



Natural Resources Conservation Service
210 Walnut Street, Room 693
Des Moines, IA 50309-2180

April 20, 2009

IOWA INSTRUCTION 230-381 – HISTORICALLY UNDERSERVED GROUP DEFINITIONS

Part 381.0 PURPOSE

This Iowa Instruction clarifies definitions NRCS uses for program participation and providing services to Socially Disadvantaged Farmers, Beginning Farmers or Ranchers, Limited Resource Farmers and Ranchers, and Indian Tribes.

Part 381.1 SCOPE

These instructions will be followed by all NRCS employees.

Part 381.2 FILING INSTRUCTIONS

This Iowa Instruction will be posted on the Iowa NRCS Employee Website, which can be accessed at <http://www.ia.nrcs.usda.gov/intranet/> under the Iowa NRCS eDirectives System section.

/s/Richard Sims
State Conservationist

Attachment

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(IA Instruction 230-381 First Edition – April 2009)

Helping People Help the Land

An Equal Opportunity Provider and Employer

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1. PURPOSE:

This Iowa Instruction clarifies definitions NRCS uses for program participation and providing services to Socially Disadvantaged Farmers, Beginning Farmers or Ranchers, Limited Resource Farmers and Ranchers, and Indian Tribes.

2. BACKGROUND:

While the 2008 Farm Bill program rules and manuals are being updated to reflect statutory policy changes, it is important to clarify the definitions that NRCS will use for program participation and service. This is particularly important for the term “Socially Disadvantaged” since there are two different definitions used in different titles of the Farm Bill. One definition is based on race, ethnicity, and gender and is used by the Farm Service Agency (FSA) in several of its programs. The other definition is based on race and ethnicity only. This definition is the only definition used by NRCS and is also used by FSA for Title II conservation programs.

3. EXPLANATION:

Information about the applicable definitions is located on the following sites:

http://www.nrcs.usda.gov/programs/SLB_Farmer/,

<http://www.nrcs.usda.gov/programs/tribalgov/>,

and

<https://my.nrcs.usda.gov/>

Programs

Workshops, Net Conferences, Meetings

2008 Farm Bill Net Conference Schedule

Choose – HistUnderservedFinal ppt

Definitions

For purposes of participating in the Environmental Quality Incentives Program (EQIP) and the Conservation Stewardship Program (CSP), and other conservation programs, as defined by program rules and manuals, the following apply:

A. Socially Disadvantaged

A socially disadvantaged group is a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group, without regard to their individual qualities.

These groups consist of the following:

- American Indians and/or Alaska Natives
- Asian Americans
- Blacks or African Americans
- Hispanics
- Native Hawaiians and/or other Pacific Islanders

Note: Gender alone is not a covered group for the purposes of NRCS conservation programs.

A socially disadvantaged farmer or rancher is a farmer or rancher who is a member of a socially disadvantaged group. For legal entity applicants, all members/stockholders of the legal entity must be socially disadvantaged. There is no validation process for participants who self-certify as belonging to a socially disadvantaged group.

B. Beginning Farmer or Rancher

A beginning farmer or rancher is an applicant who:

- Has not previously operated a farm or ranch, or who has operated a farm or ranch for not more than 10 consecutive years. This requirement applies to all members of a legal entity, and
- Will materially and substantially participate in the operation of the farm or ranch.

In the case of a contract with an individual, individually or with the immediate family, material and substantial participation requires that the individual provide substantial day to day labor and management of the farm or ranch, consistent with the practices in the county or state where the farm is located.

In the case of a contract made with a legal entity, all members must have materially and substantially participated in the operation of the farm or ranch in order for the entity to qualify as a Beginning Farmer or Rancher. Material and substantial participation requires that each of the members provide some amount of the management, or labor and management necessary for day to day activities, such that if the members did not provide these inputs, the operation of the farm or ranch would be seriously impaired.

Applicants who self-certify eligibility as a Beginning Farmer or Rancher may be requested to provide records to justify their claim. It is the responsibility of the applicant to provide accurate data. False certifications are subject to criminal and civil fraud statutes.

C. Limited Resource Farmer or Rancher

A limited resource farmer, rancher, or forest owner is an applicant:

- With direct or indirect gross farm sales not more than the current indexed value in each of the previous 2 years, and
- Who has a total household income at or below the national poverty level for a family of four, or less than 50 percent of the county's median household income in each of the previous 2 years.

An entity or joint operation can be a Limited Resource Farmer or Rancher if all individual members independently qualify.

Limited Resource Farmer Self-Determination Tool

The purpose of this self-determination tool is to enable potential limited resource farmers and ranchers to ascertain eligibility for various USDA programs and benefits. The tool is available at <http://www.lrftool.sc.egov.usda.gov/>.

D. Indian Tribes

Indian Tribe means any Indian Tribe, Band, Nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that is Federally recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

Note: “Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs” is available at:

<http://edocket.access.gpo.gov/2008/pdf/E8-6968.pdf>.

This Federal Register Notice publishes the current list of 562 tribal entities recognized and eligible for funding and services.

Contact Tanya Meyer-Dideriksen, State Outreach Coordinator, at 515-284-4525 or Tanya.meyer@ia.usda.gov with any questions.

Approved By:

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