

BIA POLICY PROPOSALS ON INDIAN COUNTRY FOOD AND AGRICULTURE

AGENDA

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WELCOME &
INTRODUCTIONS

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BACKGROUND

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BIA INITIATIVES:

- * INDIAN ARTS & CRAFTS ACT
- * PROPOSED LEASING REGULATION UPDATES
- * AGRICULTURAL RESOURCE MANAGEMENT PLANS

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QUESTION & ANSWER



CARLY GRIFFITH HOTVEDT (Cherokee Nation)

Indigenous Food and Agriculture Initiative

Associate Executive Director



IFAI's Founding

Started at the University of Arkansas School of Law by Dean Emeritus Stacy Leeds and Founding Director Janie Simms Hipp in 2013.

Our Mission: Enhance health and wellness in Tribal communities by advancing healthy food systems, diversified economic development, and cultural food traditions in Indian Country.





BIA Ag Leasing Regulations

- DOI revising ag leasing regulations in [25 CFR Part 162 Subpart B](#)
- First updates in 30 years
- Goal: to promote Tribal self-determination through agricultural and renewable resource management
- Fall 2023 draft did not address needs of producers and Tribes

Question?

**What input did BIA seek from Tribal Land management and Realty services staff?
Were Tribes that have self contracted or self compacted their ag realty functions solicited to provide input?**

Listening Sessions in Nov. 2023

- **OK, ND and online sessions were sparsely attended, scheduled while NCAI Annual was in New Orleans.**
- **Final listening session at IAC Annual – December 2023**
- **Written submissions deadline - December 29, 2023**
- **The regulations draft was not final. Once full updates are released, opportunity to comment again.**

Listening Session in Dec. 2024

Feedback from attendees included:

- Trespass and appeals process is abused and ineffective
- BIA understaffing holds producers to rules but limits technical assistance
- Lack of paperwork processing/staffing leaves land unusable
- Survey requests take too long, existing data sets should be used
- Fractionalized lands aren't managed, becoming unusable and violating trust responsibility
- BIA should monitor/check on leased lands monthly
- No regenerative agriculture potential under existing/proposed regulations

Question?

**Are these issues similar to what
what you have and your Tribe has
been experiencing?**

Main Concerns from Indian Country: Customer Service

- BIA staff uninformed, uncommunicative or not there
- BIA timelines keep ticking despite lack of staff or technical assistance
- Current/proposed regulations have no complaint mechanism

Question?

If your tribe has self compacted or contracted Ag leasing, what has been your experience with BIA related to availability, guidance, technical assistance or responsiveness to grievances?

Main Concerns from Indian Country: Ag Resource Management Plans

- **BIA must adhere to ARMP terms first, not make duplicative requests from Tribes**
- **Current regs require BIA be notified of changes in Tribal law, putting more work on Tribes**

Question?

If your Tribe has an ARMP, does it differ from BIA's regulations? How has BIA been involved with administering or enforcing ARMP provisions?

Main Concerns from Indian Country: Lease Terms & Unauthorized Charges

- The regulations must prohibit unauthorized charges by BIA and provide a remedy if BIA violates the prohibition.
- Leases must specifically indicate what activities their property can and cannot be used for during the lease term.

Question?

What fees or charges, if any, have been levied that are not related to ag lease terms? Has land use activity been an issue at your Tribe? What engagement or enforcement does your Tribe pursue? How is BIA involved?

Main Concerns from Indian Country: Appraisals

- Appraisals of lands near Tribal lands should not reflect Tribal appraisals. Differences in Tribal valuations and non-Tribal lands are immense
- Give Tribes say on giving appropriate prices of Tribal lands
- BIA should bear the cost of appraisals

Question?

How are appraisals working on ag leases at your Tribe? Does your Tribe have the ability to influence what is considered during the appraisal process? What do you think could be done differently or better?

Where does the Ag Leasing proposal stand now?



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QUESTION
and
ANSWER

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THANK YOU

**CARLY GRIFFITH HOTVEDT
(Cherokee Nation)**

Indigenous Food and Agriculture Initiative

Associate Executive Director

hotvedt@uark.edu