

115TH CONGRESS  
2D SESSION

# S. 2804

To provide for the reform and continuation of agricultural and other programs  
of the Department of Agriculture for Indian Country.

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## IN THE SENATE OF THE UNITED STATES

MAY 16, 2018

Mr. HOEVEN (for himself and Mr. UDALL) introduced the following bill; which  
was read twice and referred to the Committee on Indian Affairs

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## A BILL

To provide for the reform and continuation of agricultural  
and other programs of the Department of Agriculture  
for Indian Country.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Cultivating Resources,  
5       Opportunity, Prosperity, and Sustainability (CROPS) for  
6       Indian Country Act”.

7       **SEC. 2. REPORT ON CROP INSURANCE.**

8       (a) DEFINITIONS.—In this section:

1           (1) The term “Indian country” has the mean-  
2           ing given the term in section 1151 of title 18,  
3           United States Code.

4           (2) The term “Indian country agriculture pro-  
5           duction” means agricultural operations with not less  
6           than 1 operator who is American Indian or Alaska  
7           Native, as indicated by the 2012 National Census of  
8           Agriculture conducted by the National Agricultural  
9           Statistics Service.

10          (3) The term “relevant Committees of Con-  
11          gress” refers to—

12                (A) the Committee on Agriculture of the  
13                House of Representatives;

14                (B) the Committee on Financial Services  
15                of the House of Representatives;

16                (C) the Committee on Agriculture, Nutri-  
17                tion, and Forestry of the Senate;

18                (D) the Committee on Finance of the Sen-  
19                ate; and

20                (E) the Committee on Indian Affairs of the  
21                Senate.

22          (b) STUDY ON INSURANCE UNDER THE FEDERAL  
23          CROP INSURANCE ACT.—Not later than 1 year after the  
24          date of enactment of this Act, the Secretary, acting

1 through the Administrator of the Risk Management Agen-  
 2 cy, and in consultation with Indian Tribes, shall—

3 (1) prepare a report describing the efficacy and  
 4 applicability of policies and plans of insurance under  
 5 the Federal Crop Insurance Act (7 U.S.C. 1501 et  
 6 seq.) to agricultural production in Indian country;  
 7 and

8 (2) submit the report described in paragraph  
 9 (1) to—

10 (A) the Committee on Agriculture of the  
 11 House of Representatives;

12 (B) the Committee on Indian Affairs of the  
 13 Senate; and

14 (C) the Committee on Agriculture, Nutri-  
 15 tion, and Forestry of the Senate.

16 (c) STUDY ON THE RISK MANAGEMENT AGENCY'S  
 17 CROP INSURANCE PRODUCTS.—

18 (1) IN GENERAL.—The Secretary, acting  
 19 through the Administrator of the Risk Management  
 20 Agency in partnership with the Office of Tribal Re-  
 21 lations and in consultation with the USDA Tribal  
 22 Advisory Committee established under section 4,  
 23 shall conduct a study ascertaining the efficacy and  
 24 applicability of the Risk Management Agency's crop  
 25 insurance products (as of the date on which the

1 study begins) as those products relate to Indian  
2 country agriculture production.

3 (2) REPORT.—Not later than 18 months after  
4 the date of enactment of this Act, the Secretary  
5 shall submit to the relevant Committees of Congress  
6 a report that—

7 (A) discusses the adequacy of all crop in-  
8 surance products in Indian country (as of the  
9 date of the report);

10 (B) considers unique tribal production  
11 issues and any impediments these issues may  
12 pose to utilizing those crop insurance products;  
13 and

14 (C) offers specific steps that may be taken  
15 administratively by the Risk Management  
16 Agency to mitigate these impediments.

17 **SEC. 3. FORESTRY RESEARCH PROGRAMS.**

18 (a) MCINTIRE-STENNIS COOPERATIVE FORESTRY  
19 ACT.—Section 2 of Public Law 87–788 (commonly known  
20 as the “McIntire-Stennis Cooperative Forestry Act”) (16  
21 U.S.C. 582a–1) is amended in the second sentence—

22 (1) by striking “and” before “1890 Institu-  
23 tions”; and

24 (2) by inserting “and 1994 Institutions (as de-  
25 fined in section 532 of the Equity in Educational

1 Land-Grant Status Act of 1994 (7 U.S.C. 301 note;  
 2 Public Law 103–382)) offering a baccalaureate de-  
 3 gree in forestry,” before “and (b)”.

4 (b) COMPETITIVE FORESTRY, NATURAL RESOURCES,  
 5 AND ENVIRONMENTAL GRANTS.—Section 1232(b)(1) of  
 6 the Forest Stewardship Act of 1990 (16 U.S.C. 582a–  
 7 8(b)(1)) is amended by striking “university,” and insert-  
 8 ing “university (including a 1994 Institution (as defined  
 9 in section 532 of the Equity in Educational Land-Grant  
 10 Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–  
 11 382))),”.

12 **SEC. 4. USDA TRIBAL ADVISORY COMMITTEE.**

13 (a) ESTABLISHMENT.—

14 (1) The Secretary of Agriculture (referred to in  
 15 this Act as the “Secretary”) shall establish an advi-  
 16 sory committee to provide advice and guidance to  
 17 the Secretary on matters relating to tribal and In-  
 18 dian affairs.

19 (2) The advisory committee established under  
 20 paragraph (1) shall be known as the “USDA Tribal  
 21 Advisory Committee” (referred to in this Act as the  
 22 “Committee”).

23 (3) The Committee shall facilitate, but not sup-  
 24 plant, government-to-government consultation be-

1       tween the Department of Agriculture (referred to in  
2       this Act as the “Department”) and Indian Tribes.

3       (b) MEMBERSHIP.—

4           (1) The Committee shall be composed of 9  
5       members appointed as follows:

6           (A) Three members appointed by the Sec-  
7       retary of Agriculture.

8           (B) One member appointed by the Chair-  
9       man, and one member appointed by the Rank-  
10      ing Member, of the Committee on Agriculture  
11      of the House of Representatives.

12          (C) One member appointed by the Chair-  
13      man, and one member appointed by the Rank-  
14      ing Member, of the Committee on Agriculture,  
15      Nutrition, and Forestry of the Senate.

16          (D) One member appointed by the Chair-  
17      man, and one member appointed by the Rank-  
18      ing Member, of the Committee on Indian Af-  
19      fairs of the Senate.

20          (2) Nominations may be submitted by Indian  
21      Tribes, Tribal organizations, and national or re-  
22      gional organizations with expertise in issues related  
23      to the Committee’s duties as identified in this sec-  
24      tion.

1           (3) The Secretary shall ensure that membership  
2           on the Committee represents individuals with diverse  
3           expertise including expertise related to geographic,  
4           tribal, and agricultural industry issues, to the max-  
5           imum extent feasible.

6           (4) No member of the Committee may be an  
7           employee or officer of the Federal Government.

8           (5) At least one representative from the Office  
9           of Tribal Relations of the Department shall be  
10          present at each meeting of the Committee. Such rep-  
11          resentative shall not be a voting member of the  
12          Committee.

13          (6) The Assistant Secretary for Indian Affairs  
14          at the Department of the Interior (or a designee)  
15          shall be present at each meeting of the Committee.  
16          Such representative shall not be a voting member of  
17          the Committee.

18          (c) TERM; VACANCIES.—

19                (1) TERM.—

20                    (A) IN GENERAL.—Except as provided in  
21                    subparagraph (B), each member's term shall be  
22                    3 years.

23                    (B) INITIAL STAGGERING.—The first ap-  
24                    pointments made by the Secretary under sub-  
25                    paragraph (A) shall be for a term of 2 years.

1 (C) LIMIT ON TERMS.—No member may  
2 serve for more than 3 terms.

3 (2) VACANCY.—The Secretary shall fill a va-  
4 cancy in the Committee within 90 days in the same  
5 manner as the original appointment.

6 (d) MEETINGS.—The Committee shall meet in-person  
7 not less frequently than twice each year.

8 (e) DUTIES.—The duties of the Committee include  
9 the following:

10 (1) DEPARTMENTAL REVIEW.—The Committee  
11 shall undertake the following review activities:

12 (A) Identify evolving issues of relevance to  
13 Indian Tribes relating to programs of the De-  
14 partment.

15 (B) Communicate to the Secretary the  
16 findings of the Committee with respect to the  
17 issues identified under paragraph (1) and sub-  
18 mit to the Secretary recommendations con-  
19 cerning such issues.

20 (C) Propose clarifications and other rec-  
21 ommendations and solutions to address issues  
22 identified by the Committee or raised at tribal,  
23 regional, and national levels, especially regard-  
24 ing any tribal consultations undertaken by the  
25 Department.



1 (D) Provide a forum for Indian Tribes and  
2 the Department to discuss issues and proposals  
3 for changes to Department regulations, policies,  
4 and procedures.

5 (E) Identify priorities and provide advice  
6 on appropriate strategies for tribal consultation  
7 on issues at the tribal, regional, or national lev-  
8 els.

9 (F) Ensure that pertinent issues are  
10 brought to the attention of Indian Tribes in a  
11 timely manner, so that timely tribal feedback  
12 can be obtained.

13 (G) Identify and propose solutions to any  
14 inter-departmental barriers between the Depart-  
15 ment and other Federal agencies.

16 (2) REPORTS.—

17 (A) IN GENERAL.—Not less frequently  
18 than once each year, the Committee shall sub-  
19 mit a report describing the activities of the  
20 Committee during the previous year and con-  
21 taining such recommendations as the Com-  
22 mittee may have for legislative or administra-  
23 tive action for the upcoming year to—

24 (i) the Secretary; and

1 (ii) the relevant Committees of the  
2 House of Representatives and the Senate.

3 (B) RESPONSE.—Not later than 45 days  
4 after the date on which the Secretary receives  
5 a report under subparagraph (A), the Secretary  
6 shall submit a written response to that report  
7 to—

8 (i) the USDA Tribal Advisory Com-  
9 mittee; and

10 (ii) the relevant Committees of the  
11 House of Representatives and the Senate.

12 (f) COMMITTEE PERSONNEL MATTERS.—Members of  
13 the Committee shall serve without pay, except that they  
14 shall be reimbursed at a rate equal to the daily equivalent  
15 of the annual rate of basic pay prescribed for level IV of  
16 the Executive Schedule under section 5315 of title 5,  
17 United States Code, for each day (including travel time)  
18 for which the member is actually engaged in the business  
19 of the Committee.

20 (g) FEDERAL ADVISORY COMMITTEE ACT EXEMP-  
21 TION.—Section 14 of the Federal Advisory Committee Act  
22 (5 U.S.C. App. 14) shall not apply to the Committee.

23 (h) DEFINITIONS.—In this section:

24 (1) The term “Indian Tribe” has the meaning  
25 given the term “Indian tribe” in section 4 of the In-

1       dian Self-Determination and Education Assistance  
2       Act (25 U.S.C. 5304).

3           (2) The term “relevant Committees of the  
4       House of Representatives and the Senate” refers  
5       to—

6                   (A) the Committee on Agriculture of the  
7       House of Representatives;

8                   (B) the Committee on Agriculture, Nutri-  
9       tion, and Forestry of the Senate; and

10                  (C) the Committee on Indian Affairs of the  
11       Senate.

12           (3) The term “Tribal organization” has the  
13       meaning given the term “tribal organization” in sec-  
14       tion 4 of the Indian Self-Determination and Edu-  
15       cation Assistance Act (25 U.S.C. 5304).

16   **SEC. 5. FOREIGN TRADE MISSIONS.**

17       (a) TRIBAL REPRESENTATION ON U.S. TRADE MIS-  
18       SIONS.—

19           (1) IN GENERAL.—The Secretary, in consulta-  
20       tion with the USDA Tribal Advisory Committee es-  
21       tablished under section 4, shall seek to—

22                   (A) support greater inclusion of Tribal ag-  
23       ricultural and food products in Federal trade  
24       related activities; and

1 (B) increase collaboration between Federal  
2 trade promotion efforts and other Federal trade  
3 related activities in support of such greater in-  
4 clusion.

5 (2) INTERDEPARTMENTAL COORDINATION.—In  
6 undertaking efforts to increase collaboration de-  
7 scribed in paragraph (1), the Secretary shall coordi-  
8 nate with—

9 (A) the Secretary of Commerce;

10 (B) the Secretary of State;

11 (C) the Secretary of the Interior; and

12 (D) the heads of any other relevant Fed-  
13 eral agencies.

14 (b) REPORTING AND ACCOUNTABILITY.—

15 (1) Not later than 2 years after the date of en-  
16 actment of this Act, the Secretary shall submit a re-  
17 port detailing the efforts of the Department and  
18 other Federal agencies under this section to—

19 (A) the USDA Tribal Advisory Committee;

20 (B) the Committee on Agriculture of the  
21 House of Representatives;

22 (C) the Committee on Energy and Com-  
23 merce of the House of Representatives;

24 (D) the Committee on Agriculture, Nutri-  
25 tion, and Forestry of the Senate;

1 (E) the Committee on Commerce, Science,  
2 and Transportation of the Senate; and

3 (F) the Committee on Indian Affairs of the  
4 Senate.

5 (2) Not later than 90 days after the date of en-  
6 actment of this Act, the Secretary shall establish  
7 goals, in an objective and quantifiable format, by  
8 which the inclusion of Indian Tribes and tribal agri-  
9 cultural and food products in the Department's  
10 trade related activities can be measured.

11 **SEC. 6. PROMISE ZONES.**

12 (a) IN GENERAL.—In this section, the term “Tribal  
13 Promise Zone” means an area that—

14 (1) is nominated by 1 or more Indian tribes (as  
15 defined in section 4(13) of the Native American  
16 Housing Assistance and Self-Determination Act of  
17 1996 (25 U.S.C. 4103(13))) for designation as a  
18 Tribal Promise Zone (in this section referred to as  
19 a “nominated zone”);

20 (2) has a continuous boundary; and

21 (3) the Secretary of Agriculture designates as a  
22 Tribal Promise Zone, after consultation with the  
23 Secretary of Commerce, the Secretary of Education,  
24 the Attorney General, the Secretary of the Interior,  
25 the Secretary of Housing and Urban Development,

1 the Secretary of Health and Human Services, the  
2 Secretary of Labor, the Secretary of the Treasury,  
3 the Secretary of Transportation, and other agencies  
4 as appropriate.

5 (b) AUTHORIZATION AND NUMBER OF DESIGNA-  
6 TIONS.—Not later than 1 year after the date of enactment  
7 of this Act, the Secretary of Agriculture shall nominate  
8 a minimum number of nominated zones, as determined by  
9 the Secretary of Agriculture in consultation with Indian  
10 tribes, to be designated as Tribal Promise Zones.

11 (c) PERIOD OF DESIGNATIONS.—

12 (1) IN GENERAL.—The Secretary of Agriculture  
13 shall designate nominated zones as Tribal Promise  
14 Zones before January 1, 2020.

15 (2) EFFECTIVE DATES OF DESIGNATIONS.—  
16 The designation of any Tribal Promise Zone shall  
17 take effect—

18 (A) for purposes of priority consideration  
19 in Federal grant programs and initiatives  
20 (other than this section), upon execution of the  
21 Tribal Promise Zone agreement with the Sec-  
22 retary of Agriculture; and

23 (B) for purposes of this section, on Janu-  
24 ary 1 of the first calendar year beginning after

1           the date of the execution of the Tribal Promise  
2           Zone agreement.

3           (3) TERMINATION OF DESIGNATIONS.—The  
4           designation of any Tribal Promise Zone shall end on  
5           the earlier of—

6                   (A)(i) with respect to a Tribal Promise  
7           Zone not described in paragraph (4), the end of  
8           the 10-year period beginning on the date that  
9           such designation takes effect; or

10                   (ii) with respect to a Tribal Promise Zone  
11           described in paragraph (4), the end of the 10-  
12           year period beginning on the date the area was  
13           designated as a Tribal Promise Zone before the  
14           date of the enactment of this Act; or

15                   (B) the date of the revocation of such des-  
16           ignation.

17           (4) APPLICATION TO CERTAIN ZONES ALREADY  
18           DESIGNATED.—In the case of any area designated as  
19           a Tribal Promise Zone by the Secretary of Agri-  
20           culture before the date of the enactment of this Act,  
21           such area shall be deemed a Tribal Promise Zone  
22           designated under this section (notwithstanding  
23           whether any such designation has been revoked be-  
24           fore the date of the enactment of this Act) and shall

1       reduce the number of Tribal Promise Zones remain-  
2       ing to be designated under paragraph (1).

3       (d) LIMITATIONS ON DESIGNATIONS.—No area may  
4       be designated under this section unless—

5               (1) the entities nominating the area have the  
6       authority to nominate the area of designation under  
7       this section;

8               (2) such entities provide written assurances sat-  
9       isfactory to the Secretary of Agriculture that the  
10      competitiveness plan described in the application  
11      under subsection (e) for such area will be imple-  
12      mented and that such entities will provide the Sec-  
13      retary of Agriculture with such data regarding the  
14      economic conditions of the area (before, during, and  
15      after the area’s period of designation as a Tribal  
16      Promise Zone) as such Secretary may require; and

17              (3) the Secretary of Agriculture determines that  
18      any information furnished is reasonably accurate.

19      (e) APPLICATION.—No area may be designated under  
20      this section unless the application for such designation—

21              (1) demonstrates that the nominated zone satis-  
22      fies the eligibility criteria described in subsection (a);  
23      and

24              (2) includes a competitiveness plan that—



1 (A) addresses the need of the nominated  
 2 zone to attract investment and jobs and im-  
 3 prove educational opportunities;

4 (B) leverages the nominated zone's eco-  
 5 nomic strengths and outlines targeted invest-  
 6 ments to develop competitive advantages;

7 (C) demonstrates collaboration across a  
 8 wide range of stakeholders;

9 (D) outlines a strategy that connects the  
 10 nominated zone to drivers of regional economic  
 11 growth; and

12 (E) proposes a strategy for focusing on in-  
 13 creased access to high quality affordable hous-  
 14 ing and improved public safety.

15 (f) SELECTION CRITERIA.—

16 (1) IN GENERAL.—From among the nominated  
 17 zones eligible for designation under this section, the  
 18 Secretary of Agriculture shall designate Tribal  
 19 Promise Zones on the basis of—

20 (A) the effectiveness of the competitiveness  
 21 plan submitted under subsection (e) and the as-  
 22 surances made under subsection (d);

23 (B) unemployment rates, poverty rates, va-  
 24 cancy rates, crime rates, and such other factors  
 25 as the Secretary of Agriculture may identify, in-

1 including household income, labor force partici-  
 2 tion, and educational attainment; and

3 (C) other criteria as determined by the  
 4 Secretary of Agriculture.

5 (2) MINIMAL STANDARDS.—The Secretary of  
 6 Agriculture may set minimal standards for the levels  
 7 of unemployment and poverty that must be satisfied  
 8 for designation as a Tribal Promise Zone.

9 **SEC. 7. STUDY OF MARKETPLACE FRAUD OF UNIQUE TRA-**  
 10 **DITIONAL FOODS.**

11 (a) IN GENERAL.—Not later than 1 year after the  
 12 date of enactment of this Act, the Comptroller General  
 13 shall conduct a study on—

14 (1) the market impact of traditional foods, trib-  
 15 ally produced products, and products that utilize  
 16 traditional foods;

17 (2) fraudulent foods that mimic tribal foods  
 18 that are available in the commercial marketplace as  
 19 of the date of enactment of this Act; and

20 (3) the means by which authentic traditional  
 21 foods and tribally produced foods might be protected  
 22 against the impact of fraudulent foods in the mar-  
 23 ketplace.

24 (b) INCLUSIONS.—The study shall include a consider-  
 25 ation of the circumstances under which such fraudulent

1 foods in the marketplace occurs and an analysis of Federal  
 2 laws administered by the Secretary, intellectual property  
 3 laws, and trademark laws that might offer protections  
 4 against fraudulent foods in a tribal foods context.

5 (c) REPORT.—Not later than 60 days after the date  
 6 of completion of the study, the Comptroller General shall  
 7 submit a report describing the results of the study to—

8 (1) the Committee on Agriculture of the House  
 9 of Representatives;

10 (2) the Committee on the Judiciary of the  
 11 House of Representatives;

12 (3) the Committee on Agriculture, Nutrition,  
 13 and Forestry of the Senate;

14 (4) the Committee on the Judiciary of the Sen-  
 15 ate; and

16 (5) the Committee on Indian Affairs of the Sen-  
 17 ate.

18 **SEC. 8. EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT**

19 **OF 1994.**

20 Section 532 of the Equity in Educational Land-Grant  
 21 Status Act of 1994 (7 U.S.C. 301 note) is amended—

22 (1) in paragraph (11), by striking “Fort  
 23 Berthold Community College” and inserting “Nueta  
 24 Hidatsa Sahnish College”;

1           (2) in paragraph (21), by striking “Navajo  
2       Technical College” and inserting “Navajo Technical  
3       University”; and

4           (3) by adding at the end the following:

5           “(36) Red Lake Nation College.”.

6   **SEC. 9. SMITH-LEVER COMMUNITY EXTENSION PROGRAM.**

7       (a) IN GENERAL.—Section 3(d) of the Smith-Lever  
8   Act (7 U.S.C. 343(d)) is amended—

9           (1) by striking “The Secretary” and inserting  
10      the following:

11      “(d) ADMINISTRATION, TECHNICAL, AND EXTENSION  
12   SERVICES.—

13           “(1) IN GENERAL.—The Secretary”;

14           (2) in paragraph (1) (as designated by para-  
15      graph (1)), by striking the second sentence; and

16           (3) by adding at the end the following:

17           “(2) COMPETITIVE FUNDING.—The Secretary  
18      of Agriculture may provide funding, on a competitive  
19      basis, to—

20           “(A) a college or university eligible to re-  
21      ceive funds under the Act of August 30, 1890  
22      (7 U.S.C. 321–326a and 328), including  
23      Tuskegee University; or

24           “(B) a 1994 Institution (as defined in sec-  
25      tion 532 of the Equity in Educational Land-

1 Grant Status Act of 1994 (7 U.S.C. 301 note;  
2 Public Law 103–382)) for—

3 “(i) the Children, Youth, and Families  
4 at Risk funding program under subsection  
5 (b)(3); and

6 “(ii) the Federally Recognized Tribes  
7 Extension Program.”.

8 (b) CONFORMING AMENDMENTS.—

9 (1) Section 3(f) of the Smith Lever Act (7  
10 U.S.C. 343(f)) is amended by inserting “or, in the  
11 case of a 1994 Institution, subsection (d)” before  
12 the period at the end.

13 (2) Section 533(a)(2)(A) of the Equity in Edu-  
14 cational Land-Grant Status Act of 1994 (7 U.S.C.  
15 301 note; Public Law 103–382) is amended by strik-  
16 ing clause (ii) and inserting the following:

17 “(ii) the Smith-Lever Act (7 U.S.C.  
18 341 et seq.), except as provided under—

19 “(I) section 3(b)(3) of that Act  
20 (7 U.S.C. 343(b)(3)); or

21 “(II) paragraph (2) of section  
22 3(d) of that Act (7 U.S.C. 343(d));  
23 or”.

1 **SEC. 10. SELF-DETERMINATION DEMONSTRATION PROJECT**  
 2 **WITH DEPARTMENT OF AGRICULTURE.**

3 Title I of the Indian Self-Determination Act (25  
 4 U.S.C. 5321 et seq.) is amended by adding at the end  
 5 the following:

6 **“SEC. 112. SELF-DETERMINATION DEMONSTRATION**  
 7 **PROJECT WITH DEPARTMENT OF AGRI-**  
 8 **CULTURE.**

9 “(a) DEFINITION OF COVERED PROGRAM.—In this  
 10 section, the term ‘covered program’ means—

11 “(1) a program of the Tribal Forest Protection  
 12 Act of 2004 (25 U.S.C. 3115a et seq.); or

13 “(2) a food distribution program under section  
 14 4(b) of the Food and Nutrition Act of 2008 (7  
 15 U.S.C. 2013(b)).

16 “(b) AGRICULTURE SELF-DETERMINATION DEM-  
 17 ONSTRATION PROJECT AUTHORIZED.—The Secretary of  
 18 Agriculture shall carry out a demonstration project  
 19 through which the Secretary of Agriculture enters into  
 20 self-determination contracts, in accordance with sub-  
 21 section (c), with Indian tribes and tribal organizations,  
 22 upon the request of any Indian tribe by tribal resolution,  
 23 to plan, conduct, and administer any function, service, or  
 24 activity of 1 or more covered programs for the Indian  
 25 tribe.

1       “(c) SELF-DETERMINATION CONTRACT.—A self-de-  
2 termination contract entered into under subsection (b)  
3 shall have the same terms and conditions, and be subject  
4 to the same procedures, regulations, and requirements, as  
5 a self-determination contract entered into under section  
6 102, except that—

7               “(1) the Secretary of Agriculture and the De-  
8 partment of Agriculture shall be the appropriate  
9 Secretary and agency for purposes of a self-deter-  
10 mination contract under this section;

11              “(2) not later than 1 year after the date of en-  
12 actment of this section, the Secretary of Agriculture  
13 shall develop a procedure, in consultation with In-  
14 dian tribes, for Indian tribes to submit proposals for  
15 participation in the demonstration project; and

16              “(3) to the extent that a self-determination con-  
17 tract is requested regarding a covered program de-  
18 scribed in subsection (a)(1) that is similar to func-  
19 tions already carried out by a tribal organization  
20 under a self-determination contract with the Sec-  
21 retary of the Interior under section 102, the Sec-  
22 retary of Agriculture shall structure the self-deter-  
23 mination contract under this section to be as similar  
24 to the earlier self-determination contract as is prac-  
25 ticable.

1       “(d) TECHNICAL ASSISTANCE.—The Office of Self-  
2 Governance of the Bureau of Indian Affairs shall provide  
3 technical assistance regarding the self-determination con-  
4 tracts authorized under this section to the Secretary of  
5 Agriculture, and to Indian tribes and tribal organizations  
6 who request such assistance.”.

