

For: State and County Offices

Eligibility for Indian Tribal Ventures

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A Background

1-PL, paragraph 255 provides that the same determinations made for joint operations must be made for tribal ventures when land is rented or otherwise acquired.

Procedure in 4-PL, paragraph 118, states “Indian tribes are not included under the person or legal entity definitions for applying the payment eligibility and payment limitation provisions.”

Indian tribes and tribal ventures are identified as business type “Indian Tribal Ventures” in SCIMS.

B Purpose

This notice:

- advises State and County Offices of software changes that will be implemented in the eligibility system for Indian Tribal Ventures
- provides procedure on updating web-based eligibility for Indian Tribal Ventures before the revision of web-based eligibility software.

Disposal Date	Distribution
July 1, 2010	State Offices; State Offices relay to County Offices

Notice PL-201

2 Indian Tribal Ventures in Web-Based Eligibility

A Introduction

Under 4-PL policy, “actively engaged in farming” and cash rent tenant determinations are no longer required for Indian Tribal Ventures. However, “actively engaged in farming” determinations continue to be required for multi-year conservation contracts approved before October 1, 2008.

B Updating Web-Based Eligibility for FY’s 2009 and 2010

Modifications are being made to the web-based eligibility software to accommodate the policy change about “actively engaged in farming” and cash rent tenant determinations for Indian Tribal Ventures. Until the modified software is released, County Offices shall set the COC determinations to the following options for Indian Tribal Ventures:

- Actively Engaged section set to “Actively Engaged”
- Cash Rent Tenant section set to “Not Applicable”.

C Restrictions

The provisions of subparagraph B do **not** apply when updating the web-based eligibility system for the following situations for Indian Tribal Ventures.

For...	County Offices shall continue to follow 3-PL for updating...
FY 2008 and prior years	<ul style="list-style-type: none">• “actively engaged in farming”• cash rent tenant.
FY’s 2009 and 2010	Actively Engaged - 2002 Farm Bill.

D Revisions to 2010 and Future Years for Indian Tribal Ventures

Web-based eligibility software for FY 2010 and future years is being modified to add an option of “Exempt” for Actively Engaged and Cash Rent Tenant COC determinations. When the selected customer has a business type of “Indian Tribal Venture”, the system will:

- default the COC determination to “Exempt” for Actively Engaged and Cash Rent Tenant COC determinations
- not allow the COC determination to be revised by the user.

An edit will set the COC determinations for actively engaged in farming and cash rent tenant to “Exempt” for all Indian Tribal Ventures when the software is ready for release.

A projected release date has not been determined.