

113TH CONGRESS
2D SESSION

S. 2116

To direct the Secretary of Agriculture, in consultation with Indian tribes, to make grants, competitive grants, and special research grants to, and enter into cooperative agreements and other contracting instruments with, eligible entities to conduct research and education and training programs to protect and preserve Native American seeds, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2014

Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To direct the Secretary of Agriculture, in consultation with Indian tribes, to make grants, competitive grants, and special research grants to, and enter into cooperative agreements and other contracting instruments with, eligible entities to conduct research and education and training programs to protect and preserve Native American seeds, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Native American Seeds
3 Protection Act of 2014”.

4 **SEC. 2. RESEARCH GRANTS FOR PURPOSES OF PROTEC-**
5 **TION AND PRESERVATION OF NATIVE AMER-**
6 **ICAN SEEDS.**

7 (a) IN GENERAL.—Subtitle C of the National Agri-
8 cultural Research, Extension, and Teaching Policy Act of
9 1977 is amended by inserting after section 1418 (7 U.S.C.
10 3153) the following:

11 **“SEC. 1419. RESEARCH GRANTS FOR PURPOSES OF PRO-**
12 **TECTION AND PRESERVATION OF NATIVE**
13 **AMERICAN SEEDS.**

14 “(a) DEFINITIONS.—In this section:

15 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
16 tity’ means—

17 “(A) a 1994 Institution (as defined in sec-
18 tion 532 of the Equity in Educational Land-
19 Grant Status Act of 1994 (7 U.S.C. 301 note));
20 or

21 “(B) an Indian tribe.

22 “(2) INDIAN TRIBE.—The term ‘Indian tribe’
23 has the meaning given the term in section 4 of the
24 Indian Self-Determination and Education Assistance
25 Act (25 U.S.C. 450b).

1 “(3) QUALIFIED RESEARCH ENTITY.—The term
 2 ‘qualified research entity’ means an entity with a
 3 demonstrated capacity and infrastructure necessary
 4 to carry out agricultural research projects, includ-
 5 ing—

6 “(A) a State agricultural experiment sta-
 7 tion;

8 “(B) a college or university (including a
 9 1994 Institution);

10 “(C) another research institution or orga-
 11 nization;

12 “(D) a private organization;

13 “(E) a corporation; or

14 “(F) an individual.

15 “(b) AUTHORITY.—Consistent with this section, the
 16 Secretary may make grants (including competitive grants
 17 and special research grants) to, and enter into cooperative
 18 agreements and other contracting instruments with, eligi-
 19 ble entities to conduct research and education and training
 20 programs that—

21 “(1) are objective, operationally independent,
 22 and external to the Federal Government; and

23 “(2) concern the purity of Native American
 24 seeds (as defined by the Secretary, in consultation
 25 with Indian tribes).

1 “(c) COOPERATION REQUIRED.—Grant applications
2 submitted by an eligible entity under this section shall cer-
3 tify that the research to be conducted will be performed
4 under a cooperative agreement with at least 1 other quali-
5 fied research entity.

6 “(d) ACTIVITIES.—Under this section, funding may
7 be provided to conduct—

8 “(1) research to assess the direct and indirect
9 impacts of—

10 “(A) public law and policies on traditional
11 ways of life and cultural practices relating to
12 the harvesting and cultivating of Native Amer-
13 ican seeds; and

14 “(B) contaminants that compromise the
15 integrity and purity of Native American seeds;
16 and

17 “(2) education and training programs on—

18 “(A) the methods necessary to conduct the
19 research described in paragraph (1); and

20 “(B) the best methods to continuously test,
21 monitor, and otherwise protect the purity of
22 Native American seeds.

23 “(e) REPORT.—Beginning not later than 1 year after
24 the date of enactment of this section, and each year there-
25 after, the Secretary shall submit to the Committee on Ag-

1 riculture of the House of Representatives and the Com-
 2 mittee on Agriculture, Nutrition, and Forestry of the Sen-
 3 ate a report that contains—

4 “(1) a description of the results of any research
 5 conducted under this section;

6 “(2) a description of the effectiveness of any
 7 education and training programs conducted under
 8 this section in enabling eligible entities to ensure the
 9 purity of Native American seeds; and

10 “(3) any recommendations of the Secretary to
 11 improve the effectiveness of the education and train-
 12 ing programs.”.

13 (b) REGULATIONS.—Not later than 180 days after
 14 the date of enactment of this Act, the Secretary of Agri-
 15 culture shall issue regulations to carry out section 1419
 16 of the National Agricultural Research, Extension, and
 17 Teaching Policy Act of 1977 (as added by subsection (a)),
 18 including regulations to define the term “Native American
 19 seed” for purposes of that section.

20 **SEC. 3. DEVELOPING SEED STORAGE FACILITIES TO PRE-**
 21 **SERVE AND PROTECT NATIVE AMERICAN**
 22 **SEEDS.**

23 Section 306(a)(19)(A) of the Consolidated Farm and
 24 Rural Development Act (7 U.S.C. 1926(a)(19)(A)) is
 25 amended—

- 1 (1) by striking “,” and inserting a comma; and
- 2 (2) by inserting “, including the expansion, con-
- 3 struction, and infrastructure costs associated with
- 4 developing seed storage facilities that are used to
- 5 protect and preserve Native American seeds (as de-
- 6 fined by the Secretary pursuant to section 1419 of
- 7 the National Agricultural Research, Education, and
- 8 Teaching Policy Act of 1977)” before the period at
- 9 the end.

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