

Carrie L. Billy
President & CEO

MEMBERSHIP:

ALASKA

Iñisaġvik College

ARIZONA

Diné College
San Carlos Apache College
Tohono O'odham Community College

CALIFORNIA

California Tribal College

KANSAS

Haskell Indian Nations University

MICHIGAN

Bay Mills Community College
Keweenaw Bay Ojibwa Community College
Saginaw Chippewa Tribal College

MINNESOTA

Fond du Lac Tribal and Community College
Leech Lake Tribal College
Red Lake Nation College
White Earth Tribal and Community College

MONTANA

Aaniih Nakoda College
Blackfeet Community College
Chief Dull Knife College
Little Big Horn College
Fort Peck Community College
Salish Kootenai College
Stone Child College

NEBRASKA

Little Priest Tribal College
Nebraska Indian Community College

NEW MEXICO

Institute of American Indian Arts
Navajo Technical College
Southwestern Indian Polytechnic Institute

NORTH DAKOTA

Cankdeska Cikana Community College
Nueeta Hidatsa Sahnish College
Sitting Bull College
Turtle Mountain Community College
United Tribes Technical College

OKLAHOMA

College of the Muscogee Nation

SOUTH DAKOTA

Oglala Lakota College
Sinte Gleska University
Sisseton Wahpeton College

WASHINGTON

Northwest Indian College

WISCONSIN

College of Menominee Nation
Lac Courte Oreilles Ojibwa Community College

WYOMING

Wind River Tribal College

June 11, 2018

The Honorable Pat Roberts
Chair
Committee on Agriculture
U.S. Senate
328A Russell Senate Office Building
Washington, DC 20510

The Honorable Debbie Stabenow
Ranking Member
Committee on Agriculture
U.S. Senate
328A Russell Senate Office Building
Washington, DC 20510

Dear Chairman Roberts and Ranking Member Stabenow,

On behalf of the nation's 38 Tribal Colleges and Universities (TCUs), which are the American Indian Higher Education Consortium, thank you for including provisions in the Agriculture Improvement Act of 2018 to address some of the concerns and inequities the 1994 land-grant institutions face in our effort to be true partners in the nation's remarkable land-grant system. We appreciate your staff's willingness to work with us. However, we are *gravely* concerned that two amendments – both of which represent modest and long overdue steps toward equity – are not yet part of your draft bill. We implore you to allow the 1994 institutions a right already afforded to the 1862 and 1890 institutions – the right simply to *compete* for grants under the Children, Youth and Families at Risk (CYFAR) program and Federally Recognized Tribes Extension program (FRTEP), authorized under the Smith Lever Act, and the competitive forestry, natural resources, and environmental grants program. Specifically, we respectfully request that **section 3(b) and section 9 of S. 2804**, the Cultivating Resources, Opportunity, Prosperity, and Sustainability (CROPS) for Indian Country Act, be included in the Agriculture Improvement Act of 2018 when the bill is considered by the Senate Agriculture Committee later this week. (See attached.) Introduced by Senators Hoeven and Udall and favorably reported by the Senate Committee on Indian Affairs, S. 2804 addresses a number of Farm Bill priorities for Indian Country and has the full support of AIHEC and our 38 Tribal Colleges.

Our requested amendments are as follows:

1. **EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT & SMITH LEVER ACT**

Allow 1994 institutions to compete for CYFAR and FRTEP Grants: This amendment would allow *all* designated land-grant institutions eligibility to compete for grant funds administered as Smith Lever 3(d), particularly the Children, Youth, and Families at Risk (CYFAR), and Federally Recognized Tribes Extension programs.

In substance, this amendment is virtually identical to an amendment supported by the Association of Public and Land-Grant Universities (APLU) during the reauthorization of the Farm Bill in 2014. The amendment was included in the 2014 Senate version of Farm Bill, which was approved by the Senate Agriculture Committee and subsequently passed the full Senate.

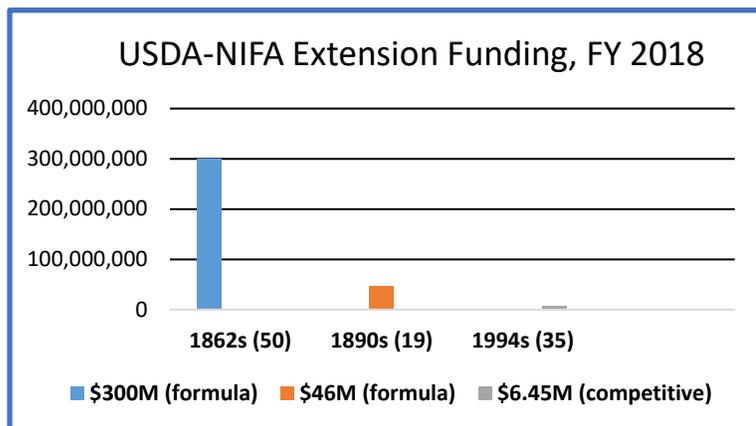
Tribal Colleges joined the nation's land-grant family more than 20 years ago, but today, we are still treated as stepchildren. Funding for the 1994 institutions greatly lags behind that of programs for the 1862 and 1890 land-grant institutions, and currently, we are barred from *competing* for grants under programs that could be vital to the future of our children and our lands. We continue to fight simply for the right to compete because no children or youth in this country are at greater risk than American Indian and Alaska Native children and youth. Yet, because 75 percent of Indian Country is either forested or agriculture lands, nowhere else in America do extension and other land-grant programs hold greater potential for benefit.

Children, Youth, and Families at Risk (CYFAR): American Indian/Alaska Native (AI/AN) youth suffer the highest rates of suicide in the nation. In some of our tribal communities, suicide among Native youth is nine to 19 times as frequent as among other youth. Native youth have more serious problems with mental disorders, including substance abuse and depression, than other youth, and Native youth are more affected by gang involvement than any other racial group. AI/ANs have the highest high school drop-out rates in the nation and some of the highest unemployment and poverty rate. Yet, our Native children and youth are the only group in the country essentially excluded from participation in the CYFAR program, because 1994 institutions are the only members of the land-grant family that cannot even apply to compete for CYFAR grants. The CYFAR program "supports comprehensive, intensive, community-based programs developed with active citizen participation in all phases. CYFAR promotes building resiliency and protective factors in youth, families, and communities." The 34 1994 Institutions are community-based institutions. Our governing boards are tribal/community members, and we provide public libraries, tribal archives, career centers, computer labs, community gardens, summer and after school programs, and childcare centers to our communities. We are not asking for additional funding, a set-aside, or other special treatment, although our children and communities clearly need it. We are simply asking for the right to *compete* for this vitally needed funding by removing the prohibition on 1994 Institutions' participation in CYFAR. *Why -- in 2018 -- are Native children the only group excluded from potentially benefiting from the CYFAR program?*

Federally Recognized Tribes Extension Program (FRTEP): Under USDA's Federally Recognized Tribes Extension Program, *only* 1862 and 1890 Land-grants can apply for support to conduct extension activities on *Tribal* lands. The program's stated purpose is to "support extension agents on American Indian reservations and tribal jurisdictions to address the unique needs and problems of American Indian tribal nations. Emphasis is placed on assisting American Indians...on tribally identified priorities using a culturally sensitive approach." Ironically, the 1994 institutions, ***which are chartered by federally recognized American Indian tribes and are located on or near Indian reservations are not eligible*** to compete for these program funds. This apparent oversight in eligibility needs to be rectified:

- ***Sovereign Authority of Tribes:*** Respect for Tribal Sovereignty demands that tribal institutions should be allowed to *compete* for grants under this program: federally recognized tribes deserve the right to partner with ANY land-grant institution with whom they wish to partner, whether state, historically black, or tribal. Indeed, greater parity for tribes under the Farm Bill can be achieved only by working together to remove existing eligibility barriers.
- ***Competitive Program:*** The 1994 land-grant institutions are asking only for the opportunity to *compete* for funding alongside already eligible state-supported 1862s and Historically Black Colleges and Universities, or 1890s. No special preferences, priority points, or advantages are requested.

- **Existing Programs:** Some might argue that the 1994 land-grants should not be allowed to compete for FRTEP or CYFAR grants because the TCUs already have an extension program. While this is true, the same can also be said for 1862 and 1890 Institutions. However, there is a wide gap in annual funding levels (see chart). To best serve the needs of Indian Country, all land-grant institutions should be allowed access to compete for all funding sources.



2. COMPETITIVE FORESTRY, NATURAL RESOURCES, AND ENVIRONMENTAL PROGRAMS

Allow 1994 institutions to participate in competitive forestry research programs: This amendment would simply allow 1994 land-grant institutions to apply alongside other land-grant institutions for competitive forestry, natural resource, and environmental program grants, to the extent that such programs exist now or in the future. As you know, in 2008, the McIntire-Stennis Act was amended to include Tribal lands in the formula calculation for funding of *state* forestry programs. However, the 1994 institutions, which are the Tribal land-grant institutions, were not included in the funding formula, nor were states required to include them in funding distributions. This oversight is significant because 75 percent of Tribal land in the U.S. is either forest or agriculture holdings. We appreciate that your bill would include 1994s in the McIntire-Stennis program, and we ask for similar consideration in other forestry research programs.

Should you have questions, please contact me at 703-504-9830 (direct), 703-447-1647, or cbilly@aihec.org. Also feel free to speak with our Director of Congressional and Federal Relations, Patrese Atine, at 703-838-0400 x111 or patine@aihec.org.

In closing, thank you for your support for Tribal College and Universities, and the 1994 institutions in particular. We invite you to visit any of our institutions to see firsthand the remarkable land-grant programs being implemented by the TCUs, and we look forward to our continued partnership.

Sincerely,

Carrie L. Billy
President & CEO

David E. Yarlott
Chair, AIHEC Board of Directors
President, Little Big Horn College

cc: Members, Senate Committee Agriculture
Members, Senate Committee on Indian Affairs

Requested Excerpts from the

“Cultivating Resources, Opportunity, Prosperity, and Sustainability (CROPS) for Indian Country Act”
(S.2804)

SEC. 3. FORESTRY RESEARCH PROGRAMS.

....

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

SEC. 9. SMITH-LEVER COMMUNITY EXTENSION PROGRAM.

(a) IN GENERAL.—Section 3(d) of the Smith-Lever Act ([7 U.S.C. 343\(d\)](#)) is amended—
(1) by striking “The Secretary” and inserting the following:

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

“(1) IN GENERAL.—The Secretary”;

(2) in paragraph (1) (as designated by paragraph (1)), by striking the second sentence; and

(3) by adding at the end the following:

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

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

“(B) a 1994 Institution (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 ([7 U.S.C. 301](#) note; Public Law 103–382)) for—

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

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

(b) CONFORMING AMENDMENTS.—

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

(2) Section 533(a)(2)(A) of the Equity in Educational Land-Grant Status Act of 1994 ([7 U.S.C. 301](#) note; Public Law 103–382) is amended by striking clause (ii) and inserting the following:

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

“(I) section 3(b)(3) of that Act ([7 U.S.C. 343\(b\)\(3\)](#)); or

“(II) paragraph (2) of section 3(d) of that Act ([7 U.S.C. 343\(d\)](#)); or”.