><b>Noninsured Crop Disaster Assistance Program (NAP)—</b> provides financial assistance to producers of non-insurable crops when low yields, loss of inventory or prevented planting occurs due to natural disasters. Applications must be submitted by the purchase closing date. The service fee is the lesser of \$250 per crop or \$750 per producer per administrative county, not to exceed a total of \$1,875 per producer with farming interest in multiple counties.</p>	<p><b>Farm Service Agency</b> staff are housed in USDA service centers.</p>
<p><b>Crop Insurance—</b> coverage is available for more than 100 crops (though not all crops are eligible in every county). Federal crop insurance policies typically consist of the Common Crop Insurance Policy, the specific crop provisions and policy endorsements and special provisions. Multiple-peril crop insurance policies are available for most insured crops. <b>Catastrophic Coverage (CAT)</b> , a policy endorsement, pays 55% of the established price of the commodity on crop losses in excess of 50 percent. <b>Revenue Insurance Plans—</b>Insurance is based on revenue guarantees instead of yield guarantees. Revenue policies protect a grower’s loss of revenue resulting from fluctuating prices, low yields or a combination of the two.</p>	<p><b>Risk Management Agency</b> Sold through private Crop Insurance Sales Agents</p>
<p><b>Requesting Insurance not available on your crop or in your county-</b> Producers may request insurance coverage for an insurable crop that is not available in the county by completing a Request for Actuarial Change through a crop insurance agent. To request insurance coverage on a crop not currently insured, contact the RMA Springfield Regional Office, 3500 W. Wabash Avenue, Springfield, Illinois 62707.</p>	<p><b>Risk Management Agency</b></p>

<u>Energy Programs</u>	Agency to Contact
<b>Rural Energy for America Program (REAP)</b> — Provides grants and loan guarantees for renewable energy systems and energy efficiency projects for growers and rural small businesses.	<b>Rural Development</b>
<b>Biomass Crop Assistance Program (BCAP)</b> —Growers in BCAP areas may receive biomass crop establishment payments up to 75 percent of costs, plus annual payments to help compensate for lost opportunity costs until crops are established, and cost-share payments for harvest, storage, and transport of biomass to facilities.	<b>Farm Service Agency</b> staff are housed in USDA service centers
<b>Community Wood Energy Program</b> —Grants will be available to assist rural communities install wood energy systems in community facilities.	<b>Rural Development</b>



<u>Loan Opportunities</u>	Agency to Contact
<b>Beginning Farmer &amp; Rancher Down Payment Loan Program</b> —Adds Socially Disadvantaged Farmers (SDF) as eligible applicants, along with Beginning Farmers. Also, adjusts the interest rate to 4% below the standard direct farm ownership interest rate or 1.5%, whichever is greater. It updates the maximum allowable sales price, decreases the borrower's minimum down payment requirement from 10 to 5 percent and increases the allowable term from 15 to 20 years.	<b>Farm Service Agency</b>

<u>Loan Opportunities</u>	Agency to Contact
<b>Increased Loan Limits</b> —1) Increases direct farm ownership and operating loan limitation to \$300,000. 2) Increases the amount of loan funds set aside for use by beginning and SDF in all program areas.	<b>Farm Service Agency</b>
<b>Priority in Purchase of FSA Inventory Property</b> —Adds socially disadvantaged farmers, along with previously eligible beginning farmers, initial preference in the purchase of FSA inventory property.	
<b>Other Opportunities</b> —1) Temporarily eliminated term limits on guaranteed loans, 2) allows all farming experience to be considered when applying for a loan (regardless of when this experience occurred), and 3) extends right of first refusal to reacquire homestead property to immediate family members of socially disadvantaged farmer borrowers.	
<u>New Loan Opportunities That will be Available When Funding is allocated by Congress</u>	Agency to Contact
<b>Beginning Farmer &amp; Rancher Individual Development Accounts Pilot Program</b> —Establishes a new pilot program that provides grants to enable community-based nonprofits and state, local, and tribal government agencies to promote matched savings accounts for qualified beginning farmers and ranchers and allows the proceeds to be used on capital expenditures for the farm.	<b>Farm Service Agency</b>
<b>Beginning Farmer Land Contract Program</b> —Makes the land contract guaranteed loan pilot program permanent and nationwide.	
<b>Soil and Water Conservation Protection Loans-</b> 1) Adds priority for beginning farmers and socially disadvantaged farmers, as well as for those converting to organic and sustainable farming practices, and 2) Adds conversion to organic production and/or sustainable farming practices as eligible loan purposes.	
<b>Borrower Protection Provisions</b> - 1) Eliminates term limits on guaranteed loans and allows all farming experience to be considered when applying for a loan, and 2) Allows guaranteed farm ownership debt to be an eligible loan purpose for the direct farm ownership loan.	

