



## **2023 Winter Convention Portland, Oregon**

### **RESOLUTION #2023 – 02**

#### **“USDA HIGHLY FRACTIONATED INDIAN LANDS PROGRAM”**

#### **PREAMBLE**

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution:

**WHEREAS**, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

**WHEREAS**, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

**WHEREAS**, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of ATNI; and

**WHEREAS**, the Native Farm Bill Coalition has been tracking and advancing Indian Country provisions for the pending update of the wide-ranging Farm Bill expected in the coming legislative cycle; and

**WHEREAS**, the Native Farm Bill Coalition also provided the comprehensive report, “Gaining Ground, A Report on the 2018 Farm Bill Successes for Indian Country and Opportunities for 2023” that highlights and evaluates various provisions of the current Farm Bill; and

**WHEREAS**, the Native Farm Bill Coalition conducted a listening session at the ATNI Mid-Year Convention at Lummi in May of 2022 that was well attended with many Northwest Tribal comments; and

**WHEREAS**, the Native Farm Bill Coalition's Gaining Ground report has analysis and recommendations that included the USDA's Highly Fractionated Indian Land Loan Program (HFIL); and

**WHEREAS**, the ATNI region and membership has a number of Tribes that have checkerboarded Reservations and highly fractionated Indian-owned allotments; and

**WHEREAS**, the actual implementation of efforts by Tribes to utilize the Highly Fractionated Indian Lands Program have been met with fundamental complication of the program requirements.; and

**WHEREAS**, the HFIL three major requirements are that a single borrower intending to purchase more interest in a trust allotment they own, that parcel must 1) be highly fractionated (>3 owners), 2) remain in agricultural production; and 3) achieve or already have achieved 51+% ownership of a given parcel; and

**WHEREAS**, Tribes have found that the final requirement for majority ownership in an allotment parcel presents the most significant barrier to utilization of these resources as a given prospective borrower often has to negotiate and secure financing for multiple purchases simultaneously to achieve greater than 51% ownership; and

**WHEREAS**, despite an annual appropriation of \$10 million within USDA, the fund has largely gone untouched over many years; and

**WHEREAS**, the experience of on the ground implementation indicates many allottees have interest and desire to increase their ownership in lands they have inherited from ancestors but often do not have the financial or technical means to borrow substantial debt or favorably negotiate multiple purchase agreements with other allottee owners; and


**WHEREAS**, with the sunseting of the 10-year Land Buy Back Program funded from the proceeds of the Cobell Settlement, there is a continuing need in Indian Country to have the tools with which ownership fractionation can be slowed and individual Indian trust allotment owners can increase their ownership and property assets; now

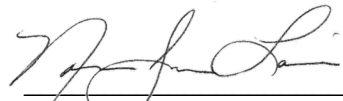
**THEREFORE, BE IT RESOLVED**, the Affiliated Tribes of Northwest Indians urge the Native Farm Bill Coalition to consider modifying the 3<sup>rd</sup> majority ownership condition to use HFIL resources; and

**BE IT FINALLY RESOLVED**, the Affiliated Tribes of Northwest Indians further urges Congress and the Biden Administration to advance policies and legislation to modify the USDA HFIL program or introduce other capital resources to assist Indian allotment owners.

**CERTIFICATION**

The foregoing resolution was adopted at the 2023 Winter Convention of the Affiliated Tribes of Northwest Indians, Portland, Oregon, on January 22-26, 2023 with a quorum approving.

  
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Leonard Forsman, President

  
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Norma-Jean Louie, Secretary