



UNIVERSITY OF  
ARKANSAS

*Indigenous Food and  
Agriculture Initiative*

## The 2018 Farm Bill Side-by-Side:

### *Tribal Specific Provisions in the House, Senate, and Final Conference Report*

*December 20, 2018*

#### House Passed Farm Bill

**H.R. 2 - Agriculture and Nutrition Act of 2018**

*Passed by the House on 06/21/18 by a vote of 213-211*

#### Senate Passed Farm Bill

**H.R. 2 - Agriculture Improvement Act of 2018**

*Passed by the Senate on 06/28/18 by a vote of 86-11*

#### Conference Committee Farm Bill

**H.R. 2 - Agriculture Improvement Act of 2018**

*Passed by Senate 87-13; Passed by House 369-47*

*Signed into law December 20, 2018*

#### Title I – Commodities

<u>Title I – Commodities</u>		
	<p><i>Sec. 1501 – Supplemental Agricultural Disaster Assistance</i></p> <ul style="list-style-type: none"> <li>● Adds tribes and tribal organizations to definition of an eligible producer for the program.               <ul style="list-style-type: none"> <li>○ Sec.1501 (a) amends section 1501(a)(1)(B) of the Agricultural Act of 2014 to add an Indian tribe or tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304) as an eligible producer.</li> <li>○ Sec.1501 (c) amends section 1501(e) of the Agricultural Act of 2014 to require the Secretary to provide a reimbursement of 75 percent of the losses for beginning and veteran farmers and ranchers under the Tree Assistance Program.</li> </ul> </li> </ul>	<p><i>Sec. 1501 – Supplemental Agricultural Disaster Assistance</i></p> <ul style="list-style-type: none"> <li>● Adds tribes and tribal organizations to definition of an eligible producer for the program.               <ul style="list-style-type: none"> <li>○ Sec.1501 (a) amends section 1501(a)(1)(B) of the Agricultural Act of 2014 to add an Indian tribe or tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304) as an eligible producer.</li> <li>○ Sec.1501 (c) amends section 1501(e) of the Agricultural Act of 2014 to require the Secretary to provide a reimbursement of 75 percent of the losses for beginning and veteran farmers and ranchers under the Tree Assistance Program.</li> </ul> </li> </ul>

*This document is strictly for educational purposes only and does not constitute legal advice nor create an attorney/client relationship.*

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<u>Title II – Conservation</u>		
	<p><i>Sec. 2303 - Establishment and Administration</i></p> <ul style="list-style-type: none"> <li>Amends the Environmental Quality Incentive Program to include an automatic 50 percent minimum advanced payment for a 180 day contract implementation period unless a limited resource, socially disadvantaged, or veteran producer opts-out.</li> </ul>	<p><i>Sec. 2304 - Establishment and Administration of Environmental Quality Incentive Program</i></p> <ul style="list-style-type: none"> <li>Moved to section 2304(d) and replaces the “opt-out” language with an assurance of notification of producers, per Note #16 in Title II - Conservation, Joint Explanatory Statement.</li> </ul>
<p><i>Sec. 2408 – Soil and Water Resources Conservation</i></p> <ul style="list-style-type: none"> <li>Creates a National Technical Committee that includes tribal agency representatives to advise the Natural Resources Conservation Service.</li> </ul>		<p><i>Not Included.</i></p>
	<p><i>Sec. 2101 – Extension and Enrollment Requirements of Conservation Reserve Program</i></p> <ul style="list-style-type: none"> <li>Authorizes a state or tribe, in consultation with FSA State Technical Committee, to submit a request to designate a State Acres For Wildlife Enhancement or SAFE area. The Secretary is directed to give priority to certain requests, including wildlife habitat for targeted species and where a commitment of funds for incentive payments is provided, and to maintain a regional balance when making designations.</li> </ul>	<p><i>Tribal designation authority not expressly included, per implicit Note #1 in Title II - Conservation, Joint Explanatory Statement.</i></p>
	<p><i>Sec. 2105 – Conservation Reserve Enhancement Program</i></p> <ul style="list-style-type: none"> <li>Allows the Secretary to enter into cost-share agreements with tribes, and other partners, to carry out the conservation reserve enhancement program.</li> </ul>	<p><i>Section 2202 - Conservation Reserve Enhancement Program</i></p> <ul style="list-style-type: none"> <li>Allows the Secretary to enter into cost-share agreements with tribes, and other partners, to carry out the conservation reserve enhancement program.</li> </ul>

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Title II – Conservation (cont'd)		
	<p><i>Sec. 2107 – Conservation Reserve Easements</i></p> <ul style="list-style-type: none"> <li>Allows the Secretary to enter into one or more agreements with tribes to carry out the maintenance required for a conservation easement.</li> </ul>	<p><i>Sec. 2204 Pilot Programs [Conservation Reserve Easements]</i></p> <ul style="list-style-type: none"> <li>Creates pilot project for 30 year conservation easements called Clean Lakes Estuaries and Rivers (CLEAR 30) practices</li> <li>Requires Secretary to enter into one or more agreements with tribes under CLEAR 30.</li> </ul>
	<p><i>Sec. 2411 – Regional Conservation Partnership Program</i></p> <ul style="list-style-type: none"> <li>Expressly includes tribes who own or operate eligible land as eligible producers for the Regional Conservation Partnership Program.</li> </ul>	<p><i>Sec. 2701 - Regional Conservation Partnership Program</i></p> <ul style="list-style-type: none"> <li>Expressly includes tribes who own or operate eligible land as eligible producers for the Regional Conservation Partnership Program.</li> </ul>
	<p><i>Sec. 2425 – Wildlife Management</i></p> <ul style="list-style-type: none"> <li>To provide regulatory certainty under conservation programs, the Secretary, at the request of a tribe or other government, may provide technical and programmatic information regarding regulatorily required conservation practices that could be implemented by that producer.</li> </ul>	<p><i>Tribal Language Not Included.</i></p>
<p><i>Sec. 2501(a) - Annual Funding</i></p> <ul style="list-style-type: none"> <li>Maintains current funding levels at \$33 million for the transfer of retiring agriculture land to new and beginning or socially disadvantaged producers under the Conservation Stewardship Program - Transition Incentives Program.</li> </ul>	<p><i>Sec. 2501(a) - Funding</i></p> <ul style="list-style-type: none"> <li>Increases funding to \$50 million, including \$5 million cap for outreach and technical assistance, for the transfer of retiring agriculture land to new and beginning or socially disadvantaged producers under the Conservation Stewardship Program - Transition Incentives Program.</li> </ul>	<p><i>Sec. 2501(a) - Funding of Conservation Stewardship Program - Transition Incentives Program.</i></p> <ul style="list-style-type: none"> <li>Increases funding to \$50 million, including up to \$5 million for outreach and technical assistance, for the transfer of retiring agriculture land to new and beginning or socially disadvantaged producers under the CSP- Transition Incentives Program.</li> </ul>

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Title II – Conservation (cont'd)		
	<p><i>Sec. 2501(d) - Assistance to Certain Farmers or Ranchers for Conservation Access</i></p> <ul style="list-style-type: none"> <li>• Set-asides for both ‘beginning’ and ‘socially disadvantaged’ farmers or ranchers are increased from 5 percent to 15 percent in the Environmental Quality Incentives Program and the Conservation Stewardship Program.</li> </ul>	<p><i>Section 2501(d) - Assistance to Certain Farmers or Ranchers for Conservation Access</i></p> <ul style="list-style-type: none"> <li>• Set-asides for ‘beginning’ and ‘socially disadvantaged’ farmers or ranchers are reauthorized at 5 percent (not the 15 percent level in the Senate bill).</li> </ul>
	<p><i>Sec. 2503(c) – Administrative requirements for conservation programs</i></p> <ul style="list-style-type: none"> <li>• Requires USDA to enter into alternative funding arrangements for conservation programs under the Conservation Stewardship Program and Environmental Quality Incentives Program.</li> <li>• Requires the Secretary to provide incentives to certain farmers, ranchers, acequias, and Indian tribes. Certain reporting requirements will not apply to commodity program participants in the Farm Service Agency. The Secretary is directed to encourage source water protection practices in the conservation stewardship program and environmental quality incentives program. Provides administrative requirements for payments to acequias.</li> </ul>	<p><i>Sec. 2503(c) – Administrative requirements for conservation programs</i></p> <ul style="list-style-type: none"> <li>• Requires USDA to enter into alternative funding arrangements for conservation programs under the Conservation Stewardship Program and Environmental Quality Incentives Program.</li> </ul>

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<u>Title III – Trade</u>		
	<p><i>Sec. 3310 – Foreign Trade Missions</i></p> <ul style="list-style-type: none"> <li>● Requires the Secretary to seek to support greater inclusion and participation of Native farmers, ranchers, and producers on international trade missions.</li> <li>● Requires a report to Congress within 2 years regarding the efforts of the agencies to increase tribal inclusion on international trade missions.</li> </ul>	<p><i>Sec. 3312 – Foreign Trade Missions</i></p> <ul style="list-style-type: none"> <li>● Requires the Secretary to seek to support greater inclusion and participation of Native farmers, ranchers, and producers on international trade missions.</li> <li>● Requires a report to Congress within 2 years regarding the efforts of the agencies to increase tribal inclusion on international trade missions.</li> </ul>
<u>Title IV – Nutrition</u>		
<p><i>Sec. 4005 – Food Distribution Program on Indian Reservations</i></p> <ul style="list-style-type: none"> <li>● Allows 2-year carryover funding for FDPIR.</li> <li>● Adds “regionally-grown” to the traditional foods provision purchase provision for FDPIR.</li> <li>● Requires the Secretary to purchase traditional foods that can be procured “cost-effectively”.</li> </ul>	<p><i>Sec. 4102(a) – Food Distribution Program on Indian Reservations</i></p> <ul style="list-style-type: none"> <li>● Allows 2-year carryover funding for FDPIR.</li> <li>● Requires USDA to pay 80 percent of administrative costs FDPIR, with a 20 percent tribal match.                             <ul style="list-style-type: none"> <li>○ Adds waiver of match requirement if it causes a substantial burden on a tribe.</li> <li>○ Tribes can use other federal funding sources to meet matching requirement.</li> <li>○ Does not allow the Secretary to limit the administrative costs for tribes that receive a waiver.</li> </ul> </li> </ul>	<p><i>Sec. 4003(a) – Food Distribution Program on Indian Reservations</i></p> <ul style="list-style-type: none"> <li>● Authorizes 2-year carryover funding</li> <li>● Requires USDA to pay 80 percent of administrative costs FDPIR, with a 20 percent tribal match.                             <ul style="list-style-type: none"> <li>● USDA must waive the match requirement if a tribe is financially unable or substantially burdened by the match requirement.</li> <li>● A tribe may use other federal funding sources to meet the match requirement.</li> <li>● USDA may not limit the administrative costs for a tribe that receives a waiver.</li> </ul> </li> <li>● Adds “regionally-grown” to the traditional foods provision purchase provision for FDPIR.</li> <li>● Requires the Secretary to purchase traditional foods that can be procured “cost-effectively.”</li> </ul>

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Title IV – Nutrition (cont’d)		
	<p><i>Sec. 4102(b) – Food Distribution Program on Indian Reservations – Demonstration Project for Tribal Organization</i></p> <ul style="list-style-type: none"> <li>• Authorizes \$5 million for demonstration projects for tribal organizations to enter into 638 self-determination contracts to procure foods for FDPIR packages.</li> <li>• Only funds specifically appropriated in advance for this purpose may be used to carry out this demonstration project.</li> </ul>	<p><i>Sec. 4003(b) – Food Distribution Program on Indian Reservations - Demonstration Project for Tribal Organizations</i></p> <ul style="list-style-type: none"> <li>• Authorizes \$5 million for demonstration projects for tribal organizations to enter into 638 self-determination contracts to procure foods for FDPIR packages.</li> <li>• Only funds specifically appropriated in advance for this purpose may be used to carry out this demonstration project.</li> </ul>
<p><i>Sec. 4041 – Service of Traditional Foods in Public Facilities</i></p> <ul style="list-style-type: none"> <li>• Adds state, county, and local education programs as eligible for the donation of traditional foods provision into public and nonprofit facilities.</li> </ul>		<p><i>Sec. 4203 - Service of Traditional Foods in Public Facilities</i></p> <ul style="list-style-type: none"> <li>• Adds state, county, and local education programs as eligible for the donation of traditional foods provision into public and nonprofit facilities.</li> </ul>
	<p><i>Sec. 4303 – The Gus Schumacher Food Insecurity Nutrition Incentives</i></p> <ul style="list-style-type: none"> <li>• Tribal agencies can use other federal resources and funds (i.e. IHS funding) to meet the Food Insecurity Nutrition Incentive program matching requirement.</li> </ul>	<p><i>Sec. 4205 - The Gus Schumacher Food Insecurity Nutrition Incentives</i></p> <ul style="list-style-type: none"> <li>• Tribal agencies can use other federal resources and funds (including IHS funding) to meet the Food Insecurity Nutrition Incentive program matching requirement.</li> </ul>
	<p><i>See Senate Bill at Sec. 12616, infra</i></p>	<p><i>Sec. 4206 – Micro-Grants for Food Security</i></p> <ul style="list-style-type: none"> <li>• Provides money to states to award grants of up to \$5,000 to individuals and up to \$10,000 to eligible entities, including tribes and tribal organizations, for small-scale gardening, herding, and livestock operations directed to food insecure communities.</li> </ul>

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<u>Title V – Credit</u>		
<p><i>Sec. 5603 – GAO Report on Availability of the Farm Credit System to Meet the Agriculture Credit Needs of Indian Tribes and their Members</i></p> <ul style="list-style-type: none"> <li>Requires the GAO to study the availability of agriculture credit to tribes and tribal producers within the Farm Credit System.</li> </ul>		<p><i>Sec. 5415 - GAO Report on Availability of the Farm Credit System to Meet the Agriculture Credit Needs of Indian Tribes and their Members</i></p> <ul style="list-style-type: none"> <li>Requires the GAO to study the availability of agriculture credit to tribes and tribal producers within the Farm Credit System.</li> </ul>
<u>Title VI – Rural Development</u>		
	<p><i>See Senate Bill at Sec. 12514, infra</i></p>	<p><i>Sec. 6302 – Establishment of Technical Assistance Program</i></p> <ul style="list-style-type: none"> <li>Establishes a permanent Rural Development Tribal Technical Assistance Office to provide technical assistance across all areas of rural development funding for tribal governments, tribal producers, tribal businesses, tribal business entities, and tribally designated housing entities.</li> </ul>
<p><i>Sec. 6207 – Tribal College and University Essential Community Facilities</i></p> <ul style="list-style-type: none"> <li>Reauthorizes but cuts funding for the program from \$10 million to \$5 million.</li> </ul>	<p><i>Sec. 6104 – Tribal College and University Essential Community Facilities</i></p> <ul style="list-style-type: none"> <li>Reauthorized at current \$10 million funding level.</li> </ul>	<p><i>Sec. 6406 – Tribal College and University Essential Community Facilities</i></p> <ul style="list-style-type: none"> <li>Reauthorized at current \$10 million funding level.</li> </ul>
<p><i>Sec. 6209 – Water Systems for Rural and Native Villages in Alaska</i></p> <ul style="list-style-type: none"> <li>Reauthorized at current funding level.</li> </ul>	<p><i>Sec. 6107 – Water Systems for Rural and Native Villages in Alaska</i></p> <ul style="list-style-type: none"> <li>Reauthorized at current funding level and includes eligibility for tribal consortia (with a 2 percent set-aside for the consortia) and Alaska Native villages.</li> </ul>	<p><i>Sec. 6408 – Water Systems for Rural and Native Villages in Alaska</i></p> <ul style="list-style-type: none"> <li>Reauthorized at current funding level and includes eligibility for tribal consortia (with a 2 percent set-aside for the consortia) and Alaska Native villages.</li> </ul>

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Title VI – Rural Development (cont'd)		
<p><i>Sec. 6201 – Strengthening Regional Economic Development Incentives</i></p> <ul style="list-style-type: none"> <li>• Adds an emphasis on inclusion and coordination with tribes as strategic partners in the development of Strategic Community Plans.</li> </ul>	<p><i>Sec. 6123 – Strategic Economic and Community Development</i></p> <ul style="list-style-type: none"> <li>• Requires the Secretary to coordinate with tribes and other governments and provide priority, under any Rural Development program, to Strategic Community Investment Plans that improve broadband across a multijurisdictional basis, as well as include investment from strategic partners such as tribal governments.</li> </ul>	<p><i>Sec. 6401 – Strategic Economic and Community Development</i></p> <ul style="list-style-type: none"> <li>• Requires the Secretary to coordinate with tribes and other governments and provide priority, under any Rural Development program, to Strategic Community Investment Plans that improve broadband across a multijurisdictional basis, as well as include investment from strategic partners such as tribal governments.</li> </ul>
<p><i>Sec. 6003 – Reauthorization of Farm and Ranch Stress Assistance Network</i></p> <ul style="list-style-type: none"> <li>• Adds tribes as eligible for competitive USDA/HHS grants to support work with non-profit organizations under the Farm and Ranch Stress Assistance Network program.</li> </ul>		<p><i>Sec. 7412 - Farm and Ranch Stress Assistance Network</i></p> <ul style="list-style-type: none"> <li>• Adds tribes as eligible for competitive USDA/HHS grants to support work with non-profit organizations under the Farm and Ranch Stress Assistance Network program.</li> </ul>
<p><i>Sec. 6701(a)(1) – Corrections Relating to the Consolidated Farm and Rural Development Act</i></p> <ul style="list-style-type: none"> <li>• Technical amendment clarifying the eligibility of tribes as defined under Section 4(e) of the Indian Self-Determination and Education Assistance Act.</li> </ul>		<p><i>Sec. 6701(a)(1) – Corrections Relating to the Consolidated Farm and Rural Development Act</i></p> <ul style="list-style-type: none"> <li>• Technical amendment clarifying the eligibility of tribes as defined under Section 4(e) of the Indian Self-Determination and Education Assistance Act.</li> </ul>
	<p><i>Sec. 6118 – Rural Business-Cooperative Service Programs Technical Assistance and Training</i></p> <ul style="list-style-type: none"> <li>• Expressly authorizes tribal governments as eligible grantees for technical assistance/training programs under the Rural Business-Cooperative Service.</li> </ul>	<p><i>Sec. 6419 – Rural Business-Cooperative Service Programs Technical Assistance and Training</i></p> <ul style="list-style-type: none"> <li>• Expressly authorizes tribal governments as eligible grantees for technical assistance/training programs under the Rural Business-Cooperative Service.</li> </ul>



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Title VI – Rural Development (cont'd)		
	<p><i>Sec. 6201 – Electric Loan Refinancing; Sec. 6205 – Guarantees for Bonds and Notes Issued for Electronification or Telephone Purposes; Sec. 6209 – Refinancing of Broadband and Telephone Loans; and multiple other Secs. in Title VI</i></p> <ul style="list-style-type: none"> <li>Provides refinancing authority to USDA projects currently eligible for Substantially Underserved Trust Areas (SUTA) to make improvements to electric, broadband, and water infrastructure in underserved tribal areas.</li> </ul>	<p><i>Secs. 6205, 6209, 6211, 6501, 6505 [Refinancing Authority for Rural Development Infrastructure Loans]</i></p> <ul style="list-style-type: none"> <li>Per Note # 26, Title VI Joint Explanatory Statement, the Managers intend that an existing loan may be refinanced using the Substantially Underserved Trust Area program, and the USDA must publish a notice detailing its implementation of this refinancing authority (<i>See</i> Conference Bill at Sec. 6211).</li> </ul>
	<p><i>Sec. 6206 – Access to Broadband Telecommunications Services in Rural Areas</i></p> <ul style="list-style-type: none"> <li>Priority for tribes and other underserved communities for broadband grants and loans.</li> </ul>	<p><i>Sec. 6201 – Access to Broadband Telecommunications Services in Rural Areas</i></p> <ul style="list-style-type: none"> <li>Priority for tribes and other underserved communities for broadband grants and loans.</li> </ul>
	<p><i>Sec. 6207 – Community Connect Grant Program</i></p> <ul style="list-style-type: none"> <li>Codifies the Community Connect program with tribes and tribal organizations eligible for grants, as well as other underserved communities.</li> </ul>	<p><i>Sec. 6204 – Community Connect Grant Program</i></p> <ul style="list-style-type: none"> <li>Codifies the Community Connect program with tribes and tribal organizations eligible for grants, as well as other underserved communities.</li> </ul>
	<p><i>Sec. 6305 – Council on Rural Community Innovation and Economic Development</i></p> <ul style="list-style-type: none"> <li>Creates a Council with representatives from 26 Executive Branch agencies to streamline and leverage federal investments in rural areas, and coordinate with all stakeholders, including tribal governments.</li> <li>Requires tribal consideration/consultation in Rural Broadband Integration Working Group.</li> </ul>	<p><i>Sec. 6306 – Council on Rural Community Innovation and Economic Development</i></p> <ul style="list-style-type: none"> <li>Creates a Council with representatives from 26 Executive Branch agencies to streamline and leverage federal investments in rural areas, and coordinate with all stakeholders, including tribal governments.</li> <li>Rural Broadband Integration Working Group not included.</li> </ul>

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Title VI – Rural Development (cont'd)		
	<i>See Senate Bill at Sec. 12619, infra</i>	<p><i>Sec. 6424 – Rural Innovation Stronger Economy Program</i></p> <ul style="list-style-type: none"> <li>Establishes a grant program to create job accelerators and programs in low-income rural areas, prioritizing entities/applications with a tribal government as the lead applicant.</li> </ul>
Title VII – Research		
<p><i>Sec. 7109 – Education grants to Alaska Native serving institutions and Native Hawaiian serving institutions</i></p> <ul style="list-style-type: none"> <li>Both reauthorized at current levels.</li> </ul>	<p><i>Sec. 7109 – Education grants to Alaska Native serving institutions and Native Hawaiian serving institutions</i></p> <ul style="list-style-type: none"> <li>Both reauthorized at current levels.</li> </ul>	<p><i>Sec. 7109 – Education grants to Alaska Native serving institutions and Native Hawaiian serving institutions</i></p> <ul style="list-style-type: none"> <li>Both reauthorized at current levels.</li> </ul>
<p><i>Sec. 7502 – Equity in Educational Land-Grant Status Act of 1994</i></p> <ul style="list-style-type: none"> <li>Adds Nueta Hidatsa Sahnish College and Red Lake Nation College to the 1994 Institutions list.</li> <li>Reauthorizes endowment, capacity funds, and research grants for tribal colleges.</li> </ul>	<p><i>Sec. 7402 – Equity in Educational Land-Grant Status Act of 1994</i></p> <ul style="list-style-type: none"> <li>Adds Nueta Hidatsa Sahnish College and Red Lake Nation College to the 1994 Institutions list.</li> <li>Reauthorizes endowment, capacity funds, and research grants for tribal colleges.</li> </ul>	<p><i>Sec. 7502 – Equity in Educational Land-Grant Status Act of 1994</i></p> <ul style="list-style-type: none"> <li>Adds Nueta Hidatsa Sahnish College and Red Lake Nation College to the 1994 Institutions list.</li> <li>Reauthorizes endowment, capacity funds, and research grants for tribal colleges.</li> </ul>
<p><i>Sec. 7507 - Beginning Farmer and Rancher Development Program</i></p> <ul style="list-style-type: none"> <li>Maintains level funding for this program at \$20 million through 2023 and authorizes a waiver or reduction of the 25 percent match as necessary to effectively reach an underserved area or population.</li> </ul>	<ul style="list-style-type: none"> <li><i>See Senate Bill at Sec. 12301, supra</i></li> </ul>	<p><i>See Conference Bill at Sec. 12301, infra</i></p>

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Title VII – Research (cont'd)		
<p>See House Bill at Sec. 11204(b), <i>infra</i></p>	<p><i>Sec. 7118 – New Beginning for Tribal Students</i></p> <ul style="list-style-type: none"> <li>Creates a new Native American student scholarship fund for tribal students attending land-grant universities and colleges.</li> </ul>	<p><i>Sec. 7120 – New Beginning for Tribal Students</i></p> <ul style="list-style-type: none"> <li>Creates a new Native American student scholarship fund for tribal students attending land-grant universities and colleges.</li> </ul>
	<p><i>Sec. 7121 – Partnerships to build capacity in international agricultural research, extension, and teaching</i></p> <ul style="list-style-type: none"> <li>Includes 1994 Tribal Colleges as eligible for program to build the capacity and improve the performance activities substantially similar to agricultural research, extension, and teaching activities.</li> </ul>	<p><i>Sec. 7123 – Partnerships to build capacity in international agricultural research, extension, and teaching</i></p> <ul style="list-style-type: none"> <li>Includes 1994 Tribal Colleges as eligible for program to build the capacity and improve the performance activities substantially similar to agricultural research, extension, and teaching activities.</li> </ul>
	<p><i>Sec. 7206 – National Genetics Resources Program</i></p> <ul style="list-style-type: none"> <li>Adds 1994 Tribal College representation on National Genetics Resources Advisory Committee to provide recommendations on the commercialization of public cultivars and collection of seeds and germplasm for the National Seed Bank.</li> </ul>	<p><i>Sec. 7206 – National Genetics Resources Program</i></p> <ul style="list-style-type: none"> <li>Adds 1994 Tribal College representation on National Genetics Resources Advisory Committee to provide recommendations on the commercialization of public cultivars and collection of seeds and germplasm for the National Seed Bank.</li> </ul>
	<p><i>Sec. 7414 – Assistance for forestry research under the McIntire-Stennis Cooperative Forestry Act</i></p> <ul style="list-style-type: none"> <li>Makes 1994 Tribal Colleges eligible for McIntire-Stennis Forestry program capacity funding.</li> </ul>	<p><i>Sec. 7604 – Assistance for forestry research under the McIntire-Stennis Cooperative Forestry Act</i></p> <ul style="list-style-type: none"> <li>Makes 1994 Tribal Colleges eligible for McIntire-Stennis Forestry program capacity funding.</li> </ul>

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<u>Title VII – Research</u> (cont'd)		
	<p><i>Sec. 7419 – Smith-Lever Community Extension Program</i></p> <ul style="list-style-type: none"> <li>• Adds TCUs as eligible for funding for the Children, Youth and Families at Risk (CYFAR) Program and the Federally Recognized Tribes Extension Program (FRTEP).</li> </ul>	<p><i>Sec. 7609 – Smith-Lever Community Extension Program</i></p> <ul style="list-style-type: none"> <li>• Adds TCUs as eligible for funding for the Children, Youth and Families at Risk (CYFAR) Program and the Federally Recognized Tribes Extension Program (FRTEP).</li> </ul>
<u>Title VIII – Forestry</u>		
<p><i>Sec. 8104 – State and Private Forestry Landscape-Scale Restoration Program</i></p> <ul style="list-style-type: none"> <li>• Includes tribal-owned forest lands within the definition of “Private Forestry Land” for inclusion to the program.</li> </ul>	<p><i>Sec. 8101 – State and Private Forest Landscape-scale Restoration Program</i></p> <ul style="list-style-type: none"> <li>• Includes forest land owned by a corporation or a tribe within the definition of “nonindustrial private forest land” as eligible for a competitive grant awarded by the USDA in coordination with a state agency.</li> </ul>	<p><i>Sec. 8102 – State and Private Forest Landscape-scale Restoration Program</i></p> <ul style="list-style-type: none"> <li>• Includes forest land owned by an Indian tribe within the definition of “nonindustrial private forest land” as eligible for a competitive grant awarded by the USDA in coordination with a state agency.</li> </ul>
<p><i>Sec. 8332 – Promoting Cross-Boundary Wildfire Mitigation</i></p> <ul style="list-style-type: none"> <li>• Encourages the Secretary to use excess funds, in consultation with tribes and other forest owners, for cross-boundary hazardous fuels reduction projects.</li> </ul>	<p><i>Sec. 8401 – Promoting Cross-Boundary Wildfire Mitigation</i></p> <ul style="list-style-type: none"> <li>• Authorizes \$20 million in grants for cross-boundary hazardous fuels reduction projects and includes tribal land within the definition of non-Federal land as eligible.</li> </ul>	<p><i>Sec. 8401 – Promoting Cross-Boundary Wildfire Mitigation</i></p> <ul style="list-style-type: none"> <li>• Authorizes \$20 million in grants for cross-boundary hazardous fuels reduction projects and includes tribal land within the definition of non-Federal land as eligible.</li> </ul>
<p><i>Sec. 8331 – Good Neighbor Agreements</i></p> <ul style="list-style-type: none"> <li>• Adds tribes as eligible for Good Neighbor Authority agreements.</li> </ul>	<p><i>Sec. 8624 – Good Neighbor Authority</i></p> <ul style="list-style-type: none"> <li>• Adds tribes as eligible for Good Neighbor Authority agreements.</li> <li>• Expressly covers trust land, restricted fee, land held for a tribe’s benefit, fee land, Section 17 corporation owned land, and Alaska Native Village Corporation lands.</li> </ul>	<p><i>Sec. 8624 – Good Neighbor Authority</i></p> <ul style="list-style-type: none"> <li>• Adds tribes as eligible for Good Neighbor Authority agreements, includes land owned by an Indian tribe.</li> <li>• Tribes are defined under Section 4(e) of the Indian Self-Determination and Education Assistance Act.</li> </ul>

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Title VIII – Forestry (cont'd)		
<p><i>Sec. 8107 – Healthy Forests Restoration Act of 2003 Amendments</i></p> <ul style="list-style-type: none"> <li>Allows use of any combination of a 30-year contract, a 10-year cost-share agreement, or permanent easement to enroll tribal acreage into the plan.</li> </ul>		<p><i>Sec. 8407 – Healthy Forests Restoration Act of 2003 Amendments</i></p> <ul style="list-style-type: none"> <li>Allows use of any combination of a 30-year contract, a 10-year cost-share agreement, or permanent easement to enroll tribal acreage into the plan.</li> </ul>
<p><i>Sec. 8401 – Protection of Tribal Forest Assets Through the Use of Stewardship End Result Contracting and other Authorities</i></p> <ul style="list-style-type: none"> <li>Expedites review/initial response of tribal request under the Tribal Forest Protection Act of 2004 (TFPA) to 120 days; requires notice of denial within 1 year; Secretary must complete all environmental reviews within 2 years and enter into agreement; requires the Secretary to take action on requests from tribes under the TFPA.</li> </ul>		<p><i>Not included.</i></p>
<p><i>Sec. 8402 – Tribal Forest Management Demonstration Project</i></p> <ul style="list-style-type: none"> <li>Permits the Secretaries of Interior and Agriculture to enter into 638 self-determination demonstration project agreements with Tribes to take over the management and functions of the federal government under the Tribal Forest Protection Act.</li> </ul>		<p><i>Sec. 8703 – Tribal Forest Management Demonstration Project</i></p> <ul style="list-style-type: none"> <li>Permits the Secretaries of Interior and Agriculture to enter into 638 self-determination demonstration project agreements with Tribes to take over the management and functions of the federal government under the Tribal Forest Protection Act (TFPA), provided that the Secretaries make any decisions required to be made by NEPA and TFPA, and provided further, that the 638 contract be subject to negotiation under 25 U.S.C. 5363(b)(2).</li> </ul>

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<u>Title VIII – Forestry (cont'd)</u>		
	<p><i>Sec. 8404 – Water Source Protection Program</i></p> <ul style="list-style-type: none"> <li>Requires the Secretary to create a Water Source Protection Program to carry out watershed restoration projects on National Forest System land and coordinate/partner with tribes to develop water source management plans.</li> </ul>	<p><i>Sec. 8404 – Water Source Protection Program</i></p> <ul style="list-style-type: none"> <li>Requires the Secretary to create a Water Source Protection Program to carry out watershed restoration projects on National Forest System land and coordinate/partner with tribes to develop water source management plans.</li> </ul>
	<p><i>Sec. 8405 – Watershed Condition Framework</i></p> <ul style="list-style-type: none"> <li>Requires the Secretary to create a Watershed Condition Framework for National Forest System land in coordination with tribes and other governments within watershed areas.</li> </ul>	<p><i>Sec. 8405 – Watershed Condition Framework</i></p> <ul style="list-style-type: none"> <li>Requires the Secretary to create a Watershed Condition Framework for National Forest System land in coordination with tribes and other governments within watershed areas.</li> </ul>
	<p><i>Sec. 8643 – Wood Innovation Grant Program</i></p> <ul style="list-style-type: none"> <li>New program available to tribal, state, and local governments for advancing the innovative use of wood products, with a priority for the use of existing milling capacity.</li> </ul>	<p><i>Sec. 8643 – Wood Innovation Grant Program</i></p> <ul style="list-style-type: none"> <li>New program available to tribal, state, and local governments for advancing the innovative use of wood products, with a priority for the use of existing milling capacity.</li> </ul>
<u>Title X – Horticulture</u>		
<p><i>Sec. 9101 – Recognition of Role of State Lead Agencies</i></p> <ul style="list-style-type: none"> <li>Allows tribes to regulate the use of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act.</li> </ul>		<p><i>Not included.</i></p>
	<p><i>Sec. 10102 – Local Agriculture Market Program</i></p> <ul style="list-style-type: none"> <li>Establishes tribal eligibility in local food programs to grow, process, and market Native foods.</li> </ul>	<p><i>Sec. 10102 – Local Agriculture Market Program</i></p> <ul style="list-style-type: none"> <li>Establishes tribal eligibility in local food programs to grow, process, and market Native foods.</li> </ul>

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Title X – Horticulture (cont'd)		
<p><i>Sec. 9121 – Methyl Bromide</i></p> <ul style="list-style-type: none"> <li>• Authorizes tribes to use methyl bromide in response to an emergency.</li> </ul>		<p><i>Sec. 10116 – Study on Methyl Bromide Use in Response to an Emergency Event</i></p> <ul style="list-style-type: none"> <li>• Requires USDA and EPA to complete a study on the use of methyl bromide in response to an emergency, including a risk-benefit analysis of authorizing use by state, local, or tribal authorities.</li> </ul>
	<p><i>Sec. 10111 – Hemp Production</i></p> <ul style="list-style-type: none"> <li>• Makes hemp farming legal and authorities new State and Tribal plans and regulations to develop and expand hemp production.</li> <li>• Does not preempt state and tribal laws on hemp production as long as they are consistent with federal law.</li> </ul>	<p><i>Sec. 10113 – Hemp Production</i></p> <ul style="list-style-type: none"> <li>• Makes hemp farming legal and authorities new State and Tribal plans and regulations to develop and expand hemp production.</li> <li>• Does not preempt state and tribal laws on hemp production as long as they are consistent with federal law.</li> <li>• USDA can provide technical assistance to tribes and states in the development of plans.</li> <li>• Any person with a controlled-substance felony conviction must wait 10 years following their date of conviction to participate.</li> </ul>
		<p><i>Sec. 10114 – Interstate Commerce [Hemp]</i></p> <ul style="list-style-type: none"> <li>• No State (or Tribe) can prohibit the transportation or shipment through its territory of hemp or hemp products produced in accordance with an approved Tribal or State Plan.</li> </ul>

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<u>Title XI – Crop Insurance</u>		
	<p><i>Sec. 11111 – Pasture, rangeland, and forage policy for members of Indian tribes</i></p> <ul style="list-style-type: none"> <li>Allows for a 90 percent subsidy of crop insurance premium for first time Native livestock commodity producers for pasture, rangeland, and forage crop insurance policies.</li> </ul>	<p><i>Not included.</i></p>
		<p><i>Sec. 11108 - Underserved Producers</i></p> <ul style="list-style-type: none"> <li>Includes tribal producers in definition of underserved producers for review and report of whether crop insurance is providing adequate coverage.</li> </ul>
<u>Title XII – Miscellaneous</u>		
<p><i>Sec. 11101 – Animal Disease Preparedness and Response</i></p> <ul style="list-style-type: none"> <li>Includes tribes as eligible entities for a new National Animal Disease Preparedness and Response Program.</li> </ul>		<p><i>Sec. 12101(b) – Animal Disease Preparedness and Response</i></p> <ul style="list-style-type: none"> <li>Includes tribes as eligible entities for a new National Animal Disease Preparedness and Response Program.</li> </ul>
	<p><i>Sec. 12103 – National Animal Disease Preparedness, Response, and Recovery Program; National Animal Vaccine and Veterinary Countermeasures Bank</i></p> <ul style="list-style-type: none"> <li>The Secretary can enter into cooperative agreements with tribes regarding the prevention, detection, and rapid response to animal pests and diseases.</li> </ul>	<p><i>Sec. 12101(c) – National Animal Vaccine and Veterinary Countermeasures Bank</i></p> <ul style="list-style-type: none"> <li>The Secretary can enter into cooperative agreements with tribes regarding the prevention, detection, and rapid response to animal pests and diseases.</li> </ul>



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Title XII – Miscellaneous (cont'd)		
	<p><i>Sec. 12203 – Agriculture and Food Defense</i></p> <ul style="list-style-type: none"> <li>State and regional strategic response plans must include the appropriate role and interaction with tribal governments.</li> </ul>	<p><i>Sec. 12203 – Agriculture and Food Defense</i></p> <ul style="list-style-type: none"> <li>State and regional strategic response plans must include the appropriate roles and interactions with tribal governments.</li> </ul>
<p><i>Sec. 11201 - Outreach and Assistance for Socially Disadvantaged Farmers and Ranchers and Veteran Farmers and Ranchers</i></p> <ul style="list-style-type: none"> <li>Establishes priority designation for projects providing agricultural education, employment, and training for socially disadvantaged and underserved youth under 18 years old.</li> </ul>	<p>See Senate Bill at Sec. 12301, <i>infra</i></p>	<p>See Conference Bill at Sec. 12301, <i>infra</i></p>
<p><i>Sec. 11203 – Office of Partnerships and Public Engagement</i></p> <ul style="list-style-type: none"> <li>Changes the name of the Office of Advocacy and Outreach to the Office of Partnerships and Public Engagement and adds outreach to tribal farmers and ranchers as part of the mission area.</li> </ul>		<p><i>Sec. 12406 – Office of Partnerships and Public Engagement</i></p> <ul style="list-style-type: none"> <li>Changes the name of the Office of Advocacy and Outreach to the Office of Partnerships and Public Engagement; specific reference to tribal producers, as socially disadvantaged definition includes tribal producers.</li> </ul>

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2018 House, Senate, Conference Committee Farm Bill Side-by-Side

Title XII – Miscellaneous (cont'd)		
<p><i>Sec. 11204(a) – Office of Tribal Relations</i></p> <ul style="list-style-type: none"> <li>Amends the 2014 Farm Bill which established the Office of Tribal Relations as a separate office within the Office of the Secretary and moves it under the new Office of Partnerships and Public Engagement.</li> <li>Tribes requested that USDA not make this change and instead keep the Office of Tribal Relations as a standalone entity within the Office of Secretary.</li> </ul>		<p><i>Note #17, Title XII Joint Explanatory Statement of the Managers Recognizing Importance of the Office of Tribal Relations</i></p> <ul style="list-style-type: none"> <li>“The Managers recognize that the Office of Tribal Relations (OTR) is an important function of USDA and should be within the Office of the Secretary. The Director of OTR serves as USDA’s primary point of contact for consultation and coordination with Tribal Governments and should continue to directly advise the Secretary on tribal issues and policies. The Managers agree that OTR should coordinate with OPPE to provide outreach and assistance to tribes and tribal farmers and ranchers to improve access to USDA programs and resources.”</li> </ul>
<p><i>Sec. 11204(b) – New Beginnings Initiative</i></p> <ul style="list-style-type: none"> <li>Creates a new Native American student scholarship fund for tribal students attending land-grant universities and colleges.</li> </ul>	<p><i>See Senate Bill at Sec. 7118, supra</i></p>	<p><i>See Conference Bill at Sec. 7120, supra</i></p>
<p><i>Sec. 11601 – Under Secretary of Agriculture for Farm Production and Conservation</i></p> <ul style="list-style-type: none"> <li>Technical amendment adding the ability for another official designated besides the Under Secretary for Rural Development of the Department of Agriculture to coordinate the Intertribal tourism demonstration projects under Native American Business Development, Trade Promotion, and Tourism Act of 2000.</li> </ul>		<p><i>Not included.</i></p>

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2018 House, Senate, Conference Committee Farm Bill Side-by-Side

Title XII – Miscellaneous (cont'd)		
	<p><i>Sec. 12301 – Farming Opportunities Training and Outreach</i></p> <ul style="list-style-type: none"> <li>Creates permanent, mandatory baseline funding for outreach, education, and training for beginning and socially disadvantaged farmers and ranchers, including tribal farmers and ranchers in the new Farming Opportunities Training Outreach program, and specifies tribal government and tribal producer eligibility for grants under the programs.</li> </ul>	<p><i>Sec. 12301 – Farming Opportunities Training and Outreach</i></p> <ul style="list-style-type: none"> <li>Creates permanent, mandatory baseline funding for outreach, education, and training for beginning and socially disadvantaged farmers and ranchers, including tribal farmers and ranchers in the new Farming Opportunities Training Outreach program, and specifies tribal government and tribal producer eligibility for grants under the programs.</li> </ul>
	<p><i>Sec. 12302 – Urban Agriculture</i></p> <ul style="list-style-type: none"> <li>Establishes a new Office of Urban Agriculture and Innovative Production and Advisory Committee; tribal governments are eligible for urban agriculture grants provided under the new Office.</li> </ul>	<p><i>Sec. 12302 – Urban Agriculture</i></p> <ul style="list-style-type: none"> <li>Establishes a new Office of Urban Agriculture and Innovative Production and Advisory Committee; tribal governments are eligible for urban agriculture grants provided under the new Office.</li> </ul>
	<p><i>Sec. 12304 – Tribal Advisory Committee</i></p> <ul style="list-style-type: none"> <li>Creates a new Tribal Advisory Council to provide advice to the Secretary on tribal related issues and policies throughout the Department.</li> </ul>	<p><i>Sec. 12303 – Tribal Advisory Committee</i></p> <ul style="list-style-type: none"> <li>Creates a new Tribal Advisory Council to provide advice to the Secretary on tribal related issues and policies throughout the Department.</li> </ul>
	<p><i>Sec. 12408 – Rural Health Liaison</i></p> <ul style="list-style-type: none"> <li>Establishes a new Rural Health Liaison position to work in consultation with HHS regarding the integration of USDA and HHS programs to support rural health, including outreach to tribal governments on the availability of grants, information, and programs.</li> </ul>	<p><i>Sec. 12409 – Rural Health Liaison</i></p> <ul style="list-style-type: none"> <li>Establishes a new Rural Health Liaison position to work in consultation with HHS regarding the integration of USDA and HHS programs to support rural health, including outreach to tribal governments on the availability of grants, information, and programs.</li> </ul>

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Title XII – Miscellaneous (cont'd)		
	<p><i>Sec. 12503 – [Women Safety with Pets Provision]</i></p> <ul style="list-style-type: none"> <li>• In coordination with DOJ, HUD, and HHS, provides funding and grants to tribes and other eligible entities to provide emergency and transitional shelter and housing assistance to domestic violence victims with pets.</li> </ul>	<p><i>Sec. 12502 – [Emergency Housing for Domestic Violence Victims with Support Animals &amp; Pets]</i></p> <ul style="list-style-type: none"> <li>• In coordination with DOJ, HUD, and HHS, provides funding and grants to tribes and other eligible entities to provide emergency and transitional shelter and housing assistance to domestic violence victims with support animals and pets.</li> </ul>
	<p><i>Sec. 12514 – Establishment of Technical Assistance Program</i></p> <ul style="list-style-type: none"> <li>• Establishes a permanent Rural Development Tribal Technical Assistance Office to provide technical assistance across all areas of rural development funding for tribal governments, tribal producers, tribal businesses, tribal business entities, and tribally designated housing entities.</li> </ul>	<p>See Conference Bill at Sec. 6302, <i>supra</i></p>
	<p><i>Sec. 12515 – Promise Zones</i></p> <ul style="list-style-type: none"> <li>• Codifies the existence and access to federal agency resources and technical assistance for Tribal Promise Zones.</li> <li>• Provides for competitive enhancement in federal awards to Tribal Promise Zones, including preference points or priority consideration.</li> </ul>	<p><i>Sec. 12510 – Tribal Promise Zones</i></p> <ul style="list-style-type: none"> <li>• Codifies the existence and access to federal agency resources and technical assistance for Tribal Promise Zones.</li> <li>• <i>Not Included:</i> competitive enhancement provisions.</li> </ul>
	<p><i>Sec. 12516 – Precision Agriculture Connectivity</i></p> <ul style="list-style-type: none"> <li>• Creates a new task force with a position for an agriculture producer representing tribal agriculture to look at gaps in broadband connectivity for precision agriculture.</li> </ul>	<p><i>Sec. 12511 – Precision Agriculture Connectivity</i></p> <ul style="list-style-type: none"> <li>• Creates a new task force with a position for an agriculture producer representing tribal agriculture to look at gaps in broadband connectivity for precision agriculture.</li> </ul>

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Title XII – Miscellaneous (cont'd)		
	<p><i>Sec. 12518 – Study of Marketplace Fraud of Unique Traditional Foods and Tribal Seeds</i></p> <ul style="list-style-type: none"> <li>• Directs the Government Accountability Office to study the impact of foods and seeds fraudulently marketed as Native American produced goods and seeds and provide an analysis of trademark and intellectual property laws to provide protection.</li> </ul>	<p><i>Not included.</i></p>
<p><i>Sec. 11613 – Prohibition on Slaughter of Dogs and Cats for Human Consumption</i></p> <ul style="list-style-type: none"> <li>• Prohibits the slaughter and transportation of dogs and cats for the purpose of human consumption.</li> </ul>	<p><i>Sec. 12521 – Prohibition on Slaughter of Dogs and Cats for Human Consumption</i></p> <ul style="list-style-type: none"> <li>• Prohibits the slaughter and transportation of dogs and cats for the purpose of human consumption, with a religious ceremony exception provided for Indians.</li> </ul>	<p><i>Sec. 12515 – Prohibition on Slaughter of Dogs and Cats for Human Consumption</i></p> <ul style="list-style-type: none"> <li>• Prohibits the slaughter and transportation of dogs and cats for the purpose of human consumption, with a religious ceremony exception provided for Indians.</li> </ul>
	<p><i>Sec. 12616 – Micro-Grants for Food Security</i></p> <ul style="list-style-type: none"> <li>• Provides \$5,000-\$10,000 grants for small-scale gardening, herding, and livestock operations directed to food insecure communities.</li> </ul>	<p><i>See Conference Bill at Sec. 4206, supra</i></p>
	<p><i>Sec. 12619 – Rural Innovation Stronger Economy Program</i></p> <ul style="list-style-type: none"> <li>• Establishes a grant program to create job accelerators and programs in low-income rural areas, prioritizing entities/applications with a tribal government as the lead applicant.</li> </ul>	<p><i>See Conference Bill at Sec. 6424, supra</i></p>

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<u>Title XII – Miscellaneous (cont'd)</u>		
	<p><i>Sec. 12628 – Reauthorization of Rural Emergency Medical Services Training and Equipment Assistance Program</i></p> <ul style="list-style-type: none"><li>• Includes tribal government-operated emergency medical services (fire and non-fire based) as eligible for grants for rural emergency medical equipment and training.</li></ul>	<p><i>Sec. 12608 – Reauthorization of Rural Emergency Medical Services Training and Equipment Assistance Program</i></p> <ul style="list-style-type: none"><li>• Includes tribal government-operated emergency medical services (fire and non-fire based) as eligible for grants for rural emergency medical equipment and training.</li></ul>

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