

March 24, 2025

Brooke Rollins
Secretary
U.S. Department of Agriculture
1400 Independence Ave, SW
Washington, DC 20250
via email

RE: USDA Treatment of Tribal Nations in Implementation of Administration Priorities

Dear Secretary Rollins:

On behalf of the undersigned organizations serving Tribal Nations and Tribal citizens and communities, we write to congratulate you on being confirmed as Secretary of the U.S. Department of Agriculture (USDA) and to discuss USDA's implementation of the Administration's policy priorities. ***We request a meeting with you as soon as possible*** to discuss working together to implement shared goals in a manner that recognizes the sovereign governmental status of Tribal Nations and the United States' longstanding trust and treaty obligations. ***As an initial step, we request that USDA immediately reinstate the Local Food Purchase Assistance 2025 Cooperative Agreements (LFPA25) for all Tribal Nations.*** We also write in support of the priorities outlined by the InterTribal Agriculture Council (IAC) sent to you on February 28, 2025, including proactively reaffirming USDA's commitment to consultation with Tribal Nations, the Office of Tribal Relations, and the USDA Tribal Advisory Committee, among other actions.

Collaborate with Indian Country on Shared USDA Priorities. We offer the following items for further exploration and discussion, as the Trump Administration continues to develop its relations with Tribal Nations and to implement its priorities.

Opportunities for Tribal Nations in Farm Bill Reauthorization

The current farm law, the Agriculture Improvement Act of 2018 (2018 Farm Act), was signed on December 20, 2018. It was extended through September 30, 2025, during the 118th Congress. The 2024 Republican-led House Farm Bill text included 46 provisions positively impacting Indian Country, including provisions that expand Tribal self-determination authority for food and forestry programs, advance Tribal parity, and support Tribal infrastructure. We look forward to working with you and our Congressional partners on passing a Farm Bill this year that makes advancements in Tribal self-determination and self-governance.

Economic Development of Tribal Agribusiness and Job Creation in Rural Communities

Tribal agribusinesses boost local economies, create jobs, and promote self-sufficiency, but they face significant barriers due to limited access to capital and credit. A 2022 Akiptan study found that 80% of Tribal producers need more financing, with many turning to alternative, high-cost funding sources. Given the challenges in securing commercial loans, Farm Service Agency (FSA) programs are crucial for Tribal farmers.

To support rural economic stability and job growth, lawmakers are urged to advance no-cost provisions in the 2024 House Farm Bill, including: (1) allowing Farm Ownership Loans for refinancing debt; (2) raising the loan limit for the Direct Beginner Farmer Down Payment Program; (3) revising experience requirements for Direct Farm Ownership Loans; and (4) increasing microloan limits.

Additionally, continued support is requested for the Market Access Program to help Tribal producers expand into domestic and international markets.

1994 Institutions as Core Trust and Treaty Obligation

The Equity in Educational Land-Grant Status Act of 1994 granted land-grant status to Tribal Colleges and Universities (TCUs), which are located on Tribal land and promote self-sufficiency in rural communities. These institutions aim to address issues important to Tribal communities through science-based and culturally relevant programs by promoting education, family activities, and efforts to restore Tribal agriculture, protect reservation forests, and monitor water quality. 1994 land-grant institutions are often the centers of scientific inquiry for rural and remote communities. We request that 1994 land-grant institutions and federal staff be exempt from any Administration actions, as funding and staff cuts threaten their ability to fulfill their land-grant mission.

Extension Program Parity

The **Federally Recognized Tribal Extension Program (FRTEP)** and the **Tribal Colleges Extension Grant Program** (often called “**1994 Extension**”) deliver vital education and outreach services tailored to the needs of Tribal communities. These programs align with Congressional priorities, advancing plant and animal health, food safety and nutrition, bioenergy, environmental stewardship, and the economic resilience of rural and agricultural communities. To ensure equity and effectiveness, we urge you to collaborate with **Tribal Nations** and **land-grant institutions** to expand funding opportunities. Tribal extension programs must be supported at levels **comparable to county extension programs**, so they can fully serve all Native communities with the same consistency, capacity, and impact.

Inadvertent Harm to Indian Country Caused by Trump Administration Actions. While we look forward to working together on these and other shared goals, recent actions to implement the Administration’s Executive Orders have impacted Tribal Nations and Native people in ways that are deeply concerning, as Indian Country relies on the federal government to deliver on its trust and treaty obligations in ways that make us uniquely vulnerable. The Administration has set forth several policy priorities—such as eliminating diversity, equity, inclusion, and accessibility (DIEA) and environmental justice (EJ) initiatives, reducing federal fraud and waste, and modifying the education system. We do not believe the Administration intends to target Tribal Nations or our citizens or communities, and indeed each of the Administration’s mandates has acknowledged that ongoing legal requirements are not to be affected. However, we have nonetheless felt collateral impacts—such as abruptly being locked out of our accounts and unable to access our federal funds, losing federal employees we rely upon, canceled Tribal government contracts, and unavailable Indian Country data—all because the Trump Administration has not consulted with Tribal Nations to insulate us before it acts.

Tribal Programs are Unique and Integrated Throughout USDA. Tribal programs and funding are provided on the basis of our unique political status and are legally required by trust and treaty obligations

and the many statutes that implement those obligations. USDA provides important Tribal programs and funding through the Office of Tribal Relations and Tribal Colleges, Tribal College programs, Indigenous Animals Grants, and Technical Assistance programs to Tribal-serving organizations. Additionally, within USDA, service to Tribal Nations and Tribal communities is also integrated throughout USDA programs, from the U.S. Forest Service (USFS) to Rural Development (RD). Critical Tribal programs include, for example, the Regional Conservation Partnership Program (RCPP), which allocated the largest investment in history in Tribal government and Tribal buffalo ranching, of over \$63 million in funding, to support Tribal Buffalo Restoration programs on the lands of 126 Tribal Nations. Another critical program is the LFPA25, which provides \$50 million to 92 Tribal Nations to purchase traditional foods from local farmers, ranchers, and fishermen to increase Tribal citizens' and communities' food security. Contrary to its trust and treaty obligations, USDA has frozen the RCPP funds and terminated LFPA25 cooperative agreements. Additionally, USDA has frozen vital 1994 land-grant institution funding that provides scholarships (Tribal Scholars Program) and improvement in courses and equipment (1994 Equity Program).

Legal Status of Tribal Nations. Tribal Nations are and always have been inherently sovereign governments that have strong political relationships with our Tribal citizens and community members. We govern and police our lands, and we provide governmental services aimed at keeping our communities safe and healthy. Tribal Nations also have political, government-to-government relationships with the United States, and we prepaid with our lands and resources for trust and treaty obligations that are carried out by the federal government in part through a series of federal statutory mandates. The U.S. Constitution singles out Tribal Nations and Native people as unique, and the U.S. Supreme Court has time and again affirmed the principle that United States actions that deliver on trust and treaty obligations to Tribal Nations, Tribal citizens, or Tribal communities do not run afoul of the U.S. Constitution's equal protection requirements.

Scope of Trust and Treaty Obligations. The United States fulfills its legal trust and treaty obligations through coordinated efforts across the entire federal government. This includes through direct delivery of Tribal programs and services by federal agencies, and through provision of federal funding to Tribal Nations to deliver governmental services to our own communities. Essential services encompass healthcare through the Indian Health Service, law enforcement, land management, and public safety through the Bureau of Indian Affairs, and education through the Bureau of Indian Education, not to mention countless other services. Any Tribal program or federal funding delivered to Tribal Nations—including through Urban Indian Organizations and Tribal organizations serving Tribal Nations—is provided in furtherance of the United States' trust and treaty obligations. The federal employees necessary for the functioning of Tribal programs and the disbursement of funds to Tribal Nations are also part of the trust and treaty obligations. These actions are not discretionary; they are legal obligations rooted in treaties, trust obligations, the U.S. Constitution, and federal statutes.

Positive Clarifications by Other Federal Agencies. We note and appreciate that some federal agencies, including the Departments of Health and Human Services, Interior, and Housing and Urban Development, have taken steps to recognize that the Administration's mandates do not apply to Tribal programs. These agencies have issued written guidance or statements recognizing implementation of the Administration's policy priorities should not impact the United States' delivery on trust and treaty obligations and that such delivery is not race-based. It is also our understanding that some workforce reduction efforts have received suspensions, recognizing both the direct provision of services and federal employees' significant role in meeting trust and treaty obligations.

Requests. As the Administration implements its policy priorities, it has already realized a need for certain carve outs from its broader policy mandates, such as for direct services to individuals, essential programs, law enforcement and public safety programs, and activities implementing legal requirements. We fit into these carve-outs, and we make the following requests of the Administration.

1. *Engage* with us—prior to taking action—to better understand how our programs fit into the Administration’s carve outs, including where within the federal government direct and essential services are being provided to Indian Country and how to implement the Administration’s policy priorities without affecting ongoing legal requirements to Indian Country. This type of engagement is in keeping with the United States’ duty to consult government-to-government with Tribal Nations on federal actions that may have Tribal implications.
2. *Affirmatively state* that programs and funding delivered to Tribal Nations and Tribal citizens and communities are delivered in recognition of our unique political status and in furtherance of the United States’ trust and treaty obligations and related statutory mandates.
3. *Exempt* from any efforts to pause or reduce federal funding all Tribal programs and funding delivered to Tribal Nations, including through Urban Indian Organizations and Tribal organizations serving Tribal Nations.
4. *Exempt* from any workforce reductions or hiring freezes all federal employees serving in Tribal offices or whose roles assist in the delivery of services or funding to Tribal Nations, Tribal citizens, or Tribal communities.

Tribal Nations’ exercise of our sovereignty and the United States’ delivery on its trust and treaty obligations must not become collateral damage in the Administration’s implementation of its priorities.

Thank you for your leadership on these important issues. We invite you to meet with us so that we may work together to ensure Indian Country’s seat at the table as this Administration takes shape.

Sincerely,

Affiliated Tribes of Northwest Indians
American Indian Higher Education Consortium
Great Lakes Inter-Tribal Council
Inter Tribal Association of Arizona
Midwest Alliance of Sovereign Tribes
National Center for American Indian Enterprise Development
National Congress of American Indians
National Indian Child Welfare Association
National Indian Education Association
National Indian Health Board
United South and Eastern Tribes Sovereignty Protection Fund
United Tribes of Michigan