

AMENDMENT NO. _____ Calendar No. _____

Purpose: To modify the Smith-Lever community extension program, to provide for a self-determination demonstration project with the Department of Agriculture relating to forestry, and for other purposes.

IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.

S. _____

To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. HOEVEN (for
himself and Ms. SMITH)

Viz:

1 At the end of subtitle D of title VII, insert the fol-
2 lowing:

3 **SEC. 7416. SMITH-LEVER COMMUNITY EXTENSION PRO-**
4 **GRAM.**

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

7 (1) by striking “The Secretary” and inserting
8 the following:

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

1 “(1) IN GENERAL.—The Secretary”;

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

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

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

8 “(A) a college or university eligible to re-
9 ceive funds under the Act of August 30, 1890
10 (7 U.S.C. 321–326a and 328), including
11 Tuskegee University; or

12 “(B) a 1994 Institution (as defined in sec-
13 tion 532 of the Equity in Educational Land-
14 Grant Status Act of 1994 (7 U.S.C. 301 note;
15 Public Law 103–382)) for—

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

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

21 (b) CONFORMING AMENDMENTS.—

22 (1) Section 3(f) of the Smith Lever Act (7
23 U.S.C. 343(f)) is amended—

24 (A) by striking “There shall” and inserting
25 the following:

1 “(1) IN GENERAL.—There shall”; and

2 (B) by adding at the end the following:

3 “(2) EXCEPTION NOT APPLICABLE.—Paragraph
4 (1) shall not apply to a 1994 Institution receiving
5 funding under subsection (d)(2)(B) for the Children,
6 Youth, and Families at Risk funding program under
7 subsection (b)(3) or for the Federally Recognized
8 Tribes Extension Program.”.

9 (2) Section 533(a)(2)(A) of the Equity in Edu-
10 cational Land-Grant Status Act of 1994 (7 U.S.C.
11 301 note; Public Law 103–382) is amended by strik-
12 ing clause (ii) and inserting the following:

13 “(ii) the Smith-Lever Act (7 U.S.C.
14 341 et seq.), except as provided under—

15 “(I) section 3(b)(3) of that Act
16 (7 U.S.C. 343(b)(3)); or

17 “(II) paragraph (2) of section
18 3(d) of that Act (7 U.S.C. 343(d));
19 or”.

20 Part II of subtitle F of title VIII is amended by add-
21 ing at the end the following:

1 **SEC. 8632. SELF-DETERMINATION DEMONSTRATION**
2 **PROJECT WITH DEPARTMENT OF AGRI-**
3 **CULTURE.**

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

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

10 “(a) **DEFINITION OF COVERED PROGRAM.**—In this
11 section, the term ‘covered program’ means a program of
12 the Tribal Forest Protection Act of 2004 (25 U.S.C.
13 3115a et seq.).

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

24 “(c) **SELF-DETERMINATION CONTRACT.**—A self-de-
25 termination contract entered into under subsection (b)
26 shall have the same terms and conditions, and be subject

1 to the same procedures, regulations, and requirements, as
2 a self-determination contract entered into under section
3 102, except that—

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

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

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

23 “(d) TECHNICAL ASSISTANCE.—The Office of Self-
24 Governance of the Bureau of Indian Affairs shall provide
25 technical assistance regarding the self-determination con-

1 tracts authorized under this section to the Secretary of
2 Agriculture, and to Indian tribes and tribal organizations
3 who request such assistance.”.

4 Subtitle C of title VI of is amended by adding at the
5 end the following:

6 **SEC. 6303. PROMISE ZONES.**

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

9 (1) is nominated by 1 or more Indian tribes (as
10 defined in section 4(13) of the Native American
11 Housing Assistance and Self-Determination Act of
12 1996 (25 U.S.C. 4103(13))) for designation as a
13 Tribal Promise Zone (in this section referred to as
14 a “nominated zone”);

15 (2) has a continuous boundary; and

16 (3) the Secretary of Agriculture designates as a
17 Tribal Promise Zone, after consultation with the
18 Secretary of Commerce, the Secretary of Education,
19 the Attorney General, the Secretary of the Interior,
20 the Secretary of Housing and Urban Development,
21 the Secretary of Health and Human Services, the
22 Secretary of Labor, the Secretary of the Treasury,
23 the Secretary of Transportation, and other agencies
24 as appropriate.

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

7 (c) PERIOD OF DESIGNATIONS.—

8 (1) IN GENERAL.—The Secretary of Agriculture
9 shall designate nominated zones as Tribal Promise
10 Zones before January 1, 2020.

11 (2) EFFECTIVE DATES OF DESIGNATIONS.—
12 The designation of any Tribal Promise Zone shall
13 take effect—

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

19 (B) for purposes of this section, on Janu-
20 ary 1 of the first calendar year beginning after
21 the date of the execution of the Tribal Promise
22 Zone agreement.

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

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

5 (ii) with respect to a Tribal Promise Zone
6 described in paragraph (4), the end of the 10-
7 year period beginning on the date the area was
8 designated as a Tribal Promise Zone before the
9 date of the enactment of this Act; or

10 (B) the date of the revocation of such des-
11 ignation.

12 (4) APPLICATION TO CERTAIN ZONES ALREADY
13 DESIGNATED.—In the case of any area designated as
14 a Tribal Promise Zone by the Secretary of Agri-
15 culture before the date of the enactment of this Act,
16 such area shall be deemed a Tribal Promise Zone
17 designated under this section (notwithstanding
18 whether any such designation has been revoked be-
19 fore the date of the enactment of this Act) and shall
20 reduce the number of Tribal Promise Zones remain-
21 ing to be designated under paragraph (1).

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

1 (1) the entities nominating the area have the
2 authority to nominate the area of designation under
3 this section;

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

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

15 (c) APPLICATION.—No area may be designated under
16 this section unless the application for such designation—

17 (1) demonstrates that the nominated zone satis-
18 fies the eligibility criteria described in subsection (a);
19 and

20 (2) includes a competitiveness plan that—

21 (A) addresses the need of the nominated
22 zone to attract investment and jobs and im-
23 prove educational opportunities;

1 (B) leverages the nominated zone's eco-
2 nomic strengths and outlines targeted invest-
3 ments to develop competitive advantages;

4 (C) demonstrates collaboration across a
5 wide range of stakeholders;

6 (D) outlines a strategy that connects the
7 nominated zone to drivers of regional economic
8 growth; and

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

12 (f) SELECTION CRITERIA.—

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

17 (A) the effectiveness of the competitiveness
18 plan submitted under subsection (e) and the as-
19 surances made under subsection (d);

20 (B) unemployment rates, poverty rates, va-
21 cancy rates, crime rates, and such other factors
22 as the Secretary of Agriculture may identify, in-
23 cluding household income, labor force participa-
24 tion, and educational attainment; and

1 (C) other criteria as determined by the
2 Secretary of Agriculture.

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

7 At the end of subtitle C of title III, add the following:

8 **SEC. 33 ____ . FOREIGN TRADE MISSIONS.**

9 (a) TRIBAL REPRESENTATION ON TRADE MIS-
10 SIONS.—

11 (1) IN GENERAL.—The Secretary, in consulta-
12 tion with the Tribal Advisory Committee established
13 under subsection (b)(2) of section 309 of the De-
14 partment of Agriculture Reorganization Act of 1994
15 (7 U.S.C. 6921) (as added by 12304(2)) (referred to
16 in this section as the “Advisory Committee”), shall
17 seek—

18 (A) to support the greater inclusion of
19 Tribal agricultural and food products in Fed-
20 eral trade-related activities; and

21 (B) to increase the collaboration between
22 Federal trade promotion efforts and other Fed-
23 eral trade-related activities in support of the

1 greater inclusion sought under subparagraph
2 (A).

3 (2) INTERDEPARTMENTAL COORDINATION.—In
4 carrying out activities to increase the collaboration
5 described in paragraph (1)(B), the Secretary shall
6 coordinate with—

7 (A) the Secretary of Commerce;

8 (B) the Secretary of State;

9 (C) the Secretary of the Interior; and

10 (D) the heads of any other relevant Fed-
11 eral agencies.

12 (b) REPORT; GOALS.—

13 (1) REPORT.—Not later than 2 years after the
14 date of enactment of this Act, the Secretary shall
15 submit a report describing the efforts of the Depart-
16 ment of Agriculture and other Federal agencies
17 under this section to—

18 (A) the Advisory Committee;

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

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

23 (D) the Committee on Agriculture, Nutri-
24 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) GOALS.—Not later than 90 days after the
6 date of enactment of this Act, the Secretary shall es-
7 tablish goals for measuring, in an objective and
8 quantifiable format, the extent to which Indian
9 Tribes and Tribal agricultural and food products are
10 included in the trade-related activities of the Depart-
11 ment of Agriculture.