



United States  
Department of  
Agriculture

United States Department of Agriculture  
Council for Native American Farming and Ranching  
April 4, 2016

Mark Wadsworth: All righty. My name is Mark Wadsworth, a member of the Shoshone-Bannock Tribes. I call the meeting to order here today. I appreciate everybody who has been able to make it. We still have a couple of members that are here that will be coming in shortly. I'll go ahead and go through the roll call. Today is April 4th, Monday, at approximately 9:15 in the morning. I'm starting with roll call, Mary Ann Thompson.

Mary Ann Thompson: I'm late [sounds like].

Mark Wadsworth: Jerry McPeak. Jerry McPeak is not here. Angela Peter. Angela Peter is not here. Edward Soza. Edward Soza is not here. Sarah Vogel. Sarah Vogel is not here. Gilbert Harrison.

Gilbert Harrison: Here.

Mark Wadsworth: Porter Holder.

Porter Holder: Here.

Mark Wadsworth: Mark Wadsworth. I am here. Derrick Lente. Derrick Lente is not here. Tawney Brunsch.

Tawney Brunsch: Here.

Mark Wadsworth: Dr. Joe Leonard.

Pilar Velasquez-Mclaughlin: I'm substituting for him.

Mark Wadsworth: Okay. Pilar Velasquez --

Pilar Velasquez-Mclaughlin: Pilar Velasquez-Mclaughlin.

Mark Wadsworth: -- will substitute for Dr. Joe Leonard.

Val Dolcini. Val is not here. Jim Radintz.

Jim Radintz: Here.

Mark Wadsworth: Jim Radintz is here. Leslie Wheelock.

Leslie Wheelock: Here.

Mark Wadsworth: Leslie is here. We're going to first do a blessing by one of the council members, Gilbert Harrison. Then we'll proceed with the rest of agenda.

Gilbert Harrison: Just a word before we start. It's a very beautiful place here. We came down the valley because trees aren't right there yet. But they got a lot of trees here, and really there's a lot of water. I wonder if there's a way we could get ESD to pipe some southwest where we are very short. But I do want to say that thank you very much, Mary and the Cherokees, for hosting this. It's a pleasure to be here. It's a little different, so we'll get to do some. The only sightseeing I did last night was down -- they've got some new kind of machines down here. Shall we pray?

Heavenly Father, we come before you on this beautiful day in this beautiful country. We thank you for all the things we have and all the things that we are going to have. May we have good clear minds to talk about issues that relate to Native American farmers and ranchers. May we speak well on behalf of

them, and may we get some good results from USDA in some of their programs.

Lord, we also want to pray that Jerry McPeak, one of our longtime members, feels better, gets well and gets out of the hospital. And then we also understand that Tawney's mother has passed. We pray that Tawney and her family will recover, move and heal, and we move forward. We pray this in Your name, amen. *Hozho na'ha' lii. Hozho na'ha' lii. Hozho na'ha' lii. Hozho na'ha' lii.* All is well.

Mark Wadsworth: Thank you, Gilbert. I would like to turn the time over to Mary Ann Thompson. She could do some introduce some introductions and some remarks.

Mary Ann Thompson: Thank you, chairman. I would like to I guess really thank everyone for coming down to Cherokee for this visit. It's nice to have D.C. come to Cherokee sometimes. I'd like to thank the Creator for blessing our lives with a beautiful day. I hope all of you are well.

We have two of our tribal representatives in the audience today. I would like to recognize Tribal Council member Anita Lossiah. And I would like to introduce to you Principal Chief Patrick Lambert. Chief Lambert is a former attorney general for the Eastern Band of Cherokee Indians and former director of the TCGE or the Tribal Gaming Commission here in Cherokee. We appreciate your time. We thank you, and we give you the floor.

Patrick Lambert: Thanks. It's too tough for me so I wrote it down. Thank you, Mary. Just one brief correction on what she stated. You said I was a former attorney general. Actually, whenever I did that role, it was called tribal attorney at the time. So the attorney general title came along a little later, but it's the same job. But I appreciate that.

Mary Ann Thompson: I stand corrected. Thank you.

Patrick Lambert: That was many years ago. I've been working for the tribe for almost 25 years now in one capacity or another, and I've been in the role as a principal chief now for -- actually this week will mark six months since we've been in office. We've accomplished a lot with help from tribal council. We've had a lot of great success going and a lot of moving the tribe forward.

As a matter of fact, while you're in town, if you get a chance, we're having tribal council this week. If a couple of the officers of this body would like to come down - or all of you for that matter - to one of our council sessions, we could probably take a minute there in council and give you all an introduction to our full government and you all will be able to see some action. There's some fun stuff. As you all know, in Indian Country whenever you get tribal government together, there'd be some arguing and some heavy debating and those types

of thing. So just expect that a little bit if you get a chance to view it, but you're welcome. You're welcome there.

I just wanted to come over today. I want to say thank you for the opportunity to come and just give you a welcome here this morning. I want to say thank you for coming and hosting your event here and your meetings here. This land is Cherokee land for over 10,000 years, and we're very proud of it. And Gilbert, you said a minute ago if we could pipe some water out there. What we would like to do is maybe do it and exchange with your tribe. You pipe us some flat land out here so we could farm like you guys do. We're doing a little exchange on some flat land for some water. How is that?

But I just want to say thank you for coming. I don't know all the names of all your board members, and the chairman, and everything. But the chairman, the executive director of your body, I would like to say thank you for considering us and coming out. And I think, Tawney, you're the executive director?

Tawney Brunsch: No, it's Mark.

Patrick Lambert: Mark. Who's the chairman? Oh, chairman and exec director, okay. Oh, you don't have an exec director.

Mark Wadsworth: We have a chair and vice chair.

Patrick Lambert: All right. Sorry about that. I have a note here about a chair and executive director for some reason. But I just want to say thank you for coming out. One thing I

wanted to take a minute and describe or talk about was what we do here with the Cherokee for agriculture. It's mostly small farming and probably unlike some of what is happening across the country, but it's very important to us. There's been some discussion with council, and other members with our tribe to look at maybe ramping that up some. We've got some good farmland, not a lot of I but we have a lot of places that could really benefit from what we can grow, vegetables and those types of things. It will really lead us back to healthy lifestyle.

So one thing that I'm seriously considering right now, and I've not made an announcement on it exactly, is creating another department within our government structure, a department of agriculture. I don't know if any of your tribes have that setup. If you do, sometime maybe down the road we can get together and talk about how your tribes are stretched in that way because I think it would be something really good if we kind of ramp up the whole level of healthy lifestyle here for our own people and our tribe and be able to even maybe turn it into some commercial efforts. So I'm going to look at that.

I think the mission that we could set forth in such a program would be able to grow our own food, but also to give new skills to our young people and to really lead to more wholesome lifestyle than what maybe has been available here in the last few decades. I know when I grew up, before I could go in and

watch that Batman cartoon on TV after school, I had to go pull weeds in the garden. That just doesn't really exist anymore. It don't happen the same as like it used to, and I think it's a very good thing to teach our kids, and even beyond that, even turn it into more of a commercial atmosphere for the tribe perhaps.

But I think it's the idea of agriculture, the help that the department can give us through the department of agriculture. I know we've got an ear with us here to take stuff back to the department of agriculture. And also with the USDA, I would like to say thank you all for that. Thank you for spearheading this effort, and thank you for coming to our homeland. My office is open to you all while you're here visiting. If I can do anything to make your stay more enjoyable, I'd be glad to. Just get in touch with me. But thank you. I appreciate it.

Mark Wadsworth: Thank you. If you will, I think it would be appropriate if we could go around - everybody - and introduce yourselves and what's your interest and what you'd like to possibly be able to assist.

Leslie Wheelock: I guess I'll start.

Mark Wadsworth: Yes.

Leslie Wheelock: My name is Leslie Wheelock. I'm the director of the Office of Tribal Relations at USDA in the Office of the Secretary.

Pilar Velasquez-Mclaughlin: Hi. Good morning. My name is Pilar Velasquez-Mclaughlin. I'm a special assistant and senior advisor to Dr. Leonard in the Office of Civil Rights at USDA in Washington, D.C.

Jim Radintz: Good morning. I'm Jim Radintz, the deputy administrator for loan programs at the Farm Service Agency. I'm actually a native North Carolinian. I grew up about two-and-a-half hours east of here, in Argo County. It's good to be closer to home again.

Mary Ann Thompson: Thank you. I'm Mary Ann Thompson, member of the Eastern Band of Cherokee Indians. I also serve on the National Association of Resource Conservation and Development. I'm a former council member. I'm just a gardener, mom, basket weaver and potter. Thank you.

Porter Holder: Porter Holder, Choctaw Nation of Oklahoma. I'm a rancher. I've been involved with this for a while. I'm glad you all have us down here. Thank you. I'm vice chairman too.

Mark Wadsworth: Mark Wadsworth. I'm, as I said before, member of the Shoshone-Bannock Tribes over at Fort Hall, Idaho. My position at Fort Hall, I've worked for them for the past ten years as a range manager. We approximately have about 330,000 acres of land, and then we run about close to 8,500 head of

cattle either owned by tribal members or nonmembers who lease our land.

We also have close to about 75,000 acres of irrigated farmland that we manage both through the Bureau of Indian Affairs. And then our tribe is actually starting to do joint ventures into farming its own products. There were a lot of learning when you start to try to farm like potatoes. It's quite costly with the inputs and the outputs for that. But we are pretty good at raising hay. So we do pretty good at that area.

What we would like to do is offer an extension to your tribe in any way possible. If you see that there's a way that you need assistance within the agriculture committee through USDA, that you feel like you need some help or some assistance, we're here to help represent tribes from across the United States. We get comments during these periods and we take them to heart, and we'll take them to Leslie and Leslie takes them to the secretary of agriculture. What I would like to say, too, is the importance that I see the tribal people have to realize is when we've had the secretary of agriculture come and speak to us personally one-on-one.

When I asked what is your biggest concern or what do you see is the challenge that USDA has to look at in the future, and in the future what they're predicting is that we are pretty much

on a population path where we will start exceeding the amount of food that we produce in the world to feed the amount of population out there. So it's one of those situations.

It's not too far down the road. We're talking about the 2050 timeframe. I think there needs to be kind of maybe a huge strategy within the Indian communities starting to look at this not only for the economic gain, but also to maintain their own sovereignty with the demands that's going to be coming through there because the prices will go up. One of his comments was do you think we have oil wars now, wait until we have food wars. So it's just one of those situations that I take too serious when I sit here and address them. Now I'm committed to it, but I took enough time.

Dana Richey: My name is Dana Richey. I'm the designated federal officer for this advisory council from USDA. My role is to preside over this as a public meeting. Also, I work for the Farm Service Agency at USDA where I'm the chief of staff within the agency. Gilbert.

Gilbert Harrison: Good morning. Again, my name is Gilbert Harrison. I'm from Navajo at the Four Corners States of New Mexico, Arizona, Utah, and Colorado. I was born and raised there. But anyway, I'm retired from active work. Since I retired, it's been 24/7 on all the things you wanted to do. My family and I, we are farmers. As we talk right now, we are

preparing our fields to plant new crops. So that's a handful. We don't have that much acreage, but it keeps us busy. We got something like 20 acres. We grow alfalfa. We grow native corn. We grow native melons and cantaloupes. When I say native, it's not something like the kind of crop you see in Safeway or others. It's basically right for our area. It seems like that's stayed with us for many years.

We are also sheep ranchers. Right now our sheep has gone through lambing season. And now the big chore comes. You've got to fleece the wool off the ewes, and that's a big chore too. We do it by hand, you know, the old shears. I used to do it, but not anymore. We have some people to help us now. But out there where the sheep are, it's remote parts of the reservation, we do not have electricity. We do not have running water. So it's more or less still the good old western United States. We love it that way because it's nice and peaceful. You get out there and you have no connection. Nobody will call and say what are you doing?

But anyway, I've been on this council now for four years. My particular interest has been the little guy, the mom and pop operation - how can we get them some help. With your five acres of land, ten acres of land, it takes just as much work to put something in the ground and harvest. As it is, some of these big multi-corporations, they get all the benefits; whereas, the

little people, it's really tough to get anything particularly out in the remote USA. So I'm always on the lookout to see how we can help them. That's going to continue to be my role and I think it's very important because somehow we need to bring our younger generation, younger people into this type of lifestyle. A lot of our younger people, they're basically into the modern technologies, the Internet. They want to be attorneys and make a lot of money. But anyway, we do need some people to carry on the traditions. Thank you very much.

Tawney Brunsch: I'm Tawney Brunsch. I am the executive director of Lakota Funds. Lakota Funds was actually the first native CDFI. I don't know if anybody is familiar with CDFIs, but we're community development financial institutions, which means that we provide business loans and technical assistance to tribal members. And that's on Pine Ridge in South Dakota. I'm also a tribal member, Oglala Sioux tribal member. I grew up where I'm working now and love it.

I'm also the chairman of Lakota Federal Credit Union, which was the first and is still the only federally-insured financial institution on the Pine Ridge Reservation. So I kind of work more in that area. But I'm with Gilbert, it's all about serving the underserved. Pine Ridge is frustrating because we've got like 3500 square miles and 2.1 million acres, and yet I'm looking through the stats of approved either farm or ranch loans

whether operating or purchase were just a handful and that's frustrating.

Lakota Funds actually was recently approved as maybe the first native CDFI to provide FSA guarantees. We've had some success with that. It's just a matter of getting the word out. But that's our role. We're all about helping our tribal members recognize the opportunities that maybe they haven't utilized in the past. So that's my role here.

James [speaks away from the mic]: This is Jim. I wanted to say, first of all, thank you for [indiscernible]. I appreciate that. [Indiscernible] I just wanted to say thank you once again for coming here. [Indiscernible]

Female Voices: Thank you, James, great.

Anita Lossiah [speaks away from the mic]: I also want to thank you all for [indiscernible]. On behalf of the tribal council, you're welcome to attend one of sessions we have on Tuesday and Thursday. You're all welcome.

Female Voice: Thank you, Anita.

Mark Wadsworth: Thank you. While we're still doing some of the introduction portion, before you leave they'll kind of go through the audience and see who's here too. Introduce yourselves. Go right ahead.

[Members of the audience introduce themselves without using microphone]

Mark Wadsworth: Thanks. I guess we'll go through or kind of review the agenda for the remainder of the day. We're going to have an open discussion about the subcommittees, whether you want to keep them or maybe put some more effort into possibly conjoining them for more efficient participation. We'll go through that discussion about hereafter I go through a short break, then we'll go into the reading of the subcommittees to full council. We'll have too many of those, but we do have to come back by 1:30 after we break for lunch for public comment period. And then after we finish with that, we'll go into discussions on other issues and the Keepseagle update. It's kind of fairly more of the agenda today where we'll work as a council in discussion and strategize. Any other additions would you like to make?

Dana Richey: One comment to the members who are here and those who'll be joining us soon. To conduct council business does require a quorum of eight voting members. At least one of those members must be a USDA voting person. Right now we do have a quorum. We have eight people. I just ask you to be cognizant if you're going to step out of the room because we will lose our quorum. If we have below eight members, then we'll have to cease business until someone comes back. So just be cognizant. If you are taking phone call or an email and

stepping away, the council will have to halt business. Thank you.

Mark Wadsworth: Did you have anything, Leslie?

Leslie Wheelock: No. I just wanted to let you know Sarah's on her way down. She just went to look for Angela.

Mark Wadsworth: Okay. There'll be two other members are showing up here quite soon. We did a brief introduction for ourselves. So would the gentleman in the very back there like to do a brief introduction? I'm sorry about putting you on the spot, but you got to do a brief introduction from the audience.

Mary Ann Thompson: That's Andrew, right?

Mark Wadsworth: Yeah.

Andrew Conseen Duff: Chill and good morning to all of you. My name is Andrew Conseen Duff. I'm Eastern Band Cherokee. I have many hats as a friend and colleague with Leslie, with several of you, actually with USDA. I work for the U.S. Forest Service as an electrical engineer in the CIO Office. However, this week I'm on annual leave. You can do what you want to and need to on annual leave. So this particular week I serve in a unique capacity to Tribal Council. It's a great honor to serve as their technology adviser. That's one of the conversations I have, is to advise this community in rural development and our U.S. funds to look at infrastructure.

My wife is from Lakota. She is Pine Ridge and so that's one of the also strong interest that I have to the Native communities, and also to our own community, and Mary's work and efforts in our homelands. As the chief said, we have farming opportunities even here in lands that are available. Looking at it, our council actually passed some resolutions in the past year. Also with the Cherokee Nation and the United Keetoowah Band, we feed ourselves that initiative that has been ongoing in the Indian Country. And so those programs and those opportunities even here in the Eastern Band lay dormant for some time.

One short anecdote is very important - is that a few years ago with our Language Academy, my brother and I went out because we wanted to teach our children - these are young children of grade age - to garden. And these young men and women, the parents, had brought their children out and they were going to speak in Cherokee to explain to them what are the vegetables and the plants in our language. And then my brother and I were asked to actually teach them how to garden. We realized that the youngest generation actually have forgotten how to make a simple family home backyard garden, and of course that's something I think most of us here at least are familiar with or experienced in their lifetime.

And so my brother and I started on each end. We had speakers assigned to us, and we started on one end of the garden each. We showed them how to make rows, how far a separation was from plants, what the type of plants were. Our mothers were actually speaking in Cherokee to the children. We would only speak in English to explain what we wanted to, and then they would speak in Cherokee to describe it to their children. That's part of our academy program here which, again, is another phenomenal program our tribe has been able to fund with the resources that we've been granted and gifted by our Creator.

So I'm here in the background listening and observing anything that I can. As well as a tribal member, support this council. Anything that Mary needs, I know that she knows she can call me and our community. And also I look forward to listening to the input this afternoon, and I will have a couple of comments related with that with my other participations in the Indian Country as a whole. So I'm very grateful that you're home. I made sure I got here to attend and participate in today's sessions. Thank you, Chief.

Mark Wadsworth: Thank you. I guess we should let this open for us as a council.

Leslie Wheelock: Mr. Chairman?

Mark Wadsworth: Yes.

Leslie Wheelock: The committees and the member are at Tab 4 if you want to look back there, if everyone look back there to begin the conversation.

Mark Wadsworth: I guess we could just go right on down the line here. I'm looking at the committees. We do have the Bureau of Indian Affairs' Facilitation Committee comprised of Gilbert Harrison, Derrick Lente, and Jerry McPeak. Conservation and Climate Change, that's myself, Mary Thompson, Jim Radintz, Derrick Lente, and Angela Peter. Credit and Credit Desert with Ms. Sarah Vogel, Tawney Brunsch, Leslie Wheelock, and I believe our representative from - it's Dr. Leonard - and then Jim Radintz. Then we have the Education and Extension Committee, Porter, Mary, Sarah, Jerry McPeak, Dr. Leonard, and Val Dolcini. We have the Forest Services and BLM Committee which would be Gilbert, Tawney, and myself, and then Subsistence which was myself, Leslie, and Angela. If we go to the BIA facilitation one, did you have any comments you'd like to talk about that, Gilbert, being on that committee, the BIA?

Dana Richey: We're on Tab 4, Gilbert. Tab 4 is the list of subcommittees and members.

Gilbert Harrison: What do you want me to say about BIA?

Female Voice: Oh, dear.

Gilbert Harrison: I guess for our subcommittee, we want to address certain issues - within the BIA. In particular, issues

that relate to us as far as trying to do business on trust lands where we're very much restricted to what we can do. The utilization of land is governed by 25 CFR. That 25 CFR is about an inch in volume and it makes it very difficult to deal in any manner whatsoever. We just don't have the facility to deal as you do outside the reservations. Let me give an illustration. On the Navajo, we live on trust lands. Our whole reservation when it was set up, it was set up as a range land or set up for grazing. Any time you want to do something in terms of getting a home site lease, a business site lease, even a farm lease, you have to withdraw that piece of land from range and put it into whatever different category. Just that issue itself can be very cumbersome. It takes a long time to do that, even up to two years, just to change from a grazing area to some other category. Trying to work through these, we have experienced many things and that was one of the things that we wanted to do.

The other thing that we haven't gone very far on was we have an agreement between the various agencies. On the Navajo, we have not only the Navajo Nation Tribal government, but we have the BIA. And then we have USDA trying to do business on the reservation. As of right now, we are still working on trying to streamline the processes, the requirements between the three agencies. As you recall, I made a presentation in Las Vegas about a project in my community. Well, we had said we're

going to go ahead and make some progress on that. Well, we have moved forward about an inch so really we haven't gotten that far. So we talk about it.

So these are the kind of things that I think somehow we need to address and get back into the spirit of cooperation. Just like on this particular project of mine. Any time we do any kind of construction or any kind of improvement on land, especially trust land, if you work with federal funds, you have to have your environmental, biological -- those kind of reports. The particular project that I described in Las Vegas, our community, we hired an environmental firm to do the archaeological and biological reports for us according to EPA standards. These are people certified to do that kind of work. So we came out with a volume that said there shouldn't be a problem.

We turned it to the Navajo Nation EPA and they reviewed it, made a couple of revisions particularly the area of migratory birds and stuff like that. Now the Navajo Nation government is supposed to be governing body on the Navajo Nation, the lands. We took that volume, we took it over to the Bureau of Indian Affairs. They said, my god, you forgot this, you forgot that. In the end it took us about six months to include what they thought we should do. And if you look at it from a technical

standpoint, the changes were almost nil but it caused us a six-month delay.

So now the Navajo Nation government says okay. The BIA says okay. We turn to USDA. And say now here it is. Guess what? Now we have to review it and put it out for public comment. So we just got through with the public comment, and again there are no changes. But it's the law, I guess. The law says you got to put it out for public comment, but three times we put it out for public comment. So to me it's just a waste of time, effort, and money. How do we get these people to agree to say one shot; that should be it. Really that's the kind of thing that we see.

Now the Bureau of Indian Affairs has come out. I don't know, Mark, how they're dealing with your area. But they're coming out and saying that we now have to enforce the agricultural Rangeland Improvement Act. That's a federal requirement. And now to renew any grazing permit, renew any farm permit, to transfer any permits, you now need to do not only a conservation plan but now we're told that you now need to also do an environmental assessment on lands that we've been using for generations. We have an idea, a good idea how to practice good conservation. We've been doing that for years. We know our lands. We have conservation practices that have been handed down from generations. Now we come and say now you

have to do that. The problem is many of our older folks didn't know how to do a conservation plan. They know how to take care of land. It's inherent. But to put it down in words is actually hard for them. So now we're up another wall, and that makes it a problem.

That also leads into another thing - on and on. We have BIA. The BIA has its own standard format, they call it, on how to do conservation plan. USDA, if you're going to use one of their programs, you have to have a conservation plan. Guess what? They don't match. They cover the same things, but they're different format. And so you develop a conservation plan for one. The other agencies, no, that's not what we're saying we want. But if you look at it, 99 percent of what's required is similar. It's just that it's shuffled around here, a little bit here and there. Those are the kinds of things, the bureaucratic processes, it's really a hindrance to anything that we do and we've been trying.

I've been working with the Navajo Nation, on my reservation. I'm sort of an outsider in my own reservation because I try to bring up these points that say these are issues we need to resolve, and some of them are really sensitive. And so the BIA says where is he coming from? Why does he want to improve things? And then we work with USDA, they're saying that -- I know from the secretary's position, he wants to make things

easier. But somehow we're not getting that word down to the local level, so we still have some issues there. Then the Navajo Nation suffers. This is a grown nation.

The bureaucratic barriers presented by all three are really a hindrance to what we try to do. That's one of the things that we face. Everybody says I'm doing my job. This is what's required of me. This is what's written down. But nobody wants to go ahead and make a recommendation that this isn't really working. Maybe we ought to tweak it a little bit here. That's the kind of problems we have. I don't know if anybody's at fault. But I think where we're at fault is we're not trying to make an effort to meet the trends today. So it's really hard.

The loan program itself, would you believe on the Navajo Nation, as big as North Carolina is, we don't have any USDA loans. We don't have any programs. The need is there. But just because of bureaucratic processes, something always comes up to block any efforts with these programs. I've been on the council almost four years now, and it bothers me. We talk about how do we want to make improvements, but we actually get back down to the grassroots level. Things aren't changing, and that's what bothers me here. I'm talking not only about BIA, I'm talking about USDA. I'm talking about my own tribal government, and that is a big bite.

One thing we did talk about the Bureau of Indian Affairs was, and they're not here now, just a simple current requirement of the U.S. Forest Services with the lease of lands in that - what is it, the language, base property? The USDA says we're working on revisions. Three to four years I have not heard what kind of revisions are being contemplated. On the bureau side, when the bureau was here we asked them. On a trust land, if you have a piece of property that is at least in your name, you have a permit that says I could use that piece of land, that should be just as valid for base property requirements. And we asked the BIA to write a simple statement that says if you live on trust land and you have valid grazing permit and that you're in compliance with all your requirements. That should fill the need for a base property. We can't even get anything like that from the bureau.

So again, these are some of the things that continue to nag us. And I can see the BIA, they are basically the trustee that holds the title to all the trust lands and somehow in doing their job, it's not really helping us. I don't know how other reservations handle this. But on the Navajo, we do have a big issue. Somehow, I would like to see us -- I don't know whether this is a recommendation from us. We've asked the previous representative of BIA to see if they could get us something in writing on these issues, we never got anything. We get some

verbal reports they are working on it. I don't know how else we can improve on that.

Now my understanding is that there's a task force or some group within the BIA that's going to be looking at some of these revisions to the law, 25 CFR, but I have not seen anything in writing to say we are actually going to recommend some changes. And these 25 CFRs, they were established back in 1935. To this day there's never been really effort to say, let's look at the whole thing. Is what we're doing still appropriate? And I think that's something that bothers me. I don't know what I can do about it. We've talked about it here. We made recommendations. But it just bounces off that wall. So I don't know.

That's how I feel about this when we talk about BIA and relations with other federal agencies. I don't mean just the BIA, the USDA, but particularly on trust land, any federal program, we now have a problem. The trust status of the land, that really in a way hinders a lot of advancements. Mark, that's my comments on that. I know you have comments on some BERM [sounds like] issues and stuff like that, so --

Mark Wadsworth: Mark Wadsworth. What I would like to propose, because as you were even talking, is consolidating maybe the BIA subcommittee along with the Forest Service and BLM committees, because we seem to be talking in that room about

both of those issues when we're talking about the Forest Service's requirements and the BLM service requirements for base property requirements, and how they would interact with the Bureau of Indian Affairs to acknowledge that and put it into writing that there is an agreement to acknowledge those two very similar objectives. It's getting these interagencies working together along with USDA, so I would like to see a consolidation on that aspect.

Also, seeing as there are other inter-department agencies within several departments within the federal government with their trust responsibility to tribes, what I'm hearing from you, Gilbert, is basically just one story of probably a myriad of other examples of how we're kind of struggling in Indian Country with the EPA, NEPA - which agencies' NEPA format do we follow - and they should all be one document that is recognized by the BLM, by BIA, by USDA, by the tribes and so that we're not considering, like in your case, where you have to appease every single person's requirement. And that shouldn't be. That should not be.

In a lot of this, when you start talking about conservation plans and stuff like that, in my experience - because I work heavily with the 638 program within our tribe, I happen to take the responsibility of 25 CFR when we're dealing with our own tribal members or non-Indian that lease our land - this

shouldn't be that difficult either because a conservation plan for range can be quite generic in aspects. I don't know everything about the climate or everything that happens on Navajo, but I imagine that you do have base standards for the amount of head of cattle per AUM - how many acres they'll use within one month. Those sorts of data generally are readily available.

I know that probably in riparian areas you have a stubble height or a woody plant that, once it's used past that level, you need to rotate your cows out of there or just move them out. Those are generic. It shouldn't be the onus of the individual permittee to develop their own conservation program. That's not, I don't think, the purpose. We need to stress that to whoever is trying to make -- the individuals, they do not have that expertise, or the language, or the ability to put it in writing in some cases. That's not their job. Their job is basically to make sure that they adhere to whatever it may be within their rotationary patterns especially if we're dealing with sheep, or if we're dealing with cattle, horses and such livestock.

I really think that probably that situation on specifics we had a specific example dealing within our reservation with USDA, with the Bureau of Indian Affairs, with the way that we identify our tracts, and with the way that the USDA identifies their

tracts. Different language, we have T in allotted on tribal tracts. They have farm tracts. But their farm tract system, if they went and said I want to look at allotment 1569 or whatever, we would be able to go into our book and find out exactly where that is. But we're not able to go into USDA's farm book and look up their farm tract of 1284 because we don't have that data to know what they're talking about.

So we had a scenario that we want to put a considerable amount of range into a new Conservation Reserve Program through the range, and we went through the struggle. If you remember last time, when the secretary was talking to us in D.C., he says I want specifics. So when we've seen the specific problem of trying to get RA reach into this program, we were able to go to Leslie, go to the secretary with the specific example, this is what's problem is. These guys aren't working together, they don't know them. And we're the ones that going to pay for this because we're trying to get into this program. But by virtue of your system, you put up a barrier that we can't participate.

Well, we made it through that scenario and we do have current application under review for about 16,000 acres of range land. We could of want more, but we're kind of cautious because we don't know what we're getting ourselves into totally here. So we'll see how that works. But from what I've heard and what

I've seen, I think it will be beneficial to tribes across the United States if they want to participate.

So in your case, I think that you have valid specifics. This is the specific problem, Mr. Secretary, in our region. We have three separate agencies requiring three separate NEPA statements. Can you get with Secretary Jewell and let's work this out? I think that that's one example, a conservation scenario, too, because USDA also requires a conservation program. Those are specifics, and I think that's the type of specifics that the secretary wants. And you're working right on top of those, I imagine with Leslie you could specifically show her and which ones we need to address.

Gilbert Harrison: One final thing, please, Barry. One issue again, Dana, when we were at our last meeting, I had requested the Forest Service to provide a certain data in terms of their lease. How many total leases do they have on forest lands? Of those, how many of those leases are held by minorities, and out of those minorities, how many of them are being held by Native Americans? I wanted to get a reading on that, and we haven't had any response.

And finally, it's based on a personal experience, too, that USDA advertises that they're going to renew these parcels of land for new leases. But when you actually come down to it, basically the people out there have preference and there's a

whole section of ways that these leases can be terminated. And I wanted to know within the last five years how many of these grazing leases have been actually terminated because as long as none are being terminated, nobody can get their foot in the door. Nobody else can do that. So again, we ask for some specifics just to get a reading on how this thing works. Actually the spread, you might call it. We haven't received any of that. So those are some of the things, it bothers me because it does not give Native American ranchers even a chance to get their foot in the door.

Like on the Southwest we have a serious drought. But our neighboring, close by forestry lands that are being leased, man, just like here, you have water, you have rain. You can do a lot of things, but we can't get our foot in the door because of these regulations and all of that. That's one of the things that I see we're supposed to be taking a look at to see what we can do about these requirements, and we're not even getting the basic data. Thank you very much. I'm sorry, Mary.

Mary Ann Thompson: You're fine, Gilbert.

Mark Wadsworth: Go ahead, Mary.

Mary Ann Thompson: Thank you. I keep going through some of these things and I guess getting back to the subcommittee recommendation that you made, Mark. That would be the BIA, BLM and --

Mark Wadsworth: Forest Service

Mary Ann Thompson: Forest Service. Those two subcommittees to be combined?

Mark Wadsworth: Yes.

Mary Ann Thompson: We're in an informal session now so we couldn't make a move.

Mark Wadsworth: No.

Mary Ann Thompson: I mean can you make a recommendation?

Dana Richey: Yes, we can discuss a recommendation.

Mary Ann Thompson: And I know you'll probably need further discussions so I'll wait on that one, but I think it would be a good idea to combine your BIA, FSA, and BLM committees. In addressing the points that Gilbert has made with the projects down there, I'm looking back on the track of recommendations. There are several of them in there regarding Gilbert's situation. In each of those recommendations, the notes and the status is in progress, ongoing. I guess that those initial actions are not resolving any of the conflict, or any of the issues, or any of the points that Gilbert's making. As I look at these and try to follow up on and find a recommendation or a solution, I'm hoping that if the subcommittees are combined, they can come up with a recommendation that might be helpful.

As I observe this, I think sometimes in these particular situations, maybe there's somebody missing from the table. So

you've got BIA, and Forest Service, BLM, these folks there. I'm wondering where the tribal folks fit in on this. It seems if the tribal folks, and the attorneys, and BIA, and everybody can sit down and come to same terminology in as far as implementing their policies, that that would clear up so many things.

We don't have the grazing or the leasing situations that you have out here in the ranching areas in this big property at Navajo. Your land base is so huge there. So we don't have these leasing issues. We don't have these grazing issues. But we still have issues concerning land that involves BIA, not so much Forest Service here. But it seems like we have been able to sit down and come up with some internal or some tribal law and tribal policy that further explains, that just helps move things along with BIA.

I'm sitting here for four years and listen to the offices of the USDA up here, including BIA, talk to us about the congressional acts that designates or legislates these programs, and then some other internal policy coming down the ladder there that interprets that policy, and then some other policy on down state level that interprets one of the policies higher up there. I'm saying that it still hasn't trickled down to the family gardener here, the tribe that's trying to get a project done. It still hasn't trickled down. So I guess that's an issue I

hope we can work on and maybe come up with some recommendation before the end of this session. Thank you.

Mark Wadsworth: Thank you, Mary. Go ahead, Tawney.

Tawney Brunsch: I'm just wondering and reviewing these yesterday, what I'm kind of hearing from both of you is would it make sense to review the recommendations and maybe reprioritize some of them. I just feel that we need more detail, just what everybody's been saying here - if we need to add new more specific recommendations and consolidate some of the subcommittees or eliminate some, or maybe we work as a groups since we're a pretty small group, however that looks.

I don't know how involved I was initially with the making of the recommendations, but I think some of that has changed. I think there's a lot of room here. It all boils down to creating greater efficiencies in how these governments, the government entities work together - whether it's FSA, or USDA, and the tribe who is clearly not at the table. It sounds easy, it's hard. It's been my experience that if we can do a lot of that for them and just consolidating forms, whether it's the conservation plan or whatever, if we can come up with exactly what they could adopt, it makes it much more likely.

I also think there's a lot of room to promote the technical assistance that's available to help our tribal members in completing some of these forms. I think there are programs out

there where you can actually connect with either a CDFI or maybe other FSA offices, for instance, where the tribal members can access some assistance in completing these forms because a lot of times, it has been my experience that is the biggest barrier.

Have you guys seen a REAP application? Yeah, it took me and my staff about a month to work through it with an individual. How likely would that have been completed without our assistance? And I know there are a lot of other examples with all the land stuff too. So I'm just throwing it out there. I know it would mean a bit more work probably for this group. But honestly, it feels like the clock is ticking now, right? If we have two more years, let's make the most of it.

Leslie Wheelock: Mr. Chairman.

Mark Wadsworth: Yes, Leslie.

Leslie Wheelock: Just a brief explanation, the REAP program that Tawney just mentioned is a program for individuals and individual businesses. There is a lot of work that goes into that that those smaller businesses, often smaller businesses, don't always have the capability to pull it together without assistance. Thank you.

Mark Wadsworth: I'm also going to make another recommendation. Looking at our subcommittee structure here, is that our next Conservation and Climate Change, I think this really kind of falls in line with the last committee -

Subsistence. Because basically we're talking about food, how the climate is going to affect that in the future and how it will affect our subsistence - so animals or it be other wildlife or domesticated - and carrying that on as a part of feeding ourselves with the Native American communities.

I sit on both of these committees. I know for a fact this climate change issue is probably going to be one of the biggest pushes throughout the whole federal government with funding studies, possibly other myriad groups of think tanks to develop a strategy on a nationwide effort if not a world effort. So it would be my recommendation that we combine those two because they're all interrelated. Just from what I have been seeing, and I do have to use my own tribe in this aspect, is that even the Bureau of Indian Affairs has money for climate change research. That's how important this is. And we were funded for that effort, to start our efforts in looking at starting the initial monitoring studies.

Trying to look at our baseline data, we have comparative data to basically prepare what's going to happen in the future. I know they're working with me on the range program basically through plant conditions, to species, to noxious weeds, to basically rainfall precipitation an asset which I guess at one time or another I'll discuss this - is that our tribe is looking at having one of the USDA monitoring stations put on our

reservation for monitoring the snowpack levels. Snowpack really on our area is a very big, huge impact onto our aquifer systems. There is a direct relationship to how much snow we have underground to how much water we will have available for delivery. Our nearest snowpack and monitoring station I believe they said was like close to 90 kilometers on one area to another, 120 kilometers on the other. It's just we have to try to extrapolate those two to come up with what our actual level is.

But those sorts of situations are going to be what I think we should address within those committees on that individual setting. I imagine my tribe isn't the only tribe in that sort of scenario. I would wonder how many reservations out there do have snowpack monitoring stations on their reservations. I'd venture to say probably one to nil. But it's one of those situations that we probably should make aware.

Just to open comment on that, I know we have other people that are on this committee that would like to voice their situation. Go ahead, Leslie.

Leslie Wheelock: Mr. Chairman, this is Leslie Wheelock. In support of the recommendation you just made or suggestion that you just made regarding combining those two subcommittees, you might want to add Food Security to the Subsistence item and broaden it into that space because I think that that's what the

issue is when we're talking about Subsistence. And that nomenclature is coming up more and more in international discussions among indigenous people. Thank you.

Mark Wadsworth: Leslie, did you say Food Security, and what else?

Leslie Wheelock: Just Food Security.

Female Voice: [Background conversations with Mark Wadsworth]

Mark Wadsworth: Well, yeah, we have a couple more here.

Gilbert Harrison: Mark?

Mark Wadsworth: Yes?

Gilbert Harrison: While you're looking through that, we were picking some topics. And one of our charter, or one of the things that we're basically picked to do was to identify barriers, specifically barriers that prevent Native American farmers and ranchers from participating. I think we looked at that versus just the general trends. We may be able to focusing in on things like recommendations. This particular regulation needs to be modified or tweaked to identify that regulation, just in general say we have a problem here, just food for thought. Thank you.

Mary Ann Thompson: Chairman, are the subcommittees going to meet?

Mark Wadsworth: We're just about on our 10:30 break. I do not know whether we're going to have a full two-and-a-half hour of public comment. But I was thinking that during that timeframe, if we do not have it, we could break for subcommittee meetings later on. Would that work for you and for everyone? Okay. Our other committee would be Credit Desert and Credit. Jim or Tawney, would you like to address that?

Tawney Brunsch: Jim, let's hear from you.

Jim Radintz: Okay, that's fine. Great. Thank you, Mr. Chairman. I'm Jim Radintz with Farm Service Agency. I would just say that I think this subcommittee is still definitely needed. I don't know that there's anything else that really makes sense to be combined with. FSA, from our perspective, we've been working hard and we feel like we've made quite a bit of progress. I'm sure Tawney can speak to more than a few of these, there still remain several barriers. In some cases, we've made program changes and done some other things, but those have yet to take hold or are just in the beginning stages. I'll report tomorrow. But we shortly will be launching what we call an Easy Guarantee Program and also a Micro-Lender Program that are specifically designed to help CDFIs. I know there aren't very many CDFIs in Indian Country, which is sort of a separate challenge.

Those are the kinds of things that we have in process and on the drawing board. But I think the whole issue of credit and being able to obtain credit in a reasonable way, and trying to eliminate or at least mitigate the situation in credit deserts remains to be very important and something that we're certainly committed to from our perspective. But we certainly continue to welcome input, suggestions, identification where there may be problems or things aren't working the way we expect them to or we would hope they are so that we can take some action and either modify, correct, change whatever we might need to do to make those processes and programs work better. So that's kind of what I would see from our perspective.

Gilbert Harrison: Mark.

Mark Wadsworth: Yes, Gilbert.

Gilbert Harrison: Thank you, Jim. I think in the past I did asked if Farm Loan Services and USDA could make a short narrative or an executive summary of changes in regulations or changes in policies that you've actually implemented. Here we're going to be working on this. And if you look at all the tables back here, you have reams and reams of table back here under the sections 13, 14, 15, 16. To me, they're just numbers unless you say we've made this discrete change either by a memorandum to your staff or by actually, policy changes to say we've changed this, here's a new word in our policy. I think

that makes it a little cleaner. What is it, things that you've changed to make these things happen? Because if you just look at the numbers, they're just numbers, we're improving on this, but how did you get those improvements.

Right now you said you're going to do a new program, just very short, say this is what we're going to do, how we expect it to have an impact on this. To me, I look forward to that executive summary. I don't have the time to dig out through all the tables here. Thank you very much.

Jim Radintz: Mr. Chairman, Jim Radintz. Let me just say that I understand what you're asking for Gilbert and we would be pleased to provide that to the council - just sort of a summary, well, maybe perhaps since the council came into existence, of the changes, the programmatic changes, policy changes, administrative changes that we've made in efforts. And then hopefully I think we can also show some summary numbers. Not what you see there, but just sort of we've made these changes and here's what we believe the result is; here is the impact or the outcome of those changes; loans made has increased by this much or whatever it might be. We would be glad to provide that, Gilbert. My staff, we'll get together and put that together. I'll get it to the Dana or whoever comes after her as the federal official to get it out to the council members.

Gilbert Harrison: Thank you, Jim. I think that would really highlight what has been done. Thank you. Mark.

Mark Wadsworth: And if I may, too, I would make a suggestion also that possibly within the credit, we take a look at not only FSA as being a creditor or lending agency, but also the USDA Rural Development should be doing a lot of lending on the housing portion of it to individuals.

Tawney Brunsch: Right. And 502s were making some progress there in proposed policy changes to go directly through the CDFIs basically.

Mark Wadsworth: And also they have programs in which they would do a revolving lending program to tribes and --

Tawney Brunsch: And CDFIs. Actually, Lakota Funds does have the IRP and RMAP, both very efficient, but more for business lending which I guess our ag loans would fall under so that's worth including in the conversation.

But I would just argue that the Credit Desert Committee is maybe the most important subcommittee we have. All these other things are needed, too, but truth is that none of our tribal members are going to be able to utilize any of the loan products that we developed. Even if they're not developed, right now they're not going to be able to utilize those if they don't have credit standards up to a certain level. And I think that's where it's nice to be a CDFI because we have all sorts of

flexibility where we're able to assist tribal members. But still what we've learned through our experience at Lakota Funds is that it's an ongoing process. You have to start with the very basic level of financial literacy. You can never do that too much. And then you get them familiar with the whole business process, the business plan and all that's required to have a successful business. And that does apply to our ag loans as well.

But to get people to a point where they're going to be able to utilize those is ongoing. It's going to be needed. It's going to benefit them in all areas of building up that family, and building assets just in general, whether it's a new business or expanding a business or acquiring trust.

I got to share a couple of examples that we've had since we've been an FSA guaranteed lender. It's that we actually have many, many phone calls saying we're so happy that you guys are offering this program now. Because we've had trust ground for years and years, it's been in our family, but we've always leased it out because we've never had the opportunity to run our own cows. With this loan program, now they have the opportunity. They're buying their own and starting that herd, and I think that's probably the point.

The other need we have in the Credit Desert Committee, what we could maybe address, too, is I think there's a greater need

for better communication and really telling our stories better - the successes. The more we tell the story about the FSA Guarantee Program being available for native CDFIs to serve their tribal members, the more other native CDFIs are going to do the same thing, the more tribal members that are going to benefit.

So it's another barrier that we've see at Lakota Funds is that it takes a long time for word to get out that you have this product available to have people utilize it. But yeah, I would just say I think there's a lot more work to do with the Credit Desert Subcommittee. But I think maybe, like I said earlier, if we revisit some of the recommendations and add a little bit more detail, a little bit more detailed work plan, I think we could get a lot more done.

Mark Wadsworth: Sarah Vogel.

Sarah Vogel: I'm sorry for being so late.

Mark Wadsworth: So Sarah Vogel is here.

Sarah Vogel: In my defense, I was in Hawaii. In Hawaii, it is now 3:32 a.m.

Female Voice: And this is where we're supposed to feel bad for her.

Mark Wadsworth: I have a hard time feeling sorry for you.

Sarah Vogel: Again, I'm sorry for joining late. I am 100 percent with Tawney. I'm the chair of the Credit Desert

Subcommittee. We haven't had our meeting recently, but we had several but the minutes were lost. Basically, I think we're circling back to the same recommendations, outreach to other lenders, coordination with other lenders. In this regard, I think the Minneapolis Fed's new committee called the Center for Indian Country Development is working on these issues extremely hard. I know the economist. I think he's been in touch with you recently, Jim.

Female Voice: Dick Todd?

Sarah Vogel: Dick Todd, he told me he was going to call you.

Jim Radintz: He has not. He may have talked to someone on my staff thought, but I have not spoken to him. I would be glad. In fact, I would look forward to that.

Sarah Vogel: Yeah. They met you before, I think. But we had made the recommendation in number 9, the council recommends that the secretary establish an interagency task force on lending in Indian Country. And that's been delegated to the White House Council which of course we're not privy to. We don't know what's going on with the White House Council. But if we can narrow it and just basically beg that there be coordination between the Minneapolis Fed, which is making this a very high priority. Then they have the resources, and the economists, and the network with the CDFIs. And the lenders can

be as open as they want, forever, available to lend in Indian Country.

Unless, the tribes come to the table and setup appropriate judicial systems and laws governing such things as use of leases and UCCs, everything will be thwarted including for the CDFIs. But I think the two networks that are probably the strongest right now will be the Native CDFI Network. There's over 70 now Native CDFIs all across the country, very exciting. And then the Minneapolis Fed which is Center for Indian Country Development, which is new but it's going to be huge. They're trying to be a national resource. They have economists, and Patrice Kunesh is the co-director.

Female Voice: With Elsie?

Sarah Vogel: Elsie is the chair, and Sue Woodrow who has a long history of working in Indian Country and lending is also a co-director. I'm on the advisory committee. The advisory committee, pretty impressive, I'm not including myself. But I guess that would be my main recommendation, is we partner up with the White House. Now that I'm talking, I'm really talking too long. But I noticed that one of the initiatives was that USDA was going to work on developing a credit readiness program. Leslie, is that -- it was in here, in the materials.

Leslie Wheelock: That the White House was going to do all of it?

Sarah Vogel: Yeah.

Leslie Wheelock: There are so many different things that are in the process right now. This is Leslie. I think that's moved over to the Office of Special Trustee. That's putting that together and putting together a financial literacy program utilizing in part the Treasury programs that they have on financial --

Sarah Vogel: I was going to say there's no need to reinvent the wheel.

Leslie Wheelock: Right. They're not. Treasury is trying to prevent the Office of Special Trustee from reinventing the wheel because already have the material out there. I think that the first, well there is a youth program that Special Trustee is running in New Mexico later this month on financial literacy. I don't know that there is a solid federal program for financial literacy in Indian Country.

Sarah Vogel: And there doesn't need to be because there are so many. The CFP which stands - Tawney, what does that stand for?

Tawney Brunsch: Consumer Finance Protection

Sarah Vogel: It's a big, big national association mostly of nonprofits. That's their mission. I've just seen so many basically superlative programs. So when I saw this thing about the Special Trustee developing one, I go like, no, no, you don't

need to develop a new program. We just need to put those other programs in place or give grants to the nonprofits that are doing the work down on the ground.

Tawney Brunsch: I agree with Sarah, there's no need for new curriculum development or anything. But I know in my communications with Sheela Farmer who is the Office of Special Trustees that serves Pine Ridge, what would be helpful is maybe some mandates to require financial literacy at certain points. The challenge she faced with the recent land buyback. If we could have thought far enough ahead, then we could learn from the mistakes that were made on Pine Ridge. We always get the best practices. But maybe to implement something where there's financial literacy required far enough in advance of those individuals receiving those checks. We had situations where we had 18, 19-year-old girls. It was one 19-year-old who had a check that was \$60,000-some and she wanted to cash it. Had no idea what to do with it, didn't even know how to cash a check. So, honestly, those were the sad situations on why those funds were really leveraged the way they should have been to create assets.

Leslie Wheelock: This is Leslie. Prior to the Cobell and Keepseagle settlement checks coming out, I know that NCAI worked with a broad range of federal partners in trying to put a program together. But they didn't do it in time.

Tawney Brunsch: Not in time for Pine Ridge.

Leslie Wheelock: Well, they didn't do it in time. It was late in any respect, but they tried to get the word out. But I hear you.

Sarah Vogel: Yeah, there are warnings. When the checks went out, there's an insert that warned people about scams and stuff like that and gave references. But what do you know? Look, when you open up an envelope, are you going to look at the advice on the scam or are you going to look at the check?

Tawney Brunsch: Elders are wondering where their check is the next year. They don't realize that they sold the land that they received that lease income from. Yeah, that's sad.

Sarah Vogel: So there's a lot of work to be done on Credit and Credit Desert Subcommittee and I think, Jim, you and I and Tawney can really map that. But I think the recommendations we made already were good ones. I for one, rather than it being moved up to the White House Council, that USDA just make it a point to partner. I thought Dick had already reached you, sorry.

Jim Radintz: We have made some efforts on our own, and we will continue to do that and more. I would just ask Tawney or Sarah, either one, if there's an organization of the Native CDFIs or at least a list, we would love to reach out to every one of them.

Tawney Brunsch: There is.

Sarah Vogel: You have and you've actually spoken, or Chris had spoken at one of their seminars.

Tawney Brunsch: Tanya Fiddler is the chairman. It's Native CDFI Network, NCN. And we have a pretty good website, too.

Jim Radintz: Well, that helps a lot.

Sarah Vogel: And they do webinars frequently. They're like Sarah, a hyperactive little group.

Tawney Brunsch: Thank you.

Sarah Vogel: It was all volunteers and then they recently got a full-time executive director who is Tanya Fiddler, who was the most hyperactive of all the hyperactive people in that group. But I thought that that relationship had already been established because you guys have spoken on their webinars. So I guess it's just a matter of staying in touch and trying to send people to their seminars. Not their seminars, but meetings. Is Tanya still based in South Dakota?

Tawney Brunsch: Yeah, she's in Hermosa. But I could reconnect you, Jim.

Jim Radintz: That would be great. As everyone knows, we've had some staff and function changes and some things realigned, and sometimes all that was going on didn't get communicated. But we definitely want to make that work. Well,

Sarah, let me just report to you that we have once again extended the Credit Desert directive that we've had in place for the last I guess three years now. So my plan is to continue to keep that in place.

Sarah Vogel: Yeah. Good.

Porter Holder: Can we continue this discussion after we break. I've had four cups of coffee and I have to --

Leslie Wheelock: If you insist.

Dana Richey: We will take a 30-minute break. Please be mindful to come back on time so that we have a quorum.

Mark Wadsworth: Okay, it looks like we have a quorum again here so we'll carry on to the next subcommittee agenda items. Before we start, Mary, I think that you wanted to address something about the possibility of the council for your tribe and ours [indiscernible].

Mary Thompson: Oh, if you want to do that now, I was going to hold that until we got to item 8 on the agenda and other issues.

Mark Wadsworth: It will be fine right now.

Mary Thompson: Right now? Okay. We've been invited to come over or at least a group of us to come over in the morning at 8:30, to be introduced to tribal council and maybe give a brief little summary of what this council is doing, how it was established, and what are future goals and recommendations might

be. If that's possible, then we could go over about 8:00, a little after 8:00, a quarter after 8:00 and meet the tribal council before their session gets started and then maybe move the agenda start time from 9:00 to 9:30 in the morning on Tuesday morning if the committee members are in agreement.

Gilbert Harrison: Mary, I guess that will be fine if Cherokees are going to any business with USDA. I sort of like to hear what kind of results they've had with working with USDA and some of their programs.

Mary Thompson: Okay.

Gilbert Harrison: That firsthand knowledge. Thank you.

Mary Thompson: Gilbert, I'm hoping to say some of that as we get into the agenda tomorrow and in the public comment session today. I am hoping that some of the folks from BIA, the superintendent, and some of the forestry folks will be here this afternoon and possibly tomorrow. I'm hoping that the Farm-to-School Project at the Cherokee High School will be -- some of those folks will be here tomorrow to talk about some of those issues during the gap presentation at 2:45 tomorrow. So Gilbert, I think we will have some presentations and some representatives here later on during the course of this meeting.

Gilbert Harrison: I'm particularly interested not only the successful ones but as there have been some that has not been successful and why they were not successful and what problems

they had. Let's see it firsthand from some of the people that really have experienced some issues. Thank you.

Mary Thompson: Thank you, Gilbert. But only issue of resetting our agenda for tomorrow is does that need to be done in the form of a move, or just a recommendation, or at the chairman's discretion?

Mark Wadsworth: What we were looking about is just shortening the two-hour lunch period. That will give us some ability to track that down, so we got plenty of leeway there.

Mary Thompson: So then we could schedule the start time tomorrow from 9:00 AM until 9:30?

Mark Wadsworth: If you think that will work the best. I guess what I'm curious about and probably everybody else is, is it a far walk or is it --?

Mary Thompson: No, I think we would need to -- we can have transit here at 8:00 AM. I can come up and hold a couple of people and --

Female Voice: We got cars.

Mary Thompson: And if you have brought cars -- and Andrew can drive. It's probably half a mile. It's not far. It's not far at all.

Female Voice: So are we meeting now? We would be downstairs at 8:15 to get over there?

Mary Thompson: I would say we'll meet down there at 8:00. You know how it goes. You say 8:00, you show up at 8:15, all right.

Sarah Vogel: We hope.

[Cross-talking]

Male Voice: You should be on time, not Hawaii Time.

Mary Thompson: We could all meet at Starbucks down here at 8:00 in the morning.

Mark Wadsworth: It's good.

Mary Thompson: All right, so then the meeting on Tuesday will commence at 9:30.

Mark Wadsworth: Agreeable.

Gilbert Harrison: Again, recap, we're going to meet somewhere tomorrow morning at 8:00.

Mark Wadsworth: Okay, tomorrow morning at 8:00 or hopefully earlier, we'll be at the Starbucks Coffee?

Mary Thompson: It's downstairs behind the escalator.

Mark Wadsworth: Yeah, by the lobby.

Gilbert Harrison: Okay, then we go from there.

Mark Wadsworth: So if you want a cup of coffee beforehand.

Mary Thompson: And I will contact transit this afternoon. They'll be here shortly to see if a vehicle is available for the rest of us. Thank you.

Mark Wadsworth: All right, on the subcommittee --

Gilbert Harrison: Excuse me, Mark.

Mark Wadsworth: Go ahead, Gilbert.

Gilbert Harrison: I'm sorry. I understand we have a new John Lowery in the group. Will it be possible to get an introduction and see because it's --

Mark Wadsworth: Come on up.

Female Voice: [Indiscernible] get a microphone.

Gilbert Harrison: Yes, just sit up in here.

Female Voice: Put your shoes on and come up here.

Mary Thompson: Now, John never did that, did he?

Female Voice: Really? John never looked this good.

Gilbert Harrison: And there's a resemblance.

Amanda Burley: Thank you for giving me time to speak.

Good morning council. My name is Amanda Burley. As I mentioned earlier, I'm from the Muscogee Creek Nation of Oklahoma. I just joined Leslie's office in February. I have worked in federal service for the past six years. I was at the Department of the Interior. I worked in the Secretary's Office on Indian Affairs Issues. I also worked in the Assistant Secretary's Office in the Indian Issues. I worked on federal regulations, correspondents, briefings, and policy research is my background. I also was the coordinator for the White House Council on Native American Affairs for the first year of its existence, thank you.

Mary Thompson: Welcome.

Mark Wadsworth: Welcome.

Gilbert Harrison: Welcome. I know you're going to get an earful from us.

Amanda Burley: And I can't quite fill John's shoes because his feet were so big but I will do my best.

Male Voice: Thank you, John. Thank you, Mark.

Mark Wadsworth: Yes, Sarah?

Sarah Vogel: A quorum of the credit subcommittee met during the coffee break, and I don't know how we handle this but we have a new chair of the -- on my motion, a new chair of the subcommittee. That will be Tawney Brunsch. She's unanimously supported.

Female Voice: Because Sarah said so.

Mark Wadsworth: Congratulations.

Tawney Brunsch: You didn't ask me.

Sarah Vogel: I'll still be on, but I think Tawney is bringing -- I just wish I'd made that motion a couple of years ago when Tawney first joined, but I think she'll be stupendous, fabulous, and better than the last chair of the current subcommittee.

Tawney Brunsch: I'm looking forward to it. Thank you.

Sarah Vogel: Is there anything further we need to do administratively on that?

Mark Wadsworth: Yes, internally, just that is fine on the credit side of it, but we need to do a couple of others with consolidations.

Leslie Wheelock: Right, we should do that with the other consolidations and we have not yet talked about Education and Extension.

Mark Wadsworth: Oh, yes, that. I didn't [inaudible]. Okay, then we'll go into the Education and Extension.

Porter Holder: I'll be honest with you. You all know my signal when [indiscernible] last subcommittee meeting with Jerry. I missed the last phone call of the subcommittee meeting so I'm out of the loop on that.

Mary Thompson: Mr. Chair?

Mark Wadsworth: Yes, Mary.

Mary Thompson: I was not aware of a subcommittee meeting for Education and Extension. So if there was, I missed it. Unless, Dr. Leonard or Mr. Dolcini participated, then maybe we can find some time today to sit down, maybe over lunch or something.

Sarah Vogel: Good idea.

Mary Thompson: Thank you.

Mark Wadsworth: Okay, I guess Education and Extension, that's to you as a committee, is the education portion of it

more dealing with tribal land grants or with tribal schools or are we looking at more of an outreach scenario?

Mary Thompson: Or is it for FRTEP?

Mark Wadsworth: Is it for FRTEP? Oh, education is just one side and then we do have extension which is per FRTEP. What were your thoughts on those?

Leslie Wheelock: Mr. Chairman, I think that's a good question and it might be something they discuss over lunch.

Mark Wadsworth: Does anybody else have any comments about the education and extension portion? Okay, then we will go to the --

Gilbert Harrison: Excuse me, Mark.

Mark Wadsworth: Yes?

Gilbert Harrison: I recall in one of maybe the last meeting we had, there's a young gentleman who came in one of the programs that we moved from one department to another. What was his name? He works with USDA in the education area or college. He works with the College of --

Female Voice: Lawrence Shorty?

Gilbert Harrison: Yes, Lawrence. He had requested and was supported moving that one program to, I think, Office of Tribal Relations. I wonder if anything --?

Mark Wadsworth: Yes, Leslie?

Leslie Wheelock: Mr. Chairman and Gilbert, I reported out at the last meeting that, legislatively, we are restricted to keep that organization where it is, and so we don't have the ability to move it.

Gilbert Harrison: Okay, thank you.

Leslie Wheelock: Thank you.

Mark Wadsworth: Okay, then we'll readdress then. Anybody have any just -- I don't know whether we need to have a vote on this or would you recommend or if we just can come to a general consensus, or if anybody has any real concerns or additions or subtractions to consolidating the BIA, the Forest Service and BLM into one committee? Is there any other groups we want to include or is this a full plate? I think that --

Leslie Wheelock: I just have one question, Mr. Chairman. Is there a better name for it, a different name for it that would make more sense or is that how you want to identify it?

Mark Wadsworth: I'm up for suggestions.

Sarah Vogel: When I think of these three agencies, I think about basically these are the three agencies that control the bulk of the federal land and trust lands so it might be a federal land-trust land subcommittee, for example, if you felt like it. But between BLM, Forest Service, and the BIA, and the trust responsibility, that's probably a large swath of the real estate. Maybe it could be the real estate committee. It's just

an idea off the top of my head. I'm not hearing a lot of enthusiasm, but that's okay.

Mark Wadsworth: I think we're all just kind of brainstorming. Some reason to me that I was thinking interagency or something.

Sarah Vogel: The Federal Lands Committee.

Gilbert Harrison: That will be good, I think.

Sarah Vogel: The Federal Land Management Committee because a lot of it is under private operation like the Forest Service is private operation, BLM often, and then BIA doesn't own the land. They're just managing that or I think the trust.

Mark Wadsworth: Yes, Gilbert? Any other suggestions?

Gilbert Harrison: Mark, I also suggest working in the federal lands of -- I was going to suggest that we ask the BIA to sit in on that committee. Their rep is not here but if they come back, we should ask them to be here because they do have a lot of authority in how land is managed where the federal government is concerned.

Sarah Vogel: That's a good idea. The federal land management committee, the BLM, that's also under interior?

Amanda Burley: Yes.

Sarah Vogel: So the BIA -- I mean the Forest Service will come because Jim will make them come.

Gilbert Harrison: Yeah.

Jim Radintz: You're giving me way more power than I have.

Sarah Vogel: But they'll want to come.

Jim Radintz: Leslie can make them come.

Sarah Vogel: They want to come. I don't think there's any question about that. They would want to come but it's the BLM and BIA. That is the challenge with -- I think in the title Federal Land Management Committee, because it's management that's our issue now. We don't want to let the BIA think they own the land.

Mark Wadsworth: That's agreeable with me, to consolidate that two committees under the designation of Federal Lands Management Committee. It'll work for me and which anybody --

Male Voice: Which committees who --

Mark Wadsworth: Actually, it was on Tab 5 or 4, the taking the BIA, which was the first committee, and combining it with the Forest Service and the BLM.

Gilbert Harrison: The BIA and Forest Service will be in the one committee.

Mark Wadsworth: Yes, and the BLM.

Gilbert Harrison: I think that makes sense.

Mark Wadsworth: Okay, and who will chair that?

Gilbert Harrison: Mark, I'll give it a shot.

Mark Wadsworth: Okay.

Gilbert Harrison: Thank you.

Mark Wadsworth: Sounds great. Okay, well the BIA representative who is supposed to be here will be asked to be a part of that committee. I don't know if everybody is aware that they were invited, but for some reason nobody was able to participate.

So, going on to the second one, we'll go ahead and look at bringing together the subsistence with the Conservation and Climate Change Committees, just make it all one and adding the food security designation or suggestion to that committee also. So, what we would be looking at is the Conservation, Climate Change, Food Security, and Subsistence Committee.

Sarah Vogel: That's a mouthful.

Mark Wadsworth: It was a suggestion to add up because it is becoming a bigger issue. Did you say something, Sarah?

Sarah Vogel: Maybe just give it a try. It does seem as though, I mean, conservation and climate change is tied in with food security.

Leslie Wheelock: Mr. Chairman?

Mark Wadsworth: Yes?

Leslie Wheelock: I would think about dropping subsistence, but Angela is not here, and in lieu of her being away, I would not do that just yet.

Mark Wadsworth: Okay.

Sarah Vogel: Well, I read an article recently about the biggest challenge in climate change is subsistence in Alaska, so it's a huge issue up in Alaska, I think. But yeah, we'd get in trouble if we were to --

Mark Wadsworth: Mary?

Mary Thompson: Yes.

Mark Wadsworth: Do you have any comments about that?

Mary Thompson: None at this time.

Mark Wadsworth: Okay. Mary, would you like to be the chair?

Mary Thompson: No.

Mark Wadsworth: We'll discuss that more when Angela is here.

Leslie Wheelock: Mr. Chairman?

Mark Wadsworth: Yes.

Leslie Wheelock: If I may, Angela is traveling with a broken leg and not feeling up to snuff right now, so she will join us when she can.

Mark Wadsworth: Yes, Gilbert.

Gilbert Harrison: Mark, not only the renaming of the committees but I think maybe membership should be looked at also, who wants to be on the membership, because when we deal with Forest Service, BIA, I would like to have somebody from the Forest Service or somebody that would represent USDA that can be

our resource dealing with the Forest Service issues to be on this committee.

Leslie Wheelock: Mr. Chairman, I have added that as your request in my notes.

Mark Wadsworth: Okay.

Sarah Vogel: This is Sarah.

Mark Wadsworth: Yes.

Sarah Vogel: Would an overall caption for that new committee with those four topics perhaps be Sustainability and Subsistence? I don't know, sustainability, because that covers climate change, a little bit of conservation, food security, and subsistence.

Mark Wadsworth: Yes, Gilbert?

Gilbert Harrison: Yes, just thinking up, we're talking about climate change. How does that fit into our charge? What do we do about climate change? I mean, to me, our basic charge is to identify things that prevent Native Americans from participating. Climate change is an issue, yes, but what do we recommend to the secretary that there'd be no climate change or -- I'm trying to figure out how do we put that into words that will fit our charge since it's talking about climate change. Yes, I know it's a big topic. It's coming down. I mean, just to say on top of us, climate change, I understand there may be another big climate change coming down the road pretty quick

here in a name of a Trump. But really, I guess I'm putting that sort of before the group here. In the meantime, climate change. Besides as being an open topic, what would we recommend to the secretary about this? I'm trying to clarify some issues here.

Mark Wadsworth: Go ahead, Leslie.

Leslie Wheelock: Mr. Chairman, Gilbert, I think you make a good point. What we started talking about from the federal side is climate mitigation or climate change mitigation, and in USDA, that moves into the area of conservation. In the Forest Service, it also looks at traditional practices. So there may be a way of looking at mitigation of climate change in that way and making recommendations that possibly could look at more historical tribal traditional practices for mitigation or for looking at what's happening in the climate and doing assessments. But, yeah, I think you're right. I don't know that we have anything that we would recommend to the secretary on climate change.

Gilbert Harrison: Thank you.

Mark Wadsworth: Go ahead, Sarah.

Sarah Vogel: Carbon capture is certainly one but that's a massive topic, so I like the idea of mitigation. That's more doable and certainly, for example, busting up the prairie it would not be a good move. I don't know enough about it. I don't know if anybody knows enough about it. Good point.

Mark Wadsworth: Okay, this is my thought. Just kind of jumping ahead a little bit, but in the added changes to the charter, I believe, there is a section in which we're going to ask another head agency within USDA to be participatory in these discussions and meetings, which is the USDA Natural Resource Conservation Service. Now, that in itself has been a major hot iron not only in the credit area but in the program area for conservation. People need to have that house within the whole context. And I think that with us being participatory probably for the most part, climate change programs will be administered through NRCS, food security programs, possibly through FSA and then NRCS jointly. All of these, we should have a voice and make sure that there is no barriers developed or --

Gilbert Harrison: Mark?

Mark Wadsworth: Yes.

Gilbert Harrison: I would suggest maybe we can ask USDA maybe for some briefing on what are they proposing to do in terms of climate change or what mitigation or what -- I mean, they're shifting some things around to address it. I think it'd be a good idea to say to USDA at our next meeting and say, this is what we were thinking. This is what that direction we're going. That way, we have an idea and then we can at least address it in a little more organized manner. I know in the southwest, we are already feeling the effects of the drought.

Like in the southwest area, those kind of climates, what are some of their thoughts in terms of addressing climate change? I think will be good that we can ask USDA to give us a short briefing on what is their concept, what direction, or what are they looking at in terms of planning for the big event. Thank you.

Mark Wadsworth: Possibly at the next meeting, we could have subject matter owner [sounds like].

So, we're down to two. Do we want to include it in this subcommittee? And then what type of subcommittee name or are we past that now? We're going to wait for Angela to get here? Well, if we look at the clock and look at the agenda, we have pretty much about five minutes over for the lunch period, so everybody who wants to break for lunch. But we do have to be here before 1:30, 1:30 exactly, for the public commentary.

Also, Zach Ducheneaux is in the audience from the Intertribal Agriculture Council. We would like to extend the invitation to anyone of the council members to have anything to discuss between breaks and lunch. He's free to have some conversation.

Gilbert Harrison: Mark, I have one more question. This is more of a social question. There was a question that was floated out by Dana, maybe a luncheon or a dinner just to get

together this evening. I wonder if that's still the case or do I go ahead and start warming up my seat down here.

Dana Richey: Gilbert, you beat me to it. That was the last thing I was going today before we break is to ask if we could ask anyone who is interested in getting together for dinner as a group, please say yes and so that we know how many people to add to the reservation.

[Off topic conversation 29:33 to end]

Tawney Brunsch: You want us to raise our hands. Where are we going?

Dana Richey: Raise your hands or say yes. Tawney?

Gilbert Harrison: There are two of us.

Dana Richey: Yes, okay - one, two, there's three, four, five, six, Mary?

Mary Thompson: Sure.

Dana Richey: Seven.

Mary Thompson: Where are we going?

Dana Richey: Jim, eight. No?

Gilbert Harrison: Anybody at [indiscernible] pays for the tab.

Dana Richey: That's nine, 10, 11, 12, 13.

Mark Wadsworth: 14.

Dana Richey: 14.

Female Voice: Are you joining us?

Male Voice: No, I can't. My adoptive brother  
[indiscernible].

Dana Richey: All right, so I think we have at the count of  
14 and Angela maybe, maybe not.

Mark Wadsworth: What is everybody hungry for?

Sarah Vogel: Vegetarian.

Male Voice: No.

Female Voice: There's also a basketball game going on  
tonight, right. I wonder if we could try to watch that.

Dana Richey: The buffet might be a choice for people who  
are vegetarian and non-vegetarian.

Female Voice: What are the options? Italian restaurant,  
buffet [indiscernible].

Dana Richey: There's a sit down place called the Shabu  
[phonetic] right downstairs of the hotel. They also have a food  
court that is the Johnny Rocket, the pizza stuff over there.  
Just brought out off of property here, there's a Brady's Kitchen  
right up the road that does home-style food and they're good.  
They're a quarter of a mile up the road.

Male Voice: If we make it early, we can [indiscernible].

Dana Richey: [Indiscernible]. What would you recommend,  
Mary?

Mary Thompson: If we have transportation, we'd go over  
here to Brady's. If you can, I'll agree on Italian.

Sarah Vogel: Italian is good.

Mary Thompson: Yes. The Brio is over here. The buffet has everything.

Gilbert Harrison: What time are we proceeding on this?

Dana Richey: We adjourn at 6:00 PM so maybe six.

Gilbert Harrison: 6:00 PM?

Dana Richey: Uh-huh, so maybe 6:30.

Gilbert Harrison: Thank you.

Sarah Vogel: I'll go and [indiscernible] usually go to the steakhouse --

Female Voice: Are we officially off?

Gilbert Harrison: Yes.

Mark Wadsworth: Yes, well go ahead and break for about [indiscernible].

Gilbert Harrison: Okay.

Mark Wadsworth: We can decide that.

Mark Wadsworth: It looks like we've got a quorum here and everybody is getting situated. I'll have Dana Richey give the ground rules for the public comments and go through some housekeeping.

Dana Richey: Good afternoon. So per the Federal Register notice that was published in the agenda of the Council for Native American Farming and Ranching, we're going to start the public comment period. It is from 1:30 until 4:00. If we need

to, we can go a little longer if there's additional comments that people wanted to make. I want to let you know that I did not receive any phone calls or email with public comment. So the public comment that we get today verbally will be the public comment for the record unless additional comments are provided to me by phone, or in person, or by email. So anyone who would like to make a public comment, I encourage you to sign in with your name and organization if you have an affiliation. Otherwise, what we can do is just ask you to come up to the standing microphone and identify yourself by name and organization if you do have an affiliation, and then provide the council your comments.

Mark Wadsworth: Yes, Mary.

Mary Ann Thompson: Chairman and Dana, if you would maybe just give the audience a brief summary of the mission of this council for those who may not know. Or Leslie maybe.

Leslie Wheelock: I'm sorry, Mary. What?

Mary Ann Thompson: For some of the audience members that may not know the mission of this council, maybe you could give them a brief summary.

Leslie Wheelock: Okay. I'll just do it from here. I like talking sideways. Good afternoon everybody. My name is Leslie Wheelock. I am the director of the Office of Tribal Relations at the Department of Agriculture, in the Office of the

Secretary. The Council for Native American Farming and Ranching was established following the settlement of the Keepseagle litigation, and it's established for a number of reasons. Its primary purpose and its primary goals are to make recommendations to the secretary of agriculture in particular on things that can improve access to USDA programs by tribes, tribal farmers and ranchers and tribal organizations, and we invite public comment.

One of the reasons that the council has decided to come to Cherokee is first of all we were invited by one of our council members, Mary Thompson, to come and join you all here. But the other reason is because if we have a meeting in Washington, D.C., we don't get that many folks from around here coming to Washington who might come in and talk to us about their experiences. And so the council has decided it would like to do more visits out in our tribal areas in order to get more of a better rounded view of what's happening in Indian Country.

Is there anything else I need to add? With that, we would like to invite folks to come up to the microphone. Please introduce yourselves. And if you have an organization, let us know what the organization is. And give us your comments. Thank you.

Mark Wadsworth: Yes, sir.

Joseph Owle: Good afternoon everyone. My name is Joseph Owle. I'm an enrolled member of the Eastern Band of Cherokee Indians. I'm 27 years old of the Wolfetown community. I'm not affiliated with any tribal organization, but I am a co-founder of a grassroots advocacy group here in Cherokee called Common Sense Cannabis, and we're advocating for reform of cannabis laws and for patient access to cannabis. And so I have my question. It focuses around cannabis and where this council, and individual farmers, and community members stand on encouraging our federal government to either declassify or reclassify cannabis from the Controlled Substance Act to allow access for farmers and patients to either grow their own medicine or to pursue a new cash crop in this country.

Mark Wadsworth: Are you through or would you like to expound?

Joseph Owle: I'd like to start a dialogue, but I'm interested to find your individual opinions on this and if there's been any action taken or interest from this council and farmers on pursuing that kind of route for cannabis. It seems to be a taboo subject I found out from some of the work that we've done in our community. It's taken us going out to the community clubs and asking these questions. And I think from the work we've done, it's allowed people to become more comfortable talking about cannabis and what that means.

And so what we've done, just to add before I finish up, is we have a resolution coming up this Thursday in our tribal council asking that our council authorize and direct our attorney general's office to begin drafting legislation for a medical cannabis law.

Back in October we've brought forth a resolution to call for a feasibility study to be performed through our tribal council to see what the numbers are and what legalization could possibly mean for our council. So we're starting our own effort here as grassroots efforts. I would like to know if there has been any interest or action taken by this council; or on an individual farmer level, what's the interest for growing hemp - for industrial purposes, or for animal feed product, or even pursuing for cannabis as a recreational personal use type initiative. Thank you.

Mark Wadsworth: Gilbert Harrison.

Gilbert Harrison: Hello. My name is Gilbert Harrison. I'm from the Navajo Tribe in New Mexico. Can you expound a little bit more on what's the advantages of the new initiative that you're pushing? I mean at the grassroots level, what's the advantages? What do we expect to get from this initiative?

Joseph Owle: We're rolling off what's been going on in terms of direct prohibition over the last 50 years with the war on drugs being an admitted failure. Where that stems from in

the 1930's on a campaign by Harry Anslinger fueled by racism and competition with the wood-pulp industry. And so we're going off, well, almost 24 states, currently 23 states, including the District of Columbia. Their voters have voted to legalize cannabis for medical use. And then four states, including the District of Columbia, their residents have voted to legalize cannabis for recreational use.

There seems to be a change of culture that is fueling this movement generationally and also economically. So what we stand to gain I think in Indian Country is access to medicine for a variety of patients and to stop treating patients like criminals that want to pursue this plant as a treatment option. Secondly, the economic opportunities that come from that, again with industrial hemp as a byproduct for fuel, fiber, feed. And then the personal use aspect which more is commonly referred to as recreational. We'd like to say personal use because it should be a personal choice, whether one chooses to consume or not.

So that's what we stand to gain and I understand that it is a contentious issue because many folks view it as, well, we're just introducing another drug into the community because Indian communities have been afflicted by opioid abuse, alcoholism from that. So that's what I think we stand to gain is an opportunity to: (1) to possibly conduct our own research; (2) to offer our patients and community members access to a medicine; and (3) to

look at the economic opportunities that could come from growing a variety of cannabis products and hemp.

Gilbert Harrison: One more question, Mark. On the legal side, the law enforcement, how do they feel about it? I mean besides the fact that they say no. You're saying that it's been legalized in several states. What has been the outcome where it's been legalized? Has there been any increase or decrease in the so-called criminal activities associated with this prohibition?

Joseph Owle: My opinion on it is that - and my opinion is fueled by what I have read in terms of the publications put out in states like Oregon and Colorado where they're releasing an experiment on recreational legalization - is at least in Colorado they've seen a 99 percent reduction in arrests for marijuana. That makes sense. It's no longer a priority and; therefore, law enforcement need not put the resources into enforcing that law because it's now changed within that state.

Here in our own community, obviously the law enforcement is there to enforce whatever law is on the book. We were at a community meeting in which one of our officers expressed support for medical cannabis. Not so much recreational because, again, that seems to be a taboo area of allowing another drug into the community. Privately I've spoken with several officers who would rather have cannabis legalized because they view it as not

a priority of introducing or causing harm within the community on a large scale. And then third on that is we can look at curbing the black market sales and illegal activity, the crime element associated with cannabis by legalizing it and making it a regulated product so that it takes it out of the black market arena. Yes, sir.

Porter Holder: Porter Holder, Choctaw in Oklahoma. How long have the grassroots program started?

Joseph Owle: We started advocating or we collected ourselves around August of last year, so August 2015. And then the other two co-founders are Mr. Yona Wade who is the Joyce Dugan Cultural Arts director for the Cherokee Central Schools system, and then Mr. Aaron Hogner who works [sounds like] at a casino. And so us three sat down and decided that we want to take action to create our own movement here within our community.

Porter Holder: Who or what has been your biggest issues to push this through? What level - state, federal, all of it?

Joseph Owle: Well, just locally. We haven't started any conversations with any state or federal officials. Our first resolution came forth in October of last year in which our tribal council unanimously passed our resolution calling for the tribe to support and fund a feasibility study for recreational, for medicinal, and for industrial hemp. Our chief vetoed that

in November, and we came back in the December session and council reversed their role by a vote of 11 to 1 to uphold his veto. So the pushback came from our executive branch.

Porter Holder: I'm just going to comment on what you said about the, let's just call it the cartel. You know, a lot of Mexican cartels. I'm a firm believer that of course the people that are going to do that are going to do it. I mean that's how it is. I think it should be legalized. We should put it in the tax base. In my opinion, 80 percent - I've heard this on the news - 80 percent of what comes across the Mexican border is marijuana. So if you legalize that in the states, doesn't that automatically take 80 percent of your cartel leaving Mexico out if it's legalized? And it also puts the money back into the tax base of America.

So I agree with what you're doing here or trying to do. And if there's anything we can help you with -- I mean I don't know. We've had some discussion on this. It's kind of like a big elephant in the room these days. Some people avoided it. Out in Oklahoma we talk about it. If you won't talk about it, I don't care. I don't fool with it, but I got nothing against it. But I see some good points that you've got going here.

Joseph Owle: Thank you. I appreciate that.

Mark Wadsworth: Yes, Mary.

Mary Ann Thompson: Thank you. Mary Thompson. Joey, I appreciate that you and the young gentlemen that are working with you have gone through the process to educate our communities on the medicinal uses of cannabis. And as far as the USDA programs go, there has always been support for alternative crops. I don't know that cannabis has ever come up as an alternative crop but any of the other traditional food crops, any wild edible crops, any alternative crop other than your general farming crops.

Now I guess my question to the USDA programs would be whether or not they have reviewed any policies or regulations, or have any changes implemented or ready to implement within the states that have voted in support of cannabis as medicinal. And I think that that's an issue that this council could address as far as reviewing policy, and regulations, and procedure and making recommendations to accommodate this alternative crop in the areas where it's legal.

Leslie Wheelock: This is Leslie. A couple of points. One is that the USDA is not in a position to take a position on the use of marijuana as a medical or recreational drug. It's still a drug and still a federal offense. Until and unless that changes, the USDA practices in that area cannot change. So that's very much depending on Congress and what Congress decides to do. As one will have seen in the 2014 Farm Bill where there

was some leeway given toward a different form in industrial hemp and in the research for industrial hemp, the difference between the recreational and medical use and the industrial use is the content of the drug substance. And what Congress seems to have done so far is to acknowledge that there is a difference and acknowledge that there may be a road for the industrial hemp, but so far they have seen that road as a very narrow one right now reserved to some research.

Joseph Owle: North Carolina is one of those states under that 2014 Farm Bill through our 1894 research institution, North Carolina State. By Governor McCrory not signing a veto towards our Hemp Bill last year, he allowed it to go essentially into effect. And currently Warren Williams, who is one of the board members of our North Carolina Industrial Hemp Association that is currently fundraising the \$200,000 necessary to start implementing the Hemp Bill itself. They were hoping to start getting seeds into the ground and to start working on a permitting process for farmers to work with our research institution to start growing hemp. Also North Carolina is a state that has allowed hemp oil for the treatment for intractable epilepsy in the state, and we have some of our enrolled members who have sought treatment through that program. And so North Carolina is making headway, but it's very limited in scope.

Mark Wadsworth: Any other discussion? Yes, Sarah.

Sarah Vogel: I think to my knowledge you're the first person who has raised this issue.

Female Voice: The second.

Sarah Vogel: The second? Maybe I missed that. I missed part of that meeting, sorry. But I feel that the group around this table is certainly extraordinarily supportive of agriculture, and I think right now the barrier probably is the federal law saying that it's all illegal. I mean I come from a state where probably 10, 12 years ago the state legalized hemp. But we haven't been able to grow it because of the danger of the federal government coming in and saying all these farmers are felons. But I think there is an enormous support nationwide for the growth of industrial hemp as it's just a great crop. We used to grow a lot of it, and the loss [sounds like] of the crop would fit in beautifully with so many rotations and so on. So good luck.

Joseph Owle: Thank you.

Sarah Vogel: But I think if we were to make a recommendation to the secretary on this point, it would be irrelevant until the drug laws are modified to allow these exceptions.

Gilbert Harrison: Mr. Chair?

Mark Wadsworth: Yes, Gilbert.

Gilbert Harrison: Yes. Gilbert Harrison, again, from Navajo. Maybe if we had some samples here, we could make a determination.

Joseph Owle: That's the number one request. I always waited on that. It's guaranteed to come.

Gilbert Harrison: The question I have here is USDA federal laws are there. But as the council here, we can make certain recommendations which may or may not be within the law, right? I mean we're here to make recommendations.

Dana Richey: Within the law. I wouldn't think --

Gilbert Harrison: What I'm saying is is there a clear distinction within what we are authorized to endorse or recommend regardless of what wheat they have? I don't think so. I think we're a council here that is created to make recommendations, and those are just it. Whether it's against the law or for the law, we make recommendations. Thank you. Maybe somebody can look that up.

Joseph Owle: I appreciate that. I just want to say to that that there have been several organizations, the American Pediatric Association and other health-organized associations that have made those recommendations not necessarily to change the law but to recommend to the FDA that it allow for research to be conducted so they can validate various points or find out what kind of harm or benefit may come from this.

And I do find it a little ironic that the U.S. government pushed for hemp growth during World War II. Hemp for Victory is what the campaign was called. Where are we at now? Where is that mentality? And it's just our hope that we take a common sense approach to again make recommendations or reclassifying or declassifying cannabis - a plant. Many people have used plants for a variety of reasons.

I got my undergrad at the University of Tennessee in environmental and soil science. I received my masters at North Carolina State in crop science with the focus on sustainable agriculture. And after all that education, it doesn't make sense to me why it's still illegal. That's a policy and a bureaucracy issue, and again those are complex issues. But I thank you for hearing me out. I appreciate your questions and allowing me to speak on it.

Mary Ann Thompson: Thank you, Joey.

Leslie Wheelock: Thank you.

Mark Wadsworth: Next comment.

Leslie Wheelock: Excuse me one minute. One point, if you all who haven't signed-in at the back table, would you please sign in so that we know who is here and so that we have a record of your correct names and spellings if you've decided that you want to speak? Thank you.

Mark Wadsworth: Yes, ma'am.

Terri Henry: Good afternoon. How are you all doing?

Male/Female Voices: Good.

Terri Henry: Did you have a good lunch?

Mary Ann Thompson: Yes.

Terri Henry: Good. My name is Terri Henry. I am the former chairwoman of our tribal council and a citizen. I live in this Painttown community which is the community where this facility is located. I was involved in the last term of the tribal council as the first woman chair of this chair, but also as the first woman chair of our tri-council which are the Cherokee Nation, the Eastern Band of Cherokee, and the United Keetoowah Band which are the three Cherokee tribes in this country. We have an annual meeting of the three tribes now.

We had an annual meeting at one of our traditional places in the last national capital of the Cherokee Nation before the removal in Red Clay, Tennessee last August. One of the resolutions that we passed has to do with food sovereignty. I brought my laptop because I slept a few times since then and I was trying to remind myself of what that resolution said. Essentially the three tribes resolved to take a look at native foods, and our heirloom crops, and our seeds and such to try to find out ways that we can integrate cultivation of native food sources that are good for us and good for everybody but that we can actually have some sovereignty around our food.

One of the things that I have been really concerned about since learning more about food sovereignty has been the fact that Monsanto and other massive corporations are cornering the market on the genetics and the genomes of plants. And as you all know, particularly I went to law school in Iowa, so there were rows and fields and fields and fields that had a number at the end of them. And so one of the concerns as we all are learning about the impacts of the food on our health and super high processed foods and what that does to our bodies and knowing that our native communities have a high impact with diabetes and other conditions, I just wanted to take a look at and see what the Department of Agriculture could do through its programs about supporting food sovereignty for native people.

In particular, it's my opinion that the United States Congress doesn't have a right to give corporations like Monsanto a monopoly on market because the foods that were here prior to this country's establishment, those are ours. Those belong to us as native people. And it's my opinion that those pieces of legislation should be reversed if that is in fact what it is.

So I just wanted to find out if there are any initiatives that the Department of Agriculture has that will support a tribe who is looking into a food sovereignty initiative and effort, and what those programs might be, if there are any dollars that might be available to address that particular issue.

Mark Wadsworth: Yes, Mary.

Mary Ann Thompson: Well, maybe Leslie, it's either we have a comment first and then I'll maybe follow up.

Leslie Wheelock: Where do we start? Yes, there are a lot of programs. One of the things that you mentioned was seeds. And so I'm going to start with one of the most esoteric areas of USDA. It's something called our Germplasm Team. That team has a seed bank, but that seed bank is open to research. However, the team also travels around Indian Country helping our tribes develop their own seed banks so that they can bank their own seeds. And I can put you in touch with the people who operate that organization within USDA. That team meets pretty regularly with other people who are working in genomic engineering and genomic preservation, and they run into questions about the same point that you raised with regard to genetic patenting. It's what they're doing. It's not a USDA allowance or provision. It's actually an element of patent law that allows the patenting of methodologies that alter the plants and species.

So we were sitting and watching that. What you're saying, I think, there's a lot of push right now. We've got a report that came out, I think, today out of our ERS organization. If you just type in ERS genome or non-genetic, that report is likely to come up. But it's reporting on a lot of marketing things on these days on food products that do not rely on

altered genes. That gets kind of complicated because we all fix and alter genes for our plants to choose the best ones, but it's very different in that case. But it's non-GMO labeling. We're starting to see it more and more into the extent that our tribes hold on to that branding or that marketing methodology, along with the organics which we do naturally. Our products are worth more in the marketplace than other products that can't make those claims.

As far as working in Indian Country with food sovereignty, we've got a number of programs that fall primarily under the Know Your Farmer, Know Your Food. It's all focused on local food, and local food production and local food production into our communities. So there is the Know Your Farmer, Know Your Food. There's the Farm to School program out of Food Nutrition Service. We were also talking at lunch about the Farm to Fork which is more of a commercial. Our chefs have discovered that they keep their local farms healthy and productive by using the locally produced foods. In that way, they're using seasonal menus.

We've got microloans. And I'm going to at this point hand it off to Jim. We've got loans for our youth. If they're involved with 4-H or FFA and they have a need to raise plants and/or animals, as long as there are some income stream or revenue that they can get at the end of that to pay off that

loan, there's a loan there. Zach could talk to you more about that. They managed to sign up \$363,000, did I get it right, in new youth loans in December with Jim's help. I'm going to turn it over to you because you've got a lot more to talk about that space.

Jim Radintz: Thank you, Leslie. Jim Radintz with the Farm Service Agency. We've been working in a lot of ways, as Leslie mentioned, to support what's I guess commonly referred to as a niche or maybe non-conventional kinds of agricultural production. Particularly when it comes to like organic and natural production, a lot of the existing program models really haven't quite fit. For example, the crop insurance has now started gathering data and looking for ways to provide crop insurance to organic growers which would not directly but certainly indirectly support the maintenance of non-modified plant material.

FSA has a program called Noninsured Program Assistance [sic] or NAP, which comes into play many times for small growers because they may be growing many different kinds of vegetables and native crops and so forth that aren't covered by crop insurance but still provides an element of risk management to help in the case where the crop isn't successful.

Leslie mentioned youth loans and microloans. These are two areas that FSA has sought very vigorously to reach out and

support again the smaller and nontraditional. When I say nontraditional, I mean like those big Iowa cornfields you referred to. We actually designed the microloan program specifically to fit the small grower that's growing maybe 30 crops on five acres so that it's set up to be easy to access without a great amount of documentation and paperwork.

In addition, again the youth loan program is something that's worked very well. And IAC I think has come up with a really good formula, as Leslie mentioned, with Zach Ducheneaux and others to really take advantage of that program. So we've been working with a lot of different initiatives that have several different purposes, but they certainly support the continuation and growth of non-modified crops along that general line.

Leslie Wheelock: This is Leslie again. I'm going to continue. Right now there is a grant open that has two flavors to it. One is the Farmers Market Promotion Program which is everything that sells directly to the public, and the other is Local Food Promotion Program which provides planning grants for market research feasibility studies and business planning. It's kind of right where you are right now. These grants are open until May 12th, and there are a couple of workshops in North Carolina. I copied a couple that are also at Tennessee because

we were talking about how big the state is. We have these documents up at the table for anybody else who wants them.

If you say, how do I find out about these things, we have a newsletter that comes out of the Office of Tribal Relations that Josiah puts together. And there are more of these flyers, by the way, for everybody on the table in the back. But we put together a newsletter that comes out every week. It tells what grants are open, when they're closing, as well as what boards that USDA has. Like this one - what's available, and what's open, when it closes and so forth.

The other thing that Josiah just handed me is a reminder that we have SNAP EBT Farmers Market Sign-Up event Monday, that's today, at 10:00 AM, and tomorrow at 10:00 AM as well. That's at the EBCI cooperative extension office. And there are flyers on this on the table as well in the back of the room.

Mary Ann Thompson: Thank you, Leslie. Mark?

Mark Wadsworth: Yes.

Mary Ann Thompson: Thank you. Terri, I also appreciate that resolution that the joint council has presented. And I'm glad you mentioned food sovereignty. In the past we've had a Cherokee center for seeds and - okay, I'm a little bit prejudiced - my brother was there. But that was a good project and a good program, and it didn't get the support it needed to make it even more successful. But that was one thing that they

tried to do in saving some more of traditional seed crop. Also, in the past legislation has been presented to tribal council regarding intellectual property rights. I believe those two fit just hand-in-hand and they have to be addressed.

Now, as we have talked about this within the Intertribal Agriculture Council and even within this body here, we had a lot of input from a lady by the name of Janie Hipp who was a former tribal --

Leslie Wheelock: Former director at the Office of Tribal Relations.

Mary Ann Thompson: Thank you. And is now at the University of Arkansas, let me see, University of Arkansas School of Law and Indigenous Food and Agriculture Initiatives going on there. They have tried to get tribes to do the coding that they needed in order to protect their seed resources and our traditional food resources. A lot of education needs to be put forth to tribes in order for them to start looking at this seriously and to adopt it because I feel like this intellectual property rights has been going on with the Eastern Band of Cherokee for so, so long - forever - and it's not just the food product. I mean the Cherokee jeep, the Cherokee campers, the Cherokee shoes, the Cherokee clothes, everything that's Cherokee now.

I understand that intellectual property rights is -- and I interpret it as if I want to go out there and pick sochan or wanegit and go sell it, that is my right as a tribal member. I can sell it as wanegit or sochan. But if someone else, a nonmember goes out and sells that and markets it as wanegit or sochan, then that's illegal because that's our culture, our language that they're using. And I wish that the Eastern Band of Cherokee Indians will take this so much more serious and start implementing the necessary federal laws to protect ourselves there.

As far as the University of Arkansas School of Law, they also host a Native Youth and Food and Ag. I've sent out those flyers several times to get the tribe interested in participating and going to some of these youth and ag summits. They just had one in Florida. There's one in Arkansas coming up. There's one in Wisconsin coming up. For all of our tribal kids, this is one resource that is underutilized and we need to promote.

Leslie, I'm glad you mentioned the EBT SNAP registration going on at the extension office. It's from 10:00 to 12:00 today and tomorrow. We do need our farmers, our vendors, our folks to come over here and participate and get signed-up or learn something about it, just getting the education. And one last thing, Terri, is that I should but I don't know why I don't

have you on my mailer list for the USDA newsletter that comes out. It has a lot of information on what's going on within USDA throughout the country. I forward that and try to circulate it as far and wide as I can, but I sometimes miss people and I apologize for that. But thank you for your assistance in this, I do appreciate it.

Mark Wadsworth: Yes, Gerry [phonetic].

Joseph Owle: Thank you. Joey Owle, EBCI, enrolled member. I just want to make a comment, building off of Terri's comments on food sovereignty. I'm recounting some of the efforts that have been taken in this community starting with what Ms. Thompson has stated with our seed repository, the Cherokee Center for Plants. Kevin Welch, I think through a grant, began that project. These may be some projects that you may or may not know about in this community. But that being the first, there's great effort. I would agree that it did not receive the support that it should have and the priority from our council to continue that project.

Cherokee Central Schools is a recipient of the FNS Farm to School grant support services. We're ending up our second year. I was the former coordinator for that program. I ended my contract last year and there's a new wonderful young lady that has taken over that to finish out this year's objectives for that grant. Prior to that, Cherokee Choices was a recipient of

the CDC Traditional Foods grant which focused on a variety of health and education-related activities for primarily youth but also for any enrolled member of the Eastern Band in which I ended in that project as the coordinator for. Also, in addition to what's taking place at our schools, we have two FoodCorps service members - which is a national program - that are in our schools educating our youth on healthy eating habits, as well as a variety of other educational opportunities.

So those are some of the projects that I've worked with in the past that have taken place to enhance our food sovereignty, to work on getting more people involved. Finally, we also did have a farmers' market, impromptu as it may be, at the Cherokee Indian Hospital of which I sold some of our Cherokee Youth Garden vegetables to try to sustain the program. We had one other farmer, Harold and Nancy Long, who are wonderful folks, who continue to grow seed, a variety of seed, for our garden giveaway kits and to sell as well.

So there have been quite a few efforts in this community. To reiterate what Ms. Thompson's said, I believe that they've received the support that they deserve and should in terms of what kind of priority is placed on making sure we're food-secured here in our community. And yes, that's all I wanted to add to that. So thank you.

Mary Ann Thompson: May I respond?

Mark Wadsworth: Yes, Mary.

Mary Ann Thompson: I appreciate those comments, Joey. The Farm to School project was highlighted in a newsletter to USDA. We do have the ladies back there that will speak of it here in a bit. But I was really glad to hear the chief this morning say that he's looking into and thinking about starting an agriculture department within the tribe. I think at that point, then we will have the support to follow-up on all these great initiatives that are going on here. Thank you so much.

Mark Wadsworth: I just like to say too, I see Joey there, I'd like to commend him on his education efforts into the soil science and the plant profession. Very few of them in the Indian Country can say that type of education that he has achieved. Probably you'd have a good career in USDA if you wanted.

Mary Ann Thompson: Did you hear that, Joey? [Cross-talking]

Mark Wadsworth: Just patting you on the back here.

Joseph Owle: Oh, thank you. [Off-mic - indiscernible]

Mary Ann Thompson: Do you want to follow-up on this conversation that we started?

Joseph Owle: [Indiscernible]

Janette Broda: Good afternoon, everyone. My name is Janette Broda. And like Joey said, I'm the school nutrition

director at Cherokee Central Schools. I don't know how much you know about Cherokee Central Schools, but we have an elementary, middle, and high school. I administer the National School Lunch Program, as well as the Breakfast Program, After-School Snack Program, the Fresh Fruit and Vegetable Program for the elementary school, and the Summer Food Service Program. We serve almost 1,150 students every day. Our lunch participation district-wide is about 88 percent. All of our students receive a free breakfast, lunch, and snack and there's fruits and vegetables in the classroom.

Also, under school nutrition, we do have our Farm to School team which is made up of our FoodCorps service members, myself, and our Farm to School coordinator. And so we've been really busy this last -- well, Cherokee Choices has been really at the forefront of that program. But like Joey said, we did receive the USDA Farm to School grant. And in that grant, we had several objectives for which we've almost met them all. But one I'm particularly proud of in the cafeteria is that we from August to December have already purchased 14.5 percent of our total food budget on local produce. Yay. Our goal is 10 percent, so we've already met that goal.

And our local in Cherokee, which was defined while we were applying for the USDA grant, was a hundred-mile radius of Cherokee, North Carolina or within the state of North Carolina.

So myself and my kitchen manager worked very closely with our produce vendor to help us identify those products every week that are in season and that we can put on our menu, and then we identify those foods on the menu as well.

We also purchase Farm to School products from the North Carolina Department of Agricultural Farm to School program on a regular basis. Those products are grown in North Carolina. Very good quality, and students really love those too. That's really from the cafeteria standpoint. I'm going to let Katie talk to you about what FoodCorps has been up to and their involvement with the Farm to School.

Oh, one more really important thing. We just found out that we received a grant that we applied for back in February for the seeds and a health grant from First Nation, to continue our Farm to School efforts at the district level. And so we are in the process of working with our school board to create a permanent position, a Farm to School coordinator position, at our district. So with that grant we were able to move that forward. We're really excited about that. That just happened, so, yay.

Katie Rainwater: Hi. Again my name is Katie Rainwater. I'm in my second year as a FoodCorps service member at Cherokee Central Schools. And everything Janette said is correct. In

addition to that, we do district-wide education in the garden, and in the classroom on cooking food, nutrition, et cetera.

In conjunction with Janette trying to get more local food into the cafeteria - like she mentioned, local has been defined as within North Carolina or within a hundred-mile radius - we have been trying to also work within the tribe to get food that's grown by tribal members into the school, as well as working to GAP certify our greenhouse on campus so that student-grown produce can be served in the cafeteria.

GAP certification has actually posed a huge hurdle. I don't know if you're aware, in North Carolina it's currently required to have GAP certification to serve in a school or they're working to expand that into any commercial operation. Also as a federal food program for the USDA, it's required. So GAP certification is basically - if you don't know, I'm sure you probably do - a lengthy food safety plan that has to be audited and insured through liability insurance. And for our farmers in this area who are overall small scale, this has posed a huge hurdle. It's actually a complete hindrance to us, procuring from the tribe into the school system, which is also a hindrance into providing more traditional foods on the menu and having that economic viability for the tribe in connection through the school system.

So that's just something. I don't know if that's a challenge that people are facing in other areas. We have discussed the possibility of as a tribal school opting out of that. As far as we understand, that's not possible. But I don't know if other people have explored that option.

Leslie Wheelock: Opting out of the GAP certification?

Katie Rainwater: Opting out of the GAP certification as being necessary.

Mark Wadsworth: If I may, we'll have some speakers on that exact same subject at 2:30 tomorrow afternoon about SNAP, farmers markets and things like that.

Katie Rainwater: Good to know.

Dana Richey: We will have a speaker from the Agricultural Marketing Service here at 2:45 speaking about group GAP and how that training can be arranged. So if you're able to come back tomorrow, or we can contact you or have him contact you to talk further about that if you're unavailable tomorrow.

Female Voice: In this same room?

Dana Richey: Yes, same room.

Mary Ann Thompson: Chairman?

Mark Wadsworth: Yes, Mary?

Mary Ann Thompson: Thank you. Mary Thompson speaking. And Katie, I appreciate you and Janette coming over here. When we had our meeting in D.C. where Secretary Vilsack came in and

sat and met with us, we talked about this GAP certification and the hurdles and the hindrance that it was causing rural America. Secretary Vilsack talked about GAP certification in some length, and was talking about some of the ways to eliminate some of these things. I'm not really sure when that was.

Mark Wadsworth: In September.

Mary Ann Thompson: Last year? So as we have looked at making recommendations to the secretary and as the secretary has rolled that out to the programs, we're seeing that trickle-down effect takes too much time to get down to the grassroots folks that are doing these projects or the schools on this type of thing. So maybe tomorrow, whenever that training session is going on, there'll be some new information. This has been addressed. I addressed this with Secretary Vilsack at a meeting. To know that it's still a hindrance, needs to be reported back if we would. Thank you. And I hope you can make it over tomorrow, Katie.

Katie Rainwater: Thank you, Mary, for the invitation.

Mark Wadsworth: Before you leave, what are the major tribally grown crops in this area that you guys can possibly work with?

Katie Rainwater: Like I said, most of our growers are small scale. What we have discussed is potentially creating a market for more traditional foods like wanegit or sochan which

we don't currently have. They're more like wild harvest than they are production. But if we have the option of procuring, we could potentially work with local growers.

Mark Wadsworth: What is sochan?

Katie Rainwater: It's a wild spring green. It's a variety of coneflower that grows around here.

Mary Ann Thompson: We're not going to tell yours.

Mark Wadsworth: In one location only. Yes. Sarah.

Sarah Vogel: While you three were talking about the seeds, and Mary as well, I do know that like up in the Northern Plains for example, the origin of the short season crop, I mean corn, that is now the basis of Pioneer, that was a Mandan, Hidatsa corn seed. In more recent years, extraordinarily charming people who are really working for Monsanto and places like that, they go all over the world including the Northern Plains. I talked to somebody one time who was giving a seminar on Mandan and Hidatsa, our regular crops. He said that in their community many, many families still have their historic seeds which they had been planting secretly for many years. And they're totally afraid to bring it out because of the danger of theft, and then Monsanto would go patent it or something like that and then it would be lost.

But I think that would be something that USDA could conceivably do in one of their science or research arms or

something like that. And you mentioned like do you ever go to a seed bank where it's open for research with sort of fly in the face hold and the future that they could protect against. So it certainly is I think a very deep topic. I know that the families in North Dakota that still have the seed - and they would never tell me that they do - probably don't know what to do with it other than keep planting it and keep saving it every once in a while so that it stays viable.

But it would be nice to let people have, to bring those seeds out into the open and to be able to help them make a living from it perhaps. But certainly the protection, and the system, and the prevention of theft is extremely important. I think they don't know what to do with it than just keep it secret, which is a very good plan. It's worked for thousands of years. But this guy told me that there are emissaries of these great big seed companies who are cruising around and the most charming people you've ever met in your life. They're trying to sweet talk people into sharing those seeds. So if somebody super charming comes to North Carolina, watch out.

Mark Wadsworth: Yes, sir.

Tommy Cabe: Excuse me, but may I respond first? Let me introduce myself. My name is Tommy Cabe. I'm the tribe's Forest Resource Specialist. To respond to your statement or your comments, we have been given a seed bank collection, a

partnership with the North Carolina Arboretum Botanical Garden in Asheville. We actually have been working on two ovarian cabinets storing the seed that is culturally significant to us. And one of those things that makes our seed more viable is this place never glaciated so our seeds' genetics never were disrupted. So we are very aware in both securing our seed and securing any kind of literature research that goes along with it.

These two ladies right here were talking about sochan and ramps. We, my program along with RTCAR which is Revitalization of Traditional Cherokee Artisan Resources, we as a program deal with a lot of funding opportunities and a lot of projects on the ground. Two of the major projects with the school system is our sochan and ramp project. We actually have a sochan garden there, and we did nutrition analysis on it. I think at that time that was a requirement by USDA before we could serve it to our kids. And we also have nutrition analysis in the works on ramps which is a wild onion and wild leek. So you all may know sochan is a coneflower, that's the --

Sarah Vogel: We have that.

Tommy Cabe: Yeah. Coneflower grows. I've seen it in Colorado. I've seen it throughout the nation. And it's a very nutritious plant. They are saying that it's more nutritious than kale. We haven't done a toxicity test on it yet, so

another requirement, so we're working to do that. But that was the goal, is to have these meals, these foods served on local schools so we can actually continue to link with our culture.

Sarah Vogel: Don't let anyone else patent it.

Tommy Cabe: Yeah, that's one of our concerns - as a program employee, how can we devise and create these projects so that we're aware of all those gray areas, and how to release publications, where to release publications, authorship, who gets it? So we have these challenges before us. Currently we're in an MOU with the Forest Service, the Southern Research Station, North Carolina Arboretum, the U.S. Geological Survey on our harvesting methods with ramps. That's a big challenge we're facing with this particular food, it's because we have seen patches decline drastically in the Forest Service landscape. So we're worried that people are in there collecting them, roots and all. Ten thousand years of traditional harvesting was you cut and you leave the rhizome in the ground.

So the ultimate goal for us before we even went into this MOU was to ask that if we prove through science that our harvesting method works would they be open to change their harvesting policy on the Forest Service landscape within our forest districts, which is Pisgah and Nantahala? And the response we had was yes. We understand that that has to go out through public review of each Forest Service and get comments,

but we're pretty confident that the science that we're doing right now is going to solidify our harvesting methods.

Mark Wadsworth: Leslie, do you think it would be much of a stretch seeing as we're talking about seed deposits that have a very historical value to them of looking at the Preservation Act within that to cover this? What we're talking about is 52 percent of all the known fruits and vegetables in the whole world that originated from the Americas and basically doing the protection of that so that it doesn't leave the indigenous tribe members' traditional food base of being patented or whatever. Just kind of an idea I thought here.

Leslie Wheelock: This is Leslie. That's an interesting idea that we can look into. Just I think more of a conversational piece than anything else. As I mentioned before, we've been working with the Germplasm folks and the Forest Service teams on the issue of patenting. The nearest thing that we've come to it is the equivalent of a trade secret, which is what people have been talking about. What Coca-Cola has that you just protect it yourself. The problem when you have it out in the public is the public goes looking for it once they find out about it.

A very cautionary note to you and to any tribe that is working with any federal entity, any state entity - we like to broadcast our success stories. We like to broadcast your

success stories to the extent that we're working together. Those broadcasts, you want to be able to have editorial review over those broadcasts. One of the first blogs that came across my desk talked about a tribe in California that had returned to a harvest of a particular plant and to a way of cultivating it that caused it to grow more dynamically than otherwise it was growing. This was a traditional way of cultivating it that was not known in the Western world, so to speak.

The blog not only told what the plant was, but it told what the tribe was and where the plant was located. So I went through it and tried delicately to strip out anything that will allow people to understand what the plant looked like, where it was, who the tribe was. It's not easy to do because you lose a lot of your success story when you do that, but it's very important. Most of the people who are writing these blogs are very well-intentioned, but don't understand that all they have to do is say and it's here, or that Cherokee Eastern Band is growing or harvesting and you got people swarming around here. You might already. But it's something that when you're working with third parties, and I don't care if it's the government, the best-intended people can do something that you really would not like them to do if they want to write a blog or a tweet or whatever. So it's my advice to get some sort of editorial

review over stuff that they write about that could work and that you're doing together.

Tommy Cabe: Right. That was one of the things that, going into this MOU, we all agreed. All parties agreed that the tribe get their hands on documentation first. And by the time that we get all the science component to the document, we're going to have a review panel to review it. It would be nice to have outside folks sitting there. We're in the process of devising this panel. To be honest with you, I would like to have somebody from the Southwest, invited from the Pacific, the Northwest, from a tribe that has had different experiences. And I think that the Intertribal Timber Council might have some type of mechanism, but I'm not sure that they do.

Leslie Wheelock: The Forest Service actually has a statutory protection for sharing of cultural resources and protects them from FOIA law so that any material that you give them, provided that you've got something surrounding it that tells people what can and cannot be provided to the outside world essentially, is identified. They're one of the only entities of the federal government that have this specific statutory allowance or provision. So you can work with them, you can work with anyone to the extent that you want to, but you have to identify to them what is called truly sensitive and especially when you put it in writing.

Tommy Cabe: Cultural sensitivity has been a challenge for us to try to justify micromanagement subcanopy. And with the ramps in particular, it was a harvesting method so you didn't really get into the dynamics of medicine or any healing or any of those. So it made it an easy target to kind of see our TEK and harvesting. Because, like I said, we would see ourselves victorious if everybody on the Forest Service landscape cut them instead of digging and expand that effort. So that's the target. I'm glad that you said that because it's just a process - what's going to be the next plan, what's going to be the conditions, what's going to be discussed about why I manage for that plant. So thank you for that. I'll definitely look into that for these projects.

Leslie Wheelock: I have one more thing for our nutritionist and our food people, summer food? You all signed up for summer food? You got as many places around here signed up as possible, so we get our kids to spend this summer. Thank you very much for being here. I appreciate it.

Mark Wadsworth: Yes, [indiscernible].

Male Voice: I have a comment, and then a question. The first comment is regarding the GAP certification for farmers to sell to school systems. I don't necessarily think the GAP certification is a great mechanism and tool. It's the cost that's prohibitive. As an aspiring farmer for this area where

we may be farming on a half-acre, an acre, maybe up to five acres, the cost of having to go through that certification puts a huge dent in what kind of profit and kind of economic viability a farmer would have especially in this size. I've spoken with several farmers who are on the opinion that GAP certification is going to put small farmers out of business. Again, it's not a bad tool. It's a great mechanism for accountability and for tracking food, but the cost is prohibitive.

And secondly, what is the full title of the seed preservation act that you were referring to?

Leslie Wheelock: It's not a seed preservation act.

Mark Wadsworth: The USDA just went and offered it to us, along with everybody like the tribes.

Leslie Wheelock: I think we'll have to get back on that.

Mark Wadsworth: Historic artifacts - our tribe was the one that pushed a lot of that too.

Leslie Wheelock: We're going to take it get back to you on that. Actually I've got too many choices going through my head, and I don't have the right one.

Sarah Vogel: Is the question does that law about protecting historic artifacts extend to seeds? Was that your question? We could look that up quickly.

Mary Ann Thompson: There's another one too, but that's to protect more the arts and the crafts of Indian people.

Mark Wadsworth: It's more a part of the THPO, if you have the SHPO/THPO process.

Male Voice: That's the acronym.

Sarah Vogel: What we need is a nice young agriculture lawyer who can look all these stuff up like that.

Male Voice: You write me a recommendation, I'll go. Thank you very much.

Mary Ann Thompson: Mr. Chairman. Oh, Tommy. Go ahead.

Tommy Cabe: Well, you might know this, Mary. I'll just go and echo the fact I went out with [indiscernible] not too long ago when we did some land excavating down in Cherokee County, and he really gave me a good lesson on baskets and what the baskets' white oak stems are worth. So on our new Forest Management Plan, we're trying to capture that. To give you guys a general idea, a 6-inch to 10-inch diameter white oak stem, about 6 feet high, that is perfect, brings about \$400 a basket and he can make two baskets out of that.

So you're talking a fairly small stem. You're talking a stem that needs the natural competition of the understory to get those characteristics for basket-making. What I feel like is not happening is that areas that are proposed to be logged or proposed to be transfer lands are going to be transferred to

something else. The Forest Service has done an excellent job on a micro scale, but it would be nice to expand that micro scale so that we can collaborate more on the details of these forest products that are used for baskets and other things.

So I just want to be on the record for that because, like I said, we're trying to catch on our tribes the Forest Management Plan in which I think we've done a pretty good job. So just to kind of --

Mark Wadsworth: I just have a question too. I was talking with Mary yesterday and she said that you do have ginseng, wild, that grows on the tribal area?

Tommy Cabe: We've got some.

Mary Ann Thompson: I didn't tell him where.

Mark Wadsworth: But I imagine it did have a tribal name and tribal --

Tommy Cabe: Yeah, it's got a tribal name.

Mark Wadsworth: Is that being protected too within the boundaries of the reservation?

Tommy Cabe: I got to defer to Mary on this. She's my elder sitting at this table.

Mary Ann Thompson: I think ginseng is now one of the alternative crops that people are starting to grow in the area.

Tommy Cabe: Yeah, that's a crop. I think it's fair to say that some of the professional biologists are thinking it might

be good for a candidate, for a species of concern if not put on the threatened or endangered species list. Again, this area did not glaciare. Seeds genetics are very, very, popular. So again, we're working with the North Carolina Arboretum. That's one of the plants that we seed banked.

Mary Ann Thompson: Thank you, Tommy. Terri?

Terri Henry: I have a followup question to this discussion. My name's Terri Henry. I guess I put Joey up to asking you what the total title was that you talked about preservation act. Because I heard you guys talk about several different statutes and I wanted to know what they were so I could take a look at them and see what it would take for us. Because I'm sitting out here thinking if the Eastern Band put a resolution together with all of the -- maybe this goes to the intellectual property issue that you keep hitting. I think that the Council does not fully appreciate exactly what it is that takes sitting in something or a forum like this to really get it in your head fully in a multi-dimensional way what it is that folks are talking about. Because when you're sitting in council, it's kind of two-dimensional if you don't already know the background of stuff.

Anyway, what I was thinking was if the tribe put together a resolution that did all the preambular conversation about how important it is, the cultural sensitivity, blah-blah-blah, and

then made a list of all of those plants that we're talking about, list the Cherokee names, I don't know if it helps to list the Latin names, and then we claim them as a point of sovereignty. I don't know how far that gets us, but at least we put ourselves on the record for it. I don't know.

Mark Wadsworth: Yes, Sarah.

Sarah Vogel: I would counsel you to seek counsel. Like what Mary said, earlier, Mary, you said those are ours. They belong to us. Those are tribal.

Mary Ann Thompson: It's the name. The cultural significance, it's ours.

Sarah Vogel: Right. But under the current legal system under which you would want to protect them, that may not be the case especially if somebody jumps the gun and does something. So seed law is pretty complex.

Terri Henry: And that's why I wanted to know the statutes.

Sarah Vogel: Okay. Here's another federal program that hardly anyone ever knows about, a USDA program. It's the National Agriculture Law Library and it's headquartered at the U of Arkansas. It's all online.

Terri Henry: Well, Janie is there. We can ask her.

Mary Ann Thompson: There we go.

Sarah Vogel: Yeah. It is not an easy issue and it may be a little bit -- if you guys could rustle up some money and then

Janie could give it to one of her people and whatever. But I think that would be a great thing to do in leadership and just see what the risks are. Maybe something needs to be done.

Leslie needs to speak.

Leslie Wheelock: Just a second. Sorry, excuse me.

Sarah Vogel: That's fine.

Leslie Wheelock: It is something that needs to be done and has needed to be done for a long time. It's very difficult and that's why it makes a lot of sense to focus the question in one place.

Terri Henry: So my comment is for the Department of Agriculture to get on it in this public forum. Because you had also mentioned patent law and trademarks. You weren't sure which it would fit through. So I just wanted to make sure that I was understanding that correctly, and I appreciate your advice.

Sarah Vogel: Mr. Chairman, could we make a recommendation to the Secretary that the Secretary make this a priority, to provide guidance to Native Americans who have indigenous crops and so forth so as to protect them from commercial exploitation by others?

Terri Henry: I think so.

Sarah Vogel: I mean I'm just --

Leslie Wheelock: This is Leslie.

Sarah Vogel: It would have to be done in the next six months.

Leslie Wheelock: The thing is it's awkward for him, for the Department to give advice on intellectual property. That's a different agency in the federal government.

Sarah Vogel: Let me also add that as a subscriber to numerous organic law and organic organizations, they don't trust USDA as far as it can throw a stick on this kind of stuff. It's true. I mean the organic community is oftentimes quiet down on USDA for not being sufficiently protective of organic standards and so forth. Not the folks in this room, of course. So the research you want done, you might be better off with it being privately done, not by USDA.

Leslie Wheelock: Mr. Chairman, just to follow. The other thing, USDA acts according to statutory provisions. And our statutory provisions in this field talk about marketing, marketing, marketing, marketing. On the side we have this germplasm, seed saving thing going on, but we are funded and told what we do by Congress. And so if they haven't made a provision for us to do the work, then we're not the right agency or department to do it.

Sarah Vogel: To add another layer of cynicism, and Monsanto tells Congress what to tell USDA. Again, that's the cynical approach. But we could have a side conversation.

Mary Ann Thompson: A long one.

Mark Wadsworth: Yes, Mary?

Mary Ann Thompson: Thank you. Leslie, you mentioned the statutory provision to protect culturally sensitive or significant products for Indian tribes being in the Forest Service. Is that statutory?

Leslie Wheelock: This is Leslie. The provision is statutory and it prevents items of cultural significance to a tribe from being disclosed under the Freedom of Information Act.

Mary Ann Thompson: So what I'm thinking is that within the other USDA programs, we could get some policy or start some initiatives there to at least get some policy in place that would protect culturally sensitive or significant property rights of the tribe. Not property rights, but -- the what?

Male Voice: Science --

Mary Ann Thompson: Well, not just science. Culturally sensitive medicine practices. And get those implemented within some of the USDA programs that affect this.

Leslie Wheelock: Mary, it's only within the Forest Service that that provision is available. So the other agencies of the USDA don't have the same protection.

Mary Ann Thompson: But what I'm saying is we need to get -- okay, so that's statutory. So go see my congressman and have him put it there.

Leslie Wheelock: There has been a recommendation by the Sacred Sites Working Group. There has been a recommendation to expand that provision that's in the Forest Service statute to other departments of the federal government in order to protect culturally sensitive information. We're not there yet. It's a recommendation point.

Mary Ann Thompson: Great.

Mark Wadsworth: Secretary Vilsack addressed that issue on national bullets [sounds like] about a sacred sites initiative through USDA basically dealing under - and I think it is - the National Historic Indian Preservation Act, NHIPA [sic]. I'm kind of going off my memory here. I know that we had consultation with Butch Garner who came over to us to talk about sacred sites initiative and how USDA would work with sacred sites within the USDA. And then I thought that the Secretary did address that issue on a national level.

Leslie Wheelock: This is Leslie. The Secretary did address it on a national level requesting the Forest Service to work with our office in putting together their policy on sacred sites.

Mary Ann Thompson: I have a question that would go back to Secretary Vilsack, I guess. Just because, okay, the Forest Service statute was -- could internal policy procedure not

include this without the statutory provision and without Congress enacting a law?

Leslie Wheelock: No, it cannot. The Forest Service provisions are actually in a separate legal statute from the rest of the USDA provisions.

Mary Ann Thompson: Can't we interpret a policy on them saying --

Leslie Wheelock: We can't. It's a nice idea, but we can't.

Mary Ann Thompson: Okay. All right. That's the bureaucracy of it all. Thank you very much.

Mark Wadsworth: We have another comment? Yes, sir.

Andrew Conseen Duff: Good afternoon, Council Chairman. My name is Andrew Conseen Duff, Eastern Band Cherokee from the Birdtown community. I'm here actually speaking or representing something completely different. Here's my fourth hat - the American Indian Science and Engineering Society, a 39-year-old organization. I'm chairman emeritus having served in that role for about eight years as chairman of the organization. We have about 30,000 graduates throughout the United States in all various fields and principled within STEM - Science, Technology, Engineering, and Math.

But with my colleague Mary Thompson and a fellow tribal member, I also want to expound that through STEAM - Science,

Technology, Engineering, Art, and Math - and that's because of relationship as my mother was a master basket weaver. The math proportion, and the true knowledge, and the capabilities of preparing materials and providing that value-added product from our forest goods that come out of the lands was something that I would consider a pure science. The mathematical proportions of her basket that's in front of her and her own creative works even in pottery - gathering the soil, and preparing it, and firing it - all those methodologies takes a tremendous amount of science.

So in that, my interest and as well as my comments to the Council, is a very strong interest in looking at students who are not only interested in STEM and STEAM but also in the interest of this Council in being engaged perhaps with that organization, and collaboration, not only collaboration, but an extreme participation as a partner. And the rationale behind this is because recently we worked with the Department of Energy, funds were identified, as well as the National Science Foundation. Additional funds were identified.

And the American Indian Science and Engineering Society's actually engaged in a live partnership here on the Eastern Band of Cherokee. This is to identify students that are specifically interested in the energy field. This is definitely to identify them at the K-12 lower grades, also in the junior and senior

grades, and then bring them up into a higher education program, identifying the school, helping and assisting them in the funding for those students.

My interest to agriculture and very specifically even the forest products and value-added products out of our woodlands is that we don't have enough native expertise. We don't have enough native professionals that have a degree. Although Tommy and again my colleagues and tribal members who have these degrees that have come up and spoken to you before, that's because we have really dug down ourselves. We were either gifted with and have the tenacity to hold on and get our degrees, but we need more of those students. And that is something I not only encourage, but request this Council to implore upon the Secretary and the Department to look at agricultural programs, specifically ag science programs.

North Carolina is widely known for those programs certainly within our state school systems, but also private school systems; but more effectively, the school programs that might be unique. Tommy may be familiar, but we have sixteen colleges across the United States who are in forest products and forest-related programs that actually have tribal initiatives within those schools. So I've been in one of my other hats that I shared this morning identify, track, and follow students who are actually interested in the forestry programs.

I shared with a colleague this morning of other agricultural fields an interest in perhaps products that could come out of the agricultural field and especially from Indian Country that could be labeled and marketed as Indian-known, Indian-developed and matured. I agree with Mary Thompson and clearly there are a lot of things that are culturally sensitive to us. In the protection of those culturally sensitive spaces, locations, the cultivation of and as well the harvesting of those things, they're not often spoken outside of our language or our culture and there's appropriateness to that.

On the other hand, there is the loss and lack thereof. As we were talking about earlier, you just have to go on the television and watch some of these TV shows where people are running around the mountains gathering woods-grown ginseng and they're talking about how they got into this patch and somebody ran them off with a gun. I watched even a couple of those programs where they were right on the boundary of reservation lands gathering and coming down into our lands.

So we don't have people and the ability to manage and maintain those areas, and some of those areas are even in the national park. And as you stated, clearly policy between multiple agencies affect that. But the way that you address that, not only here within the Council but also systemically within Indian Country, is through education. Education is

certainly in empathy on the fact of non-natives interested in helping us as tribes, but we have to have sovereignty over education as well as our food stuff, as well as impressing that we have as a future as native people.

So I'm certainly encouraging the council to consider we put on -- as a matter of fact, at that last AISES conference which had about 1,800 students from all various fields and varieties, I had visited with former Councilwoman Henry to bring in Feed Ourselves program. They did a workshop inside the AISES conference. The room was packed, standing room only. We had kids and interested folks from tribes all over the United States who were up against the wall listening to every word that was being spoken. Because food sovereignty and certainly heirloom seeds and those various programs and our interest in keeping the GMOs and all those other kind of things out of our food sources and our food strains is important to tribes.

But more importantly, these students were very interested in agricultural programs, farming and ranching programs. Again, I go back to that reiteration that if we don't protect our own food sources and we don't protect ourselves and those food streams and assert our sovereignty over those areas, then we're lacking in that.

Some of us are young in this room. Some of us are elders in this room. We certainly had some folks from the school

systems. We have programs in our schools that I appreciate them coming and sharing. We have to take those students and those interests and take it to the next level - take it to the bachelor's level, take it to the Master's level, and then employ them inside of our tribes. Identify them and bring them up with the programs like Tommy and his programs within forestry.

He now works as a compacted tribal employee with the forestry program - so all that knowledge and experience, listening to him hear stories from our elders and as well reinvigorate his own study and application in the field of how to protect and provide those cultivations of particular materials, so that Mary and her basket weavers can then have those materials, so that we can produce something that is traditional to us that actually carries our tradition, our songs, and our ways of life through those designs. So it's a perpetuation of who we are as native people. All of that is implied through the statement of sovereignty.

So it's more than just food sovereignty. It's sovereignty over a lot of various expertise. So I encourage not only the individual council members, but specifically this council as a whole to consider a relationship and a strong relationship with the American Indian Science and Engineering Society. Much of the previous program I shared with the Eastern Band. I think you guys could come. You could introduce yourselves even to

those students and they would immediately come out of the audience, come up and talk to each and every one of you and express interest just in your geographical areas. But then you start to identify, oh, I know your brother; oh, I know your mother; oh, I know your cousins. All of a sudden those relationships start to build.

And if those students see that, then they start to identify what they're doing. They're alone oftentimes in school, it's actually going to be impactful. They will continue. That kind of encouragement with your work and efforts could be something that could continue to get more native students to agriculture programs. Get them degreed and bring them home. Thank you.

Male/Female Voices: Thank you.

Gilbert Harrison: Mark, in the past we've made several recommendations related to the Keepseagle, the remaining balance. It's scheduled to do it through nonprofits, organizations, and schools. I know it's still there. Maybe something like this could be recommended as a need in the area for colleges and other entities to provide courses or special training for what we just heard. I know that it's still in the justice's hand, but somewhere along the line maybe when it's approved and the board is set up that they could go ahead and address this as a qualified program. Thank you very much.

Sarah Vogel: Gilbert, when you were commenting, it was like I was channeling you or you were channeling me because you were talking about this and I thought that is what the Keepseagle Foundation - although we won't have that name with the foundation - would do if the foundation gets going. It is specifically been amended to allow grants to go to educational institutions.

Gilbert Harrison: Right. I've seen that.

Sarah Vogel: So let's all hope that it happens. The motion is before the judge. We are waiting to see if he'll approve it. And if he does, we know a lot of people who are collectively going to be in that board. Porter? And so Porter could carry that message.

Gilbert Harrison: Thank you.

Mark Wadsworth: Would you like to comment?

Jeanie Setser: Good afternoon. My name is Jeanie Setser. I work with USDA Farm Service Agency. I'm the district director for Western North Carolina covering the 23 counties, and that includes the Eastern Band. I bring you greetings from our state director, Bob Etheridge. He said that he could not be here today. He's preparing to attend a regional meeting in Savannah and that took him away. We are delighted that you chose to come to Western North Carolina for your meeting, and you're here at a wonderful time of year.

I've heard FSA referenced several times, so you must know what we do. You have Mr. Radintz here with you to talk about loans. I will tell you that in this district we have 12 offices that are local offices. We have a very active office here in Swain and Jackson Counties, and the local representative is here. Many of these things that you've talked about today and that you've heard from the other members of the public, we are actively involved in on a local level. We do stand ready to serve however we can. When you're talking about folks growing certain plants, a lot of those things are insurable under the NAP program that was mentioned no matter the size of the acres or the amount produced.

We do have a very good system of reporting crops, and that of course is protected by the Freedom of Information as well. Not to the extent that you are speaking about with the Forest Service, but we do keep those records and those are important. They follow the land as land is exchanged and rented or used by others. I'm going to now turn it over to the local representative and you'll be excited to hear some of the things that she's been working on. But again, we're delighted you're here in Western North Carolina. Thank you.

Mark Wadsworth: And thank you for coming today.

Becky Williamson: And again, I welcome you all. Thanks for coming. It's nice to have you here. I have had the

opportunity to work on some of these programs you all have talked about today with Venus [phonetic]

Dana Richey: Could you please give us your name first?

Becky Williamson: Oh, I'm sorry. Becky Williamson, from the Swain-Jackson Farm Service Agency. Also I have Macon County. But I've been working some with the tribe on some of our programs and one of the ones, the GAP certification, seems to be a big hang-up with getting grants that I think the lady with the food nutrition at the schools was talking about.

So I have worked with Venus on here recently on getting her some contacts and resources for that GAP certification, and they are correct. That is a hindrance and a major hurdle for our small farmers to get through, and even the school system to do. I had a producer talking to me about GAP certification. He's one of my larger farmers, a tomato grower. He was telling me all these regulations and stuff. I was like, wow, how do you have time to farm? In your sleep? Because it's a lot of paperwork. And besides that, I hope they can find something on these small farms for GAP certification to make that process easier.

One of the things that we've done is we've provided outreach meetings here on the reservation. We try to hold them here on the reservation to get participation. We're making ourselves more aware and have our presence here on the

reservation. I've been working with Jennifer Walker with the Cooperative Extension Service. We will be having our presence at their office every fourth Friday of the month to assist with the USDA programs and hopefully educate children in the youth loans. They don't have an FFA instructor or teacher, so it's been kind of hard to get in on the agri side of that about getting contacts, and with the new administration, making a new relationship with them and getting new contacts for these.

As today and tomorrow, you all were talking about the EBT SNAP. Part of that program is you have to have a second level authentication, and you have to have that verified. You come to the Farm Service Agency to do that. So today we were able to carry our laptop to the extension office, and hopefully it's real time. And once they register, they just walk right over and we verify and give them their second level e-authorization right there. I hope that worked out well today and tomorrow. I'll find out when I get back. But we've enjoyed that part and we look forward to working more closely with the reservation in trying to get them involved in these programs. Especially ginseng, we do cover that under NAP. It's one of the commodities that are covered with NAP insurance for ginseng on these supplemental crops.

So it was nice talking with you all. If you have any questions, I'll be around for a little bit and maybe back tomorrow.

Mark Wadsworth: Just a quick question.

Becky Williamson: Yes, sir.

Mark Wadsworth: The USDA offers internships for college students to come to the local offices and do some work.

Becky Williamson: We do have an intern program.

Mark Wadsworth: Yes. Has there ever been a Cherokee student come around this area and apply for that?

Becky Williamson: Sadly, no.

Female Voice: We do have one. [Inaudible]

Becky Williamson: Oh, yes, but not in my office.

Male Voice: [Inaudible]

Female Voice: Good.

Jim Radintz: If I could follow up, you mentioned on youth loans there's a problem because there's not an FFA?

Becky Williamson: Well, that's usually who I go and talk to, to talk about the youth loans and the school system. So I haven't really got a contact since there's not an FFA instructor to promote these youth loans.

Jim Radintz: But you're aware we don't need an FFA -- I mean there are other ways to get that instructor or whatever that the youth loan program requires.

Becky Williamson: Oh, the mentor?

Jim Radintz: Yes.

Becky Williamson: Yes. [Cross-talking] through the Extension Service or a farmer.

Jim Radintz: Or 4-H and other things. We've gotten pretty creative with that. I just wanted to make sure you're aware of that.

Becky Williamson: Thank you.

Jim Radintz: Because some folks let that be a barrier, and it shouldn't be. But I'm glad you're on top of all that.

Becky Williamson: Right. Correct. Thank you. It's just being able to get the right person to get into the school system and talk about it with the youth. And what group to target maybe is the grey area in that, but yes. And hopefully with us being here on a monthly basis now, that making contacts with people, they can take it more back and sell it more. Or I'll be introduced to folks that can link me to the right people by being here.

Mary Ann Thompson: Chair?

Mark Wadsworth: Yes, Mary.

Mary Ann Thompson: Becky, I appreciate you all coming over here. But now in your capacity in working with the Swain County, the Swain County have enough they say.

Becky Williamson: Swain County Forest Service. I cover Swain and Jackson.

Mary Ann Thompson: We have tribal members in those school systems too. So there might be tribal members in those programs that have access to some of these youth programs that we're talking about. And now that we're starting to -- I'll just get our priorities back. Agriculture is starting to be our priority again that maybe we'll be able to implement a lot more programs here on the boundary.

One of the other hindrances we've had is the lack of a 4-H agent over here for a little bit, and even now a FRTEP agent. And so with those positions being unfilled, it slows some things down. I do appreciate the school systems stepping up and taking on some of these projects, but I think we're starting to get our contacts and our ducks back up, getting them in a row.

Becky Williamson: I think you're right. And a lot of good people are starting to think back we're going to have to do things the way we used to do them to survive. A lot of that is coming back, and that's a good thing. Another thing that I wanted to tell you that I didn't mention is about the gleaning project that I started 20 years ago or 24 years ago in Jackson County, and then we moved to Swain County. And I've been doing it there. I'm trying to hold them in both counties, but lately it's been with the farms in Whittier [phonetic], and the Darnell

Farms the way we glean the produce, go in. I have New Century Scholar students and FFA kids come in and harvest. And I work with the Society of St. Andrews to help coordinate this.

Last year our focus was to distribute most all of it to the reservation and we did serve to local churches, to the children's home, to the youth house, to the new youth center. We took a lot of tomatoes to them, even to the daycare, and to the council house, and to some nursing homes. So that's been a good project too. Now I'm wondering - and Mr. Radintz, you might know - with all of this push about GAP certification, are they going to start stopping us from our gleaning projects if it's not a GAP-certified farm?

Jim Radintz: I'm really not aware of that. I certainly would hope not, but that's something we'll take back and look into.

Becky Williamson: Yeah, we wouldn't want that to happen because we have good success here with our gleaning projects.

Mary Ann Thompson: And then let me follow up very quickly with that. For your information, the tribal lands extend down to several counties. I think there are five counties, the tribal lands here. You've got Swain County, Jackson County --

Becky Williamson: We got seven in Macon and Graham.

Mary Ann Thompson: Macon and Graham County. Within those counties we have tribal members who live there and attend those

school systems, those county school systems. So hopefully these programs are reaching our Indian children even though we don't have an FSA program within our school system. Thank you.

Porter Holder: Ms. Williamson.

Becky Williamson: Yes?

Porter Holder: What is the closest school that you have an FFA program? Do you know?

Becky Williamson: An FFA instructor?

Porter Holder: Uh-huh.

Becky Williamson: Swain County High School, Smoky Mountain High School. Macon County High School has one. You mostly find them in the high schools.

Porter Holder: Yes. In Oklahoma it's odd to find a school that does not have an FFA program. I mean that's why when you said you don't have an FFA instructor, it's odd. Every school I live within 50 miles, and every little town has an FFA program.

Becky Williamson: Right. I didn't mean to cut you off.

Porter Holder: No. Go ahead.

Becky Williamson: I had discussed this with the former chief. He was [indiscernible]. He was in the Agriculture Center, a fair ground. Jackson County does not have one. Swain County does not have one. It will be great to have that on the reservation. And of course then you need to get into election times and stuff gets put on the side. So that's something that

I'll look forward to addressing with the new chief. He's ag-focused I understand, very much into agriculture. So that's something that we can discuss and hopefully we can help be a part of, that he will help me get into the school system not just here. There are other places. We do reach out into the other schools. So I'm sure if there are Indian children there, they've heard me talk about our youth loans. But really to focus and get some ag going here on the reservation, and I think our future FFA instructor would be very beneficial to have for the tribe.

Tawney Brunsch: This is Tawney. Jim, can you tell me how old they have to be before you can participate or have a youth loan? Is it ten?

Jim Radintz: It's ten, yeah.

Tawney Brunsch: Yeah. My boys started when they were 10 honestly, so I think you might be aiming too high. You don't need to start in high school. That conversation should be started in a much lower grade, so maybe you might want to rethink some of your potential --

Becky Williamson: Well, yeah, that's true. And we do that in our conservation field days. Our FSA booth is on youth loans, and that targets 5th and 6th graders.

Tawney Brunsch: Great.

Becky Williamson: And that's been mostly done in Macon County. We haven't been invited to the Swain and Jackson conservation days several years basically because we haven't had the staffing to do it. But maybe that's going to change now and we can get out. And that's the age group in those conservation field days that we target.

Tawney Brunsch: It's so sad that you don't have any active 4-H clubs. That's a bit tough.

Becky Williamson: They're going down, yeah.

Porter Holder: Leslie?

Leslie Wheelock: Just a couple of comments. One is FFA programs are funded by the Department of Education. So the funding for that would come through likely your state Department of Education. I'm not quite sure how that works. But we don't do Future Farmer of America for some reason. The Department of Education supports that. It doesn't matter where they are, but usually you don't find them on reservation lands. You find them just at the borders more often because you don't have the reservation land in Oklahoma. [Cross-talking] Yeah, you get them. There's a different kind of way it works.

The 4-H instructors, we're having problems around Indian Country finding strong people who can keep a 4-H program running. The national 4-H has seen that it needs to change a little bit, and you're probably really familiar with it. I

wasn't familiar with how they had changed since I was in 4-H until recently. They have all kinds of programs for youth, including entrepreneurship, including suicide prevention, including health and wellness and so forth. But we struggle to find 4-H leaders because typically off the reservation, they come out of the extension office.

On the reservation, we're looking for tribal folks. But we also have seen parents in intercity schools that will take on six-week programs. So they shorten the window just to get the youth started. They can lock in parents for that really short period of time. And pretty soon you see the kids want it and the parents want it. Perhaps you can find someone locally who can pick it up and run with it. You laughed.

Becky Williamson: You tell me.

Leslie Wheelock: I had somebody in mind. So I just keep working it. If you want some information on six-week programs, I think we can find you some.

Becky Williamson: That would be great. Do you have a business card?

Jim Radintz: You can always reach Leslie through me, and I'm in the FSA Outlook. So I'm as close as your email. Actually I don't. But you can just look me up in Outlook, in our Outlook email system.

Leslie Wheelock: And you can sign up for our newsletter that comes out of the Office of Tribal Relations every week at back at the back table with Josiah.

Becky Williamson: All right. Thank you.

Sarah Vogel: This is just a generic question on the same topic. But there is an FFA Foundation and I was just wondering if the FFA Foundation helped give jumpstarts to native groups. Because I know that several years ago they had that as a theme, and they did that movie at the first ever meeting of this council. The FFA was there and they gave a film that involved native youth, and I remember just crying at the end of it. It was such a beautiful film.

That was at our first meeting and so I have no idea whether the FFA Foundation has a lot of money. But at least several years ago they had a deep interest in native youth and getting native youth involved. Perhaps if they have understood the barriers to getting this started when there's not a strong agricultural economy already existing in many of these communities, or the expertise, maybe there would be an opportunity there for grants.

Mark Wadsworth: Would you like to make a statement? I just love to hear what your experience is growing up from around here and actually working with USDA at least.

David Andersen: Yes. I'm David Andersen. I'm currently at the Walkertown Community, but I'm chair of the county in Snowbird originally. I went to school in Morgan High School with the FFA program. It was pretty awful though. We just didn't receive the support frankly. But we did what we could, and that was what was important. And I think I was the only one to pursue an agricultural degree. I really didn't want to because I feel like the agricultural education has been thrown in the backburner in the state of North Carolina. We don't teach our kids that they can get a career and get a job. They can get their education and live a good life and do what they enjoy.

So I know this thing was going on. Agriculture is the number one employer, and we're not graduating enough students with a degree to fill the job force. So I got my degree in December from North Carolina State in plant [sounds like] science. I interned for a year with North Carolina Extension Service trying to figure out what I wanted to exactly do. I really want to farm, but there's not a whole lot of great benefits in our time around now. That's what's important. Then I started working with NRCS and absolutely loved it. It was a great experience. I won't trade it for anything in the world. I worked with great people. They taught me a lot.

So I moved back to the area. In January I had an offer to go to Phoenix. I had an offer to go to Colorado. I had offers down the coast of North Carolina and to go to Kansas. And of course, Janie Hipp has been pushing me for -- you know me.

[Cross-talking] Janie is pushing me to continue my education possibly in a law school or do research in Arkansas, and I'm not exactly on my own now. Currently I'm farming in my family's place. I'm probably going to call them maybe this year. I'm talking about taking a sabbatical.

I guess what I'm getting to is I've been working with Janie with their programs. This is the third year we've done it, the Indigenous Food and Agriculture Initiative and the agriculture summit we're doing in Arkansas. It brings in all these tribal youth from around the country and it lets them know the opportunities that are available to them. I know they spoke about FSA. The program isn't getting them all at ten years old, but I never knew about it. I was 20 years old when I started going to Janie's program. That's when I first heard about it, I think, yes Leslie.

But I hope that everybody takes this back to their respective communities and fully support this program, and get the youth to sign up. Personally, in the community here, I've had a hard time getting people to sign up in that program just because they still don't fully understand that these

opportunities are available to them and what they can accomplish by going into them, what they can achieve. We need people in this community. I mean the farmers are -- they're getting older. Joey, and myself, and Taboi [phonetic], Jeremy Wolf [phonetic] who's at NC State. There's only about five of us and it's kind of disheartening. There's no [indiscernible] in Raleigh because he's not going to find a job here. He wants to come back.

But I'm happy to hear that there is possibly an agriculture department being formed, which we needed because the Cherokee Nation has that. They've been documenting our plans. They've been doing a lot of things. It's got me inside. I want to stay here and pursue an NRCS position, which we now have an NRCS position here since November. It's been opened and I know Joey had a spot for an extension job. It's been eight months. I mean at some point I'm going to have to move away if I can't make some money, which is kind of upsetting. I don't know if there's anything else I should cover. I wasn't expecting that stuff.

Mary Ann Thompson: Well, we're hoping to address these extension needs and get something from back up or down the line. We need to resolve this issue. Thank you.

David Anderson: Yeah. And I just want to say I'm visiting Zach. I'm a very good friend of Zach's daughters. Once we've

worked on the program with Janie Hipp. And I'm visiting what Zach Straub [phonetic] is doing and the Seminoles of Florida and all these other people. I mean there are many potentials here. It's here in this area. We can do it. We just have to support our community and get behind it.

Mary Ann Thompson: Thank you.

Mark Wadsworth: Thank you.

Sarah Vogel: Can I?

Mark Wadsworth: Yes, Sarah.

Sarah Vogel: Before today, my major contact with North Carolina agriculture was through the North Carolina Agriculture Department. That is a pretty huge outfit. But from what I know of state ag departments around the country, they have very little to do with tribes. You could call it benign neglect, but it is definitely neglect. I think it would be a fabulous thing if tribes set up tribal ag departments because that would give local growers additional muscle. It would be a focus for getting the state programs of which there are a great many, they probably never reach the tribe, and services and so forth. So I think that's a great idea that you're thinking about here in North Carolina.

Mary Ann Thompson: May I respond?

Sarah Vogel: Sure.

Mary Ann Thompson: Sarah, we get to talk to the Council in the morning. And in our introductions, would you please repeat what you just said?

Sarah Vogel: Damn tootin'.

Mary Ann Thompson: Thank you.

Mark Wadsworth: Now if there are no more comments, I think a break is in order here - 10 or 15 minutes.

Mary Ann Thompson: Well, and also Mr. Chairman, if I may add, the executive office, the chief has graciously offered to sponsor our break this afternoon. And we didn't get to announce that to all the folks in public comment and they're already gone. But we wanted to acknowledge that. Thank you.

Dana Richey: Before we do take a break, we're scheduled to have a public comment period until 4:00. It's now 3:32. So I want to make sure that anyone who would like to speak has come up to the microphone.

Mary Ann Thompson: Any filibusters for 30 minutes?

Dana Richey: Well, if not, then I think we can take our break. If there's something you want to say after the break, please let me or Chairman Wadsworth know and we'll reconvene the public comment period. Thank you.

Mary Ann Thompson: I would like to make a comment though before the break because we'll never get this back. We've talked about a lot of our traditional foods and food sources

that we gather and harvest each year, the wild edibles, and I never really realized this or even thought about it until I guess my dealings with extension involvement and extension over the last maybe ten years or so. What I was told was that while the Cherokees were agriculture people, and we did raise our crops and everything and put it up for the winter, well, some of the winters were long and hard.

And as your food sources start to dwindle in early spring, some of the first things that come up are some of the crops that are part of traditional foods that we gather now. And I'm sure that's the same with other tribes across the country. I just have no idea how these folks figured out which food sources were edible, and the nutrition content that was in these food sources, and the fact that they come out. They're the first things out of the ground in the spring, breaking through the snow. And we're having those now. This is a gathering time right now to get some of these food sources, and that gave us I guess the extra energy to get up and start farming again for the next season.

It just blows my doors back that somebody somewhere figured out how and what resources were native to make a double weave rivercane basket. This is a single weave when your splints are running up and around and a double weave there running this way. How they figured to put them together and make those corners and

turn it back down and do all these and which dyes, I don't know because all these resources are being depleted so quickly. Everybody wants a waterfront property, and everybody wants that mountain view and some vistas. Our resources are being depleted. We are really needy to hang on to and to revitalize any projects that can keep these resources here and available for us to use. I just thought I'd say that for the record. Thank you.

Mark Wadsworth: Thank you, Mary. Terri.

Terri Henry: [Indiscernible] expand a lot of thought into a short period of time. Anyway, I just wanted to say for the record, I think it's already been stated, Mary, your thought, what you just said triggered this thought and that is we have these Forest Service lands around our tribal lands, not only here but probably across the United States, and the ability to go into the Forest Service lands and pull those kinds of cultural resources for our youth. I just wanted to make sure that that gets on the record as well, if that's not already allowable, that we make a statement about that and support that.

Leslie Wheelock: Mr. Chairman?

Mark Wadsworth: Yes, Leslie.

Leslie Wheelock: This is Leslie. It is allowable. It is a public statement of Forest Service. I think they did that 2015. And the Park Service also has made the statement that

tribal members are allowed to come on to public federal lands and gather for traditional reasons.

Terri Henry: The U.S. Park Service did that because we're trying to get into the park to gather ramps and some of our greens, our mountain greens. And so that's one thing that we have not been able to do. I know that in the lobby efforts that I was involved with previously, there is a gathering rule that the National Park Service has been working on for some time now and it hasn't been published out of the agency yet. I think there's some blowback from one of the conservation groups and so there's a problem with us getting into the National Park Service for the things like the mountain greens that we have here in the area.

I was told that there was a tribe in the northeast that also would like to go into the national park up there and gather some eggs. I don't know what kind of bird egg it is. And then there is an issue of I think the Blackfeet wanting to go into the Glacier to do some gathering out of Glacier. So there is a national park rule that's just sitting in. I know that's a different agency, but I would be curious to see the date and the expression from the national park. If that exists, then we don't have to ask for that anymore. But if that does exist, I'd love to see it.

Mary Ann Thompson: Leslie, I wasn't aware of anything under the Department of Interior, only the USDA programs.

Leslie Wheelock: I'm looking for it. And then when I find it, I'll let you know.

Mary Ann Thompson: I'm good.

Leslie Wheelock: I just found the permit. Do you have it? All right. Do you have a comment? Because they did an open comment period that closed July 20th of 2015, and Amanda tells me that they're going to be reopening that open comment period.

Mary Ann Thompson: Does that have a date?

Leslie Wheelock: No. Not yet.

Mary Ann Thompson: Amanda, maybe you could let us know whenever that --

Mark Wadsworth: And I would like to mention too that through the USDA Animal and Plant Health Inspection Service and the Yellowstone National Park has an agreement for tribes to harvest buffalo. It says that when the herd is too large for resources, for tribes can go there on a specific area to shoot buffalo. It was our treaty right. They positioned back people through our treaty, that we were allowed that privilege. But they did open it up for other tribes across the northwest in order to exercise that. So that would be USDA APHIS with the national park at Yellowstone. I don't know how their language reads, but that's just the treaty itself.

Terri Henry: We were told that certain parks, from park to park, have their own agreements with the tribes in the areas to be able to do that. But we can't get that out of this national park. For one thing, the superintendent keeps changing. It's been a revolving door on the superintendents. The superintendents that we've had in the past have been more conservation-minded because this used to be an international biosphere. I mean really they hardly talk to us at all.

This new superintendent seems to be more open to us. When he first came, he came to the council and talked with the government. He's pretty open about that. I don't know what's happened since then, but we're still looking for the ability to go in. We're at the tail end of our ramp season. Again I was on council for six years and we're in the seventh year of my government experience of trying to get at this. And there were many years, Mary, you were probably on council when this was going on. So we've been waiting for a long time to be able to get that. I know that's interior, but I just wanted to say that we just like to be able to harvest out of the Forest Service lands.

Mary Ann Thompson: May I respond?

Mark Wadsworth: Yes.

Mary Ann Thompson: Terri, I don't think it's anything personal, that BIA or the Department of the Interior does not

work with others. I think Gilbert would comment on that. Actually I asked Secretary Vilsack if he could get BIA involved in our meetings here, and he did send a representative from BIA. No one here for this station. But the Department of Interior and, I don't know, IRS [sounds like] two untouchable groups over there that nobody can get to. And with many of the tribes, there are issues with the Department of Interior and the management land [indiscernible] grazing. Different tribes have different issues in that. I think it's not just the Eastern Band. It's not anything personal. It's sort of all over. And that was a personal comment. Thank you.

Dana Richey: Mark, I think if that's all the public comments, I think we can take a break. All right. I would ask the people to be back at 4:20. We're going to have our next speaker at 4:30, so please try to be back at 4:20. And if you're a council member, certainly because we do need to have a quorum for our meeting to resume. Thank you.

Dana Richey: All right. This is Dana Richey. I think we can get started. We have Stephanie Masker with the Office of General Counsel on the phone. She is going to be giving an update on the status of the Keepseagle, and then is available to answer questions from the council members. Stephanie, can you hear me? Yes. Go ahead.

Stephanie Masker: Yes, I can hear you. I was going to ask whether everyone can hear me.

Dana Richey: Yes. We can. Go ahead.

Stephanie Masker: Wonderful. Thank you for allowing me to speak with you this afternoon, and I apologize for not being able to be there in person. I'm just going to give a brief overview on the status of the Keepseagle Cy Pres Fund. I spoke to you in September, I believe it was, of last year. So there has been a whole lot of movements since then, but we had some. And as you may recall, there was approximately \$380 million leftover after the money was distributed to prevailing claimants in Keepseagle. Last summer there were two proposals submitted to the judge. Class Counsel proposed that a trust be created to distribute the funds. But Mrs. Keepseagle obtained her own counsel and submitted her own proposal to have all the funds distributed to prevailing claimants.

The judge rejected both options and encouraged the party to go back to the drawing board. And so we did negotiate. We met several times over the summer and fall. The reason I say that all the parties have to agree is because any time they change the settlement agreement, all parties must consent. That's really the only reason the government is involved. And so the Class Counsel did file a motion for a new proposal with the other party's consent as well. Under this new proposal, it's

more of a hybrid approach, there would be an initial distribution to prevailing claimants in the amount of \$18,500. There would also be the tax payments, and then three Class representatives would receive an additional \$100,000 award.

Then from the leftover amount, there would be a trust established. There would be an initial disbursement of about \$38 million within the first six months. Those would be distributed to beneficiaries recommended by the Class Counsel and approved by the court. And then with the remaining money, the trust will distribute the fund over a period of no more than 20 years. And then, as under the prior proposal, this would also expand the definition of beneficiaries so that educational institutions, tribal nonprofit, and community development financial institutions would also be eligible. They've been previously excluded from the settlement agreement.

There was a spurious [phonetic] hearing on February 4th in a District Court here in D.C. There was a lot of interest again, and a lot of people spoke. The judge did emphasize though that he basically has two options. He can either grant this motion or deny it. His jurisdiction over this case ends at the end of April, and so we expect to hear from him soon. He hasn't got a decision, and so at this point we're just waiting to hear from the judge. I'm happy to take any questions.

Gilbert Harrison: What was the next course of action?

Dana Richey: Could you speak into the microphone so she can hear you, Gilbert?

Gilbert Harrison: Hello. This is Gilbert Harrison with Navajo. Good afternoon. What did you say the current status is? There's going to be another hearing?

Stephanie Masker: Do you ask for the current status?

Gilbert Harrison: Yes.

Stephanie Masker: At this point, we're waiting for the decision from the judge. This proposal that the party came up with was included in the motion, and so the judge has to grant or deny the motion. And so that's what we're waiting on.

Tawney Brunsch: Hi, Stephanie. This is Tawney Brunsch with Lakota Funds. I was wondering what happens if the judge doesn't decide before the end of April.

Stephanie Masker: That's a good question. We're hoping it doesn't come to that. The parties could agree to extend his jurisdiction. I don't know if that would happen or not. We do have a plan for the Cy Pres in the existing settlement agreement, so it's possible that we would have to then just carry out the settlement agreement as it's raised. That would also happen if he denies the motion. I really hope it doesn't come to that. We reminded him a couple of times that his jurisdiction is ending, and he seemed to understand that.

Dana Richey: Are there any other questions for Stephanie Masker? Sarah Vogel.

Sarah Vogel: Hi, Stephanie.

Stephanie Masker: Hi, Sarah.

Sarah Vogel: I just want to add one reminder point - that under the hybrid, the \$38 million would be distributed by Class Counsel in accordance with the terms of the original settlement agreement. In other words, only two entities are eligible under the original settlement agreement.

Stephanie Masker: Yes. Thank you. And that would be after a consultation with native leaders. Is that correct?

Sarah Vogel: Actually it's not in the settlement agreement that we consult with anybody, which is one of the reasons why we've been promoting the foundation - is because we did not want to be -- oh. Our plan is, yes, we will be consulting with native leaders, a couple of whom are in the room today. That's what we would do. But the settlement agreement, as written, does not require a consultation with anybody. It's just the lawyers and the judge, which is why this is not the option we prefer.

Tawney Brunsch: But, Sarah, could you expand on tribal leaders and that definition?

Sarah Vogel: I don't have the modified settlement agreement in front of me. But what we had planned to do had the

settlement agreement been agreed initially, had the foundation concept gone forward and the \$38 million was set aside for immediate distribution, we had lined up an advisory team that was going to help us. We had to look quite a time because we didn't want to have anybody who would potentially have a conflict of interest. The Advisory Team has two of our lead plaintiffs, Claryca and Porter; Mark Wadsworth, and we had two nonprofit leaders - Carly Hare, head of the Native Americans in Philanthropy; and then Gary Cunningham, the then senior vice president of Northwest Area at the time of his nomination. He's now head of another organization. But those would be the key native leaders that we are going to, and we are going to hire a coordinator. We had a plan. We'll see. Yeah. But Stephanie, the message is we're waiting. That's what we're waiting for. It's been a long time since February 4th, huh, Stephanie?

Stephanie Masker: It has. I had to doublecheck that date in fact, because I realized so much time had gone by already. It's just a matter of waiting. I mean the judge forced us to go back to the drawing board, which drives it in fact a little bit longer. We do think he will rule soon. It's just hard to predict, in fact, what's he's going to do.

Gilbert Harrison: Excuse me. This is Gilbert Harrison again. Is there any time set or any urgency of getting these decisions? Because people out in the field need to know what's

going to happen because, you know, time moves on. Time marches. I don't know if there's any --

Stephanie Masker: Is your question is there any urgency to getting this done? Or to send the message across?

Male Voice: To get it done, I believe this is what you're -- the urgency to get it done.

Stephanie Masker: Okay. Absolutely. I mean I think that's why we included the initial disbursement of \$38 million, just to get some money out the door as soon as possible. The additional payment to prevailing claimants could happen very quickly because we know who those people are. And so, again, we did try to balance the various interests but also recognizing that this has been sitting here for too long. Unfortunately, our hands are somewhat tied right now because everything depends on what the judge wanted to do. If he does deny this motion though, we do have the existing settlement term and then we will start implementing it as soon as possible. But we agree with you. I mean we just think that it's taking too long.

Dana Richey: Are there any other questions or comments for Stephanie Masker? All right. If not, Stephanie, thank you very much for your time and thank you for calling in to the council.

Stephanie Masker: Thank you very much. If there are any additional questions, feel free to send me an email. I believe

some of you have my email address, so feel free to gather some questions and I'm happy to respond.

Dana Richey: All right. Thank you, Stephanie.

Stephanie Masker: Thank you. Take care. Bye.

Male Voice: It's all on the judge.

Gilbert Harrison: But if the judge doesn't make a decision now, then this goes back to --

Mark Wadsworth: They say it will go back to the original agreement.

Gilbert Harrison: The last agreed to. Is there a default if he doesn't make a decision?

Sarah Vogel: Yeah. The settlement agreement which was negotiated and finalized became un-appealable in casting stone. In 2010 it has maybe three paragraphs that address the Cy Pres Funds, and it says that a potential Cy Pres beneficiary is a nonprofit that provided agricultural, technical or financial services to Native Americans farmers and ranchers during the period between 1981 and 2010 except for - and it excludes educational institutions, and it excludes all law firms. The people who decide the distribution of the money are the lawyers. Just us. Not the Class representatives. No advisors. We decide. We have to ship it out in equal shares. We write a check, and that's it.

By the way, that's the agreement that we felt would not do justice to the class that we represented and was not the appropriate way of extending the money, which is why we proposed the foundation which would be native-led and on which we lawyers have no role. Under our proposal, it would be entirely in the hands of Native Americans.

Gilbert Harrison: Well, that's what it says.

Sarah Vogel: But our motion to create the foundation was denied, so as was the motion to distribute all of the money to claimants. So this hybrid that we came in with -- by the way, that wasn't easy to negotiate. We reached the hybrid in December, I think. Then we put it in before the judge, and the judge held a hearing. And then at the hearing, people came and objected to it again. But the choice is the original deal or the hybrid, and it cannot be the hybrid unless the judge approves the motion.

Mark Wadsworth: Again, he's got until 30th of April or 28th?

Sarah Vogel: Nope. He's got until the 28th, but the question is he loses jurisdiction on the 28th and he has to approve the entities. We distribute the money, but we need the concurrence of the judge. We have to acquiesce, so time is wasting.

Gilbert Harrison: So he loses jurisdiction when?

Sarah Vogel: His jurisdiction is gone altogether on the 28th. Now if he accepts the hybrid, the hybrid is built-in to have another six months.

Gilbert Harrison: Well, I'll make a motion that we, that he sends it to the counsel, we'll sure know how to spend it. Thank you very much, Sarah.

Mary Ann Thompson: I have a question.

Mark Wadsworth: Yes, Mary.

Mary Ann Thompson: Thank you. Mary Thompson. Sarah, under the original agreement, if that's what happened, you mentioned the nonprofit organizations that provide educational, financial, and technical services to Indian tribes.

Sarah Vogel: No.

Mary Ann Thompson: No?

Sarah Vogel: Native American farmers and ranchers.

Mary Ann Thompson: To Native American farmers and ranchers. That doesn't specify federal or state-recognized or self-identified Native Americans, does it?

Sarah Vogel: No. I mean it does say Native American, and Native American is defined in the settlement agreement as a member of the state or a federally-recognized tribe or somebody who has identified themselves in their whole lifetime formally as a Native American.

Gilbert Harrison: Because there are still a lot of questions out there. People ask what's the status, what's going on.

Sarah Vogel: Yeah. The lawyers ask that question every day. Have you seen me jump at my cell phone?

Gilbert Harrison: Yeah.

Sarah Vogel: I've been doing this since February 4th.

Gilbert Harrison: I made a presentation about three weeks ago at Club Arizona to the Arizona Association of District Conservation Programs, tribally-run programs. I normally explain what the Council's role is. Then at the end, if they have questions about Keepseagle, I refer them to that website. So they're still saying, yeah, we see website information, but what's the latest? A lot of people are still -- we just want a decision, that's what they're saying.

Angela Perez: Yeah.

Gilbert Harrison: I know. Thank you.

Angela Peter: I have a question.

Sarah Vogel: I didn't want to talk about it because I'm too upset.

Angela Peter: Maybe I don't have a question. Especially since you're sitting right behind me. Hi. This is Angela from Alaska. You say that the judge's jurisdiction ends in April and he could be renewed or extended?

Sarah Vogel: It's a totally thorny problem. Like Stephanie didn't have an answer for that, I don't have an answer to that. It is just too messy because like the settlement agreement was negotiated over a year's time, every word and every sentence, and it was fought over for a year. Then it was published. It was distributed widely.

Leslie Wheelock: We had consultations on it.

Sarah Vogel: We didn't consult with tribes, but we had meetings all over the country. There's a difference. We got back a number of comments and suggestions that people said we think this could be different, that could be different. There is not one comment in that first round, not one on the Cy Pres provision. Not one person mentioned it because most of the people were just interested in getting the money, or the programmatic reforms, or things like this council. Then we had a 60-day period during which it could go up on appeal. No one appealed it. So it's a final permanent decision and a contract. Right now, if it isn't amended, that's what we have. And by the way, the definition of nonprofits, it's not limited to Native-led nonprofits.

Gilbert Harrison: I'd better incorporate pretty quick.

Sarah Vogel: Well, you can't because they have to be doing business before 2010 or earlier. Let's just all hope that the judge approves the hybrid.

Angela Peter: Thank you.

Mark Wadsworth: All righty. We'll carry on to the next recommendations, which I see 2 and 3 is about the Cy Pres Fund.

Dana Richey: If I may just give some contexts. The handout that I just provided you is the draft recommendations that came out of the December 2015 meeting. We didn't take a vote on these three recommendations because we didn't have a quorum at the time at the end of the meeting, and then also I think members wanted an opportunity to flush out the issues. And I did receive comments via email, which I did incorporate into this document. So I've circulated or handed out this document as a place for us to begin perhaps discussion today and tomorrow of the existing draft recommendations, plus any that you may want to add to that. Just as a reminder, we'll want to take votes on this while we do have a quorum in the meeting so that these recommendations can formally go to the secretary.

Gilbert Harrison: Mark?

Mark Wadsworth: Yes.

Gilbert Harrison: I know we're talking about what was handed out here, but item number 8 is members' discussions and recommendations and other issues. But we can get to other issues. Are we at that point now?

Mark Wadsworth: Yeah. We're at the discussion of recommendations which we have in previous meeting. I believe we

went down this road before where we're trying to make a recommendation to the Secretary where really it isn't involved as much into the judge's decision, that's the way I view this. I hate to speak for Jerry McPeak, but he really wanted to have some sort of say from the Council towards the Keepseagle-Vilsack deal - set language from the council itself. I believe that the USDA representatives were all going to not vote or abstain from voting on those recommendations like they have in the past. Just from what I remember in this, we went towards the very end there and I don't know whether these would be something to address with the decision coming here within the next 20 days to have an impact at all. Yes, Sarah.

Sarah Vogel: Sarah Vogel. I wrote number 2, as I recall, I think apart from changing the tense, because I think at the time we wrote this we assumed that the money would have been out the door by now to the foundation or to the foundation. I think the text of the resolution itself is fine, but the language is -- maybe it's fine. What do you think? So it says even though Cy Pres Funds from Keepseagle are distributed -- yeah, that's fine. I think number 2 is absolutely fine. If the judge approves the motion before him, our message is the USDA should not slack off, USDA should keep up its work, that the Cy Pres Funds through nonprofits are intended to supplement and not to supplant. So I think number 2 is fine.

Number 3 I don't get because the USDA does not control the money. It never has. It never had the money. That's totally controlled at the moment, according to the court order by the Class Counsel, and we can distribute it in certain ways. So number 3, it says: If the USDA is not able to provide this information, it needs to inform the Council members who can provide the information. And the information on the Cy Pres Funds is available through Class Counsel, which is in the second agreement. Number 3 is irrelevant. It makes us look silly.

Mary Thompson: Strike it. Do I need to make a motion?

Mark Wadsworth: Make a motion to strike the -- ?

Mary Thompson: I will make a motion to strike number 3 in its entirety.

Mark Wadsworth: A note to strike number 3 in its entirety. Anybody second?

Gilbert Harrison: To delete number 3, right?

Mark Wadsworth: Yes.

Gilbert Harrison: I second that motion.

Mark Wadsworth: It's been moved and seconded. Any further discussion? All those in favor, raise your hand. Not in favor, raise your hand. Anyone who abstains, raise your hand. Motion passed.

Dana Richey: The motion passed. Do we take a vote on number 2?

Mark Wadsworth: We might as well because we're on the Keepseagle. For number 2, anybody want to make a motion?

Female Voice: To keep it on?

Mark Wadsworth: Yeah.

Female Voice: Well, I would actually make a motion that it'd be number 1 and number 1 be number 2.

Female Voice: I second that.

Mark Wadsworth: Moved and seconded to bring item 2, to make it number 1. Is there any discussion? Yes, Gilbert.

Gilbert Harrison: Coming from the standpoint of what our initial charter is, we are to basically recommend policies or other programs with other requirements within the USDA which prevents Native Americans from participating in the USDA programs. I think number 1 has a big bearing on that because that's the one where we're actually recommending a procedure that would allow more Native Americans at the individual level to participate because we're saying you need to change your way on how you handle the money once the contract is awarded; whereas, in number 2 we don't have that much discretion over the final authority of what happens. It says basically, simply we want to continue our existence. So really, I think where I come from, I like to make at least one difference within the last two terms that we've had that will really affect the people out there on how they get funds to do their farm and ranching work

at the individual level. Not programs. Not tribes, but individually. That's why I'm saying that, well, it is necessary that we have this be in priority. We do see that both of them are of equal importance.

Angela Peter: I agree with that. This is Angela Peter. I don't think that this one, and correct me if I'm wrong, has any bearing on this Council. I think what it says is that the USDA, even though the Cy Pres Funds are distributed to the Native community, that they will still act in a level which is an advantage to tribes.

Sarah Vogel: Yeah. I could give just a little bit of background on why number 2 is important, and not that it's more important than number 1. Or I don't care about the numbering. One of the comments that I've heard is actually from folks not necessarily Native American, or minimally involved, or something like that thinking that now that the Cy Pres Funding is out there, that relieves the burden on USDA to deal with Native Americans; because there's this big pot of money, and so that will be more money than the limited USDA budget for people other than Native Americans. That's what we want to stop. Also, during the comment period, a number of people said this is nothing but USDA trying to get out of its job of helping Native Americans. I mean, honest to God, people said that.

But I think there will be a pushback on the Secretary from other groups when they're going to do an EQIP program, or outreach, or promise the owners or something like that. Like let's not go to a Native American region, they have got the Keepseagle money. And this is different. This is not federal money. Once upon a time it was in the judgment fund, but we got it fair and square because of the settlement. That's why, number 1, just so that this isn't even on the radar and the secretary knows that. Jim knows that, everybody here now knows that. But it would be good to have this and get it into everybody's brains. I don't know, Leslie, if you have heard this from people who are looking at how we're going to handle their budgets and where we put it and now the Indians won't need so much.

Leslie Wheelock: This is Leslie. I think it makes sense to put it in place and put it in writing because we don't know what the support level is going to be in a year, and to be able to come back to it and say this is something that we think is important for sustainability purposes I think can turn out to be critical. And it would be better to say it now than in a year. Thank you.

Sarah Vogel: Exactly. Although you're neutral.

Leslie Wheelock: I am very neutral.

Mark Wadsworth: Just as an agreement to that, I distinctly remember the FRTEP agents. That example being referred to quite often during the discussion. Well, hey, here is the Cy Pres and you guys got this FRTEP problem with funding, why don't you use that? That wasn't the intent. Yes, Gilbert.

Gilbert Harrison: Mark, ahead of number 2, I think we've talked about making this recommendation to the Secretary - continue the existence of the council. Are we saying this is the first time we're actually going to recommend that we have an extension of a lifetime? I know we had some five or six years also in the agreement.

Sarah Vogel: That's next on the agenda.

Gilbert Harrison: Okay. All right.

Sarah Vogel: That would not be a resolution.

Gilbert Harrison: The other thing I'm going to ask is right now, as I understand, the funding comes from various programs run by the Office of Tribal Relations. Instead of being a donation, how can we get that to be a part of the regular program to say that every year somebody with such program will contribute to the operation of the tribal council?

Mark Wadsworth: We currently have a motion on the table about -- wasn't it?

Mary Ann Thompson: I could withdraw --

Mark Wadsworth: You can withdraw? Okay. Yeah. Just because we are going off subject on that original motion is what I'm getting at. So anyway --

Sarah Vogel: Could we just vote on -- ?

Mark Wadsworth: Do we have to number these? Can we just -  
- ?

Dana Richey: When they are written up for the Secretary, they're not written in any kind of priority. I'm just referring to number two because that's the numbering system I have on this piece of paper. So what I'm talking about is the draft recommendation written by Sarah Vogel regarding continued support of Indian Country by USDA. If it is going to be a formal recommendation to the secretary, there needs to be a vote by the council.

Mark Wadsworth: Yes, Sarah.

Sarah Vogel: Do we have a motion and a second in favor?

Mark Wadsworth: No. That was withdrawn.

Sarah Vogel: Oh.

Mary Ann Thompson: That was to change the numbers, not to accept the numbers.

Female Voice: It's the numbers that aren't there.

Sarah Vogel: Okay. Then maybe you guys would --

Mary Ann Thompson: I'll make a motion that we approve these recommendations, clean up the copy, insert the correct dates, and send it forward from Wisconsin.

Sarah Vogel: No, no.

Mary Ann Thompson: No?

Sarah Vogel: No.

Dana Richey: No. We are just putting a motion out there for item number two on this handout.

Mary Ann Thompson: Okay. Item number two, I so move we approve that recommendation.

Female Voice: I second.

Mark Wadsworth: It's been moved and seconded. Any further discussion? If not, all those in favor, please raise your hand. Any opposed, please raise your hand. Any abstained, please raise your hand. Motion passes.

Mary Ann Thompson: For the record, do you not need to note those abstained? [Background conversations]

Sarah Vogel: Can I make a motion for number one?

Mark Wadsworth: Yes.

Female Voice: Could I second that motion?

Jim Radintz(??): Mr. Chairman, before you act on that, I would just point out the resolution itself talks strictly about funding. But in the explanation, the third paragraph there, it says there's a requirement about control of the land and

apparently there are some discrepancies dealing with trust land. But the bold print is the actual recommendation and that doesn't include anything about the issue regarding who has control of the land to qualify for EQIP. So either the third paragraph isn't relevant, which I sort of doubt, or something about that third paragraph needs to be included in bold print in the resolution to address that issue. So there's something missing there somehow that it needs to be pulled together a little bit.

Sarah Vogel: This is Sarah.

Mark Wadsworth: Yes.

Sarah Vogel: Could the third paragraph be a standalone resolution?

Jim Radintz(??): I think that would be another option.

Sarah Vogel: Yeah.

Female Voice: I think so.

Sarah Vogel: I think that would be good. Here's a question, do you think there could be a little bit of -- are we going to have a quorum tomorrow?

Dana Richey: We are due to have a quorum tomorrow.

Sarah Vogel: So we could tinker with the language just a little bit. Or we could do it now. Either way.

Mark Wadsworth: My thought too. Or are we going to have any other recommendations. Let's kind of keep this an open document.

Dana Richey: There is more time on the agenda for tomorrow afternoon for discussion of recommendations, closing comments, and issues. That's from 4:00 to 6:00 p.m. And as far as I know, people's travel schedule does allow them to be here I think until at least 5:00 or 5:30. We just want to be mindful that we do take votes on all recommendations say between 4:00 and 5:30 tomorrow so that we have a quorum.

Sarah Vogel: If I could I have a couple a minutes, I may be able to think with the language.

Mary Ann Thompson: But we may have more recommendations tomorrow.

Sarah Vogel: Oh, no. No. I just meant to make number one and number two, and then we'd at least have that done. Because this has been hanging around for six months.

Leslie Wheelock: Are you changing number one except for taking out that last paragraph?

Sarah Vogel: No.

Leslie Wheelock: So point of order, don't we have a motion on the floor for number one?

Sarah Vogel: But you want to stop it at -- we don't want to include the third paragraph.

Leslie Wheelock: Without the third paragraph.

Dana Richey: I think it was [indiscernible] who made the motion, right?

Female Voice: No. Sarah made the motion.

Dana Richey: Oh, Sarah made the motion.

Mary Ann Thompson: Fix that. It's definitely okay.

Sarah Vogel: I'll amend the motion to --

Mark Wadsworth: Objection.

Sarah Vogel: What?

Mark Wadsworth: Well, I think that it is kind of directly related to what we're trying to talk with the EQIP in the requirement, that some EQIP programs be enrolled for ten years. And then in some cases, the Bureau of Indian Affairs will only have recruitment at least for five years. That hurdle has been in existence for several years, and so I know that our Tribe gets around this hurdle because we'll do a five plus five in our language for lease. I don't know if other tribes currently are being denied because they do not meet that rule. If that's the case, Gilbert should be out there applying for EQIP and having the ten-year program match the BIA leasing.

Mary Ann Thompson: Mr. Chairman.

Mark Wadsworth: Yes, Mary.

Mary Ann Thompson: On that issue there, I believe that the Eastern Band of Cherokee gets around the issue in that the contract is directly with the tribe. Since we're withholding [sounds like], the tribe would kind of like the second lean on it or something like that. If they could contract directly with

the tribe instead of the individual. And the tribe would guarantee that or back it up in that if they have to be rebate or something, then it could go back to the tribe. They've worked around the issue anyway. I'm not exactly sure what it was.

Mark Wadsworth: Can we do the same thing, Mary, on our reservation within our range program, the 638, since it's a tribal program run by the tribe. We are the signatory to that EQIP project so that we don't allow for individuals within our - you know that. But I know there's other reservations out there that have strictly individuals leasing and individual allotments over tribal land, and it is an issue.

Gilbert Harrison: Mark, I do think that the third paragraph needs to be mentioned either by itself or as it is. But on the last sentence, it says coordination on this issue is needed. I think that coordination should be changed to agreement because really that sort of solve the issue. Because right now a lot of cases on reservation, a tribal entity, a tribal ranch is different than from an individual permit to farm or graze. And right now the way the field interprets it, both BIA and USDA, that control of land is still a big issue. So I think somehow they need to agree on that definition. But under these circumstances, a lease on tribal land, can we consider it equivalent to base property?

Mark Wadsworth: I try to do two things at once here. Well, I'll just read this out loud. Kind of a recommendation to that third paragraph would be to strike the first two. Third in there and put in the Council recommends that the requirement of NEPA to have control of the land be amended to recognize unique features of Native trust lands. And then it continues on to: have all the same language from *on trust lands* down to that *however in some instances, the NRCS has determined some BIA permits do not constitute sufficient control of the land and have disqualified otherwise qualified applicants. Coordination on this issue is needed by the BIA and USDA to allow smooth qualification of Native American advocates.*

Gilbert Harrison: I still would like to recommend that coordination be changed to agreement because that's stronger, I think, or [indiscernible] --

Mark Wadsworth: Okay. Do you want it longer to work on this?

Sarah Vogel: I don't think so, unless you do. I just worry about weirdly losing a quorum as I walk out and create a lawsuit [sounds like] to conform with the last meeting.

Gilbert Harrison: With that, I think it must be all right.

Mark Wadsworth: Okay. I need a motion again to set --

Female Voice: I'll amend the motion and--

Female Voice: I'll second it.

Mark Wadsworth: Any further discussion? Having none, we'll go to a vote. All those in favor, please raise your hand. Any opposed, please raise your hand. Any abstained, please raise your hand.

Sarah Vogel: Why do you have to abstain on that?

Leslie Wheelock: I don't know. I have a question. Is that a new motion?

Mark Wadsworth: Yeah, with the amendment.

Leslie Wheelock: Okay. So what did we do with the top item? On this piece of paper that Dana handed out, what did we do with the top item on EQIP?

Mark Wadsworth: Oh, we kept the whole thing with the amended language to the third paragraph.

Gilbert Harrison: Is there a way we can clean that up first thing in the morning to make sure we all minute and then first thing in the morning to make sure that we all [cross-talking]?

Mark Wadsworth: I see a bunch of computers here.

Sarah Vogel: So now we'll have three resolutions. The first resolution would be the resolution on the first two paragraphs, and then the next resolution would be the special features of trust lands.

Gilbert Harrison: Yes.

Sarah Vogel: And then the third one would be the cause  
[sounds like] of the Keepseagle's agreement. But I completely -

-

Mark Wadsworth: I think we could vote now.

Sarah Vogel: Yeah. What are we voting on now?

Mark Wadsworth: We just finished.

Sarah Vogel: Good.

Mark Wadsworth: We got them all three down.

Sarah Vogel: All right. I thought so.

Mark Wadsworth: All right.

Female Voice: Good night.

Sarah Vogel: But why did you guys abstain on that?

Jim Radintz: This is Jim. I can't speak for the others.  
But since NRCS is a sister agency and this deals with their  
policy, I just don't feel comfortable in effect trying to tell  
them what to do. I mean certainly don't oppose it, but I just  
felt like I should be neutral on that.

Gilbert Harrison: I disagree. Don't forget, we're  
recommending an agreement. That's a little stronger than, well,  
see what you can do. And that's where we're coming from. Thank  
you.

Mark Wadsworth: Yes. We're now on the other issue  
portion.

Gilbert Harrison: On other issues, I've got a couple of recommendations. Basically, like I said, a couple of weeks ago when I was preparing my presentation to the Arizona Association of Conservation Districts, I went on the website of the Native American Council and I was surprised. We don't have any updated information. The membership, basically the initial appointments, is still there. So I would like to see some effort to update that to all the current, as I said, updates. Take a look at that because I didn't see it.

The other thing is we make numerous recommendations over the past couple of years to the secretary. There is no mention that any recommendation has ever been made. On our website, it's never posted. If you look at it, it says that we're supposed to recommend stuff to the Secretary. But there's no mention of what we have actually recommended and what some of the responses are. I'd like to see that updated on the website because that gives a little more accurate information. So, to me, those are some of the things that I think are important because things have changed and people have changed on the council. I think, to me, that's something that I'd like to see updated. I know it's just another task for the office to do, but now that we've got somebody to handle our needs right there. [Background conversations] But anyway, Les, you know what I'm talking about. Leslie. Thank you.

Leslie Wheelock: This is Leslie, Mr. Chairman.

Mark Wadsworth: Yes.

Leslie Wheelock: We'll see what we can do. There are some restrictions on how much work we can push through IT. I'm not sure what causes that, but certainly things need to be updated. We did discover as a result of somebody sending us an email that the minutes from some of the meetings weren't up there, so those got put up pretty quickly. Let's see what we can do to update things.

Gilbert Harrison: All right. The other thing, Jim, remember I said we've got to have some sort of a written summary of what are the actual changes the USDA people have made. I think that not only for our information, but they would be good for the public to read - these are the responses, about how we made changes. That's good information. It's certainly not there. We may know about it. We may have gotten some information at our meetings, but not really there. Thank you. If we can take care, that you cover all my issues until tomorrow. [Background conversations]

Mark Wadsworth: Any other issues? I think this could be handled internally. I don't know if we need a formal resolution.

Angela Peter: I have a question, Mark.

Mark Wadsworth: Yes, Angela.

Angela Peter: I'm really confused or maybe I strongly -- when is our last get together? Is this it?

Dana Richey: This is Dana Richey. The charter expires later this month. I think its April 14th. I'm going to give this update tomorrow, but I'm happy to give that. As much as I can remember, I have my notes up in my hotel room, the charter expires April 14th. We have a draft charter submitted for department clearance now. Where it sits right now is in the Office of Civil Rights, and they have I think a couple more weeks to finish their review. Then it goes to the Office of General Counsel for review, and we've been keeping the Office of the General Counsel regularly updated so that review should go quickly and easily. I got an update this morning from the woman who was handling department clearance, and she expects that we'll have a charter in place in approximately four to six weeks. Now you asked about when the membership expires, and that is on September 8, 2016.

Mark Wadsworth: The charter is which -- ?

Dana Richey: Yeah. Tab 9 has a draft charter for your review.

Angela Peter: I've been on the council since we began. I just wonder, is there like a process to go through if we get new people in that we won't have to relearn them everything? I believe in the last, I don't know, a couple of years or three

years, whatever, we've finally come up with good recommendations. Is there a process, Leslie?

Leslie Wheelock: There is not a process, although that doesn't mean that we can't figure one out potentially by bringing a person for an additional day or half day to go through some preliminaries on the agencies that you all sat through kind of over and over again. We also have enough materials now to bring people up to speed, I think, that they're not starting from scratch. They need to know they're not starting from scratch. They need to see what this group has already talked about.

Angela Peter: That will be good just because if we do make recommendations and then they have no idea what we're talking about. So thank you.

Leslie Wheelock: Mr. Chairman.

Mark Wadsworth: Yes, Leslie.

Leslie Wheelock: I would recommend that everybody take a look at the proposed new charter so that we can all be ready to discuss it tomorrow. There has been some effort to broaden the membership to try to keep the council this size. Because we have to collect the money for this council's meetings and if it gets bigger, it's more money that we have to worry about. But also to get it more geographically spread out across the United States, and then in addition to try to get more diversity from

across the USDA on the Council as well. So that we've got smooth representation that you all have asked for in the past, as well as some rotational representation that you all can set up meeting-by-meeting depending on the topics that you want to discuss. Thank you.

Mark Wadsworth: And we are trying to get this charter in before the new administration. Yes, Gilbert.

Gilbert Harrison: Just one additional recommendation while it's still fresh in my mind. We talked about charter. Is there a way we can include real representatives as ex-officio or some members in our charter, to keep them involved? Yes. That's why I suggested people read the charter because they are included as ex-officio.

Gilbert Harrison: Okay. Thank you.

Leslie Wheelock: We try to keep you happy, Gilbert.

Mark Wadsworth: We'll get those BIA people here.

Sarah Vogel: Sorry. My question was just about the term link and stuff like that. But I think that's better off talking about that tomorrow. That's driven by the Federal Advisory Committee, anyway. It doesn't have anything to do with the charter. So probably the whole discussion should be tomorrow. What time is that?

Dana Rickey: That's at 10:00.

Leslie Wheelock: Which means that it will slip to 10:30.

Mark Wadsworth: And 10:30 after our meeting with the Cherokee Council. All righty. It's been a pretty full day. Does anybody else have any other issues? I'll take a recommendation for adjourning. Oh, yeah. Mary said there's a transit van that will be at the hotel lobby at 8:00 in the morning.

Leslie Wheelock: Is that all we need or do we need additional cars?

Mary Ann Thompson: I figured with the additional cars, depending on how many people show up. I have my vehicle too. Somebody can ride with me if need be and we just follow the van.

Mark Wadsworth: Yes, Leslie.

Leslie Wheelock: Mr. Chairman, before we adjourn, I would suggest that since Angela has now joined us, so we go back and do a recap of what we talked about with the committees for her benefit as well as to kind of close that item.

Angela Peter: Blame me there.

Leslie Wheelock: We did. I did. No. We very patiently decided that we needed you here in order to discuss this.

Angela Peter: And Mark, just for the record, if I could be --

Mark Wadsworth: Go right ahead, Angela.

Angela Peter: No. Just for the record, if I can be on the record as coming into the meeting. You did not do that.

Mark Wadsworth: Do you remember which time that was?

Angela Peter: 2:00.

Mark Wadsworth: At 2:00 Angela Peter was at the meeting. Okay. Earlier today we were discussing subcommittees, and one of the recommendations was to consolidate some of these committees instead of having such a broad atmosphere of bringing in the Bureau of Indian Affairs along with the Forest Service in BLM, more of the government agency/committee to deal with the Indian agriculture as an issue at the USDA.

The other one was to make a recommendation to combine the Subsistence, and add also a designation of food security with the Conservation and Climate Change Committee since they're dealing with conservation efforts and also with climate change and they're all interrelated. There was discussion of -- I can't remember. But if we did need Subsistence, like in the name of that committee, if I remember right we deemed that the council didn't want to make a change.

Mary Ann Thompson: One of the recommendations I'm hoping to get forward is going to be with Subsistence, and that's why I asked if we will all be here next session.

Mark Wadsworth: I think that we were last trying to decide what that name of that committee would be.

Leslie Wheelock: Right. As well as who is going to chair.

Mark Wadsworth: Yes, and what was the language for the committee name.

Dana Richey: I think it was just running together conservation, climate change, subsistence, and food security. Is that what it was, Leslie?

Leslie Wheelock: That's what I have.

Dana Richey: Yeah.

Leslie Wheelock: We did discussed whether we should be talking about climate change or climate mitigation.

Angela Peter: We're going to teach them first.

Sarah Vogel: This is Sarah. I don't know how the suggestion went over, but I felt we struggled with the Credit Desert Subcommittee. That was sort of long. Can we just shorten it to Credit Subcommittee. And I think if you have this long string of topics, it's going to become the first one in the list. So why not just call it Sustainability which covers everything, I thought.

Angela Peter: It does. It's global for me.

Sarah Vogel: It's unsustainable, that they don't go up in smoke.

Angela Peter: Okay. I mean I'm not staying --

Sarah Vogel: Let's do it. I mean it is the last example because --

Leslie Wheelock: Or drown.

Sarah Vogel: -- you guys are going to go under.

Angela Peter: Well, thanks, Sarah.

Leslie Wheelock: Yeah. Right.

Sarah Vogel: I mean that's why Obama went up there.

Angela Peter: Yeah, I know. It's crazy. We didn't have snow in Anchorage this year.

Leslie Wheelock: Except for last month.

Angela Peter: Yeah, but it melted within days.

Sarah Vogel: So it's unsustainable.

Angela Peter: That sounds good. Yeah. It sounds good to me.

Sarah Vogel: The only worry we have about you is if we did stick with the word subsistence, you wouldn't go for it.

Angela Peter: No, I wouldn't. But I mean I'm in the subtitle, right? I've working on subsistence. It's really the Alaska's agriculture, so I have to fight for that.

Sarah Vogel: Yeah. Exactly.

Dana Richey: And who will be the chair?

Angela Peter: Leslie.

Leslie Wheelock: I think it ought to be one of you.

Angela Peter: Who is it? Oh, me or Mark? Is there anybody else on the committee?

Mark Wadsworth: I nominate Jim.

Angela Peter: Oh, yeah. I nominate Jim too.

Jim Radintz: Well, I would actually nominate Mark.

Angela Peter: Leslie, Jim, or Mark I think.

Jim Radintz: I say Mark because I know he's had a lot of conservation-type issues and other sustainability kinds of issues that he's faced on his reservation, and I think he might maybe be the best suited to amplify those issues.

Angela Peter: I mean I think it really gets down to who has the time to do it too. I mean I'll stick my hand to that.

Sarah Vogel: And you will not let subsistence be forgotten.

Angela Peter: I will never let subsistence be forgotten.

Sarah Vogel: Yeah. Angela is in.

Angela Peter: Then Mark could call me and remind me.

Leslie Wheelock: We will call you and remind you.

Angela Peter: Okay.

Leslie Wheelock: Mr. Chairman?

Mark Wadsworth: Yes, Leslie.

Leslie Wheelock: This is Leslie. Are you the chair of the other one, the Forest Service BLM one that we changed to Federal Lands Committee?

Mark Wadsworth: Gilbert.

Leslie Wheelock: Gilbert. Thank you. These are my notes, but it's easier to read this.

Mark Wadsworth: And maybe, when we get these made up, do we want to send it out and see if we want to change to different committees?

Leslie Wheelock: Yeah, that's pretty good.

Mark Wadsworth: And please respond. I'll stay on the team. All righty.

Female Voice: As long as we can have the subsistence conference meeting in Alaska.

Angela Peter: You know what? I'm already planning that for next year, so you guys got to go now. I'm on this committee and having to do this.

Mark Wadsworth: What time of year next year?

Angela Peter: It's not going to be in the winter. But of course we have no snow, so it wouldn't matter. It would be when this meeting is about or even later when the fishing starts.

Mark Wadsworth: Did you say next year?

Angela Peter: Yes, next year.

Mark Wadsworth: Okay. Because my reservation did a resolution which I failed to bring along to have a sponsor meeting down at our reservation in July or August.

Angela Peter: So that wouldn't be -- ?

Mark Wadsworth: If yours is next year, that could give me plenty of time to prepare for yours. But I guess we can talk about that tomorrow too.

Dana Richey: I think before we adjourn, Josiah, did you make a reservation for dinner?

Josiah Griffin: Yes.

Dana Richey: Okay. Is that at the Italian restaurant in this hotel?

Josiah Griffin: The Italian restaurant will be close this Saturday for renovation. The reservation has been just across the street. They've set aside the center room for us to occupy under USDA. And I still got between 6:30 and 7:00.

Leslie Wheelock: Between 6:30 and 7:00 we have a reservation, and it's at a buffet restaurant across the street. It's in the hotel. Oh, in the building.

Josiah Griffin: Yes. It's right across so we have --

Leslie Wheelock: It's across the river.

Angela Peter: Across the river and through the woods.

Male Voice: What's the name?

Leslie Wheelock: It's a buffet.

Male Voice: The Chefs Stage.

Leslie Wheelock: [Cross-talking] in the casino. Oh, the Chefs what?

Male Voice: The Chefs Stage.

Dana Richey: So Josiah will write that down, Gilbert.

Leslie Wheelock: Just go in the casino, Gilbert, and you'll find it or we'll find you.

Female Voice: Just listen. You'll hear us.

Sarah Vogel: It's called the buffet. So if we say buffet, we'll find it.

Female Voice: The Chefs Buffet.

Female Voice: What time?

Dana Richey: Between 6:30 and 7:00 is when the reservation is. There's a room under USDA's name.

Mark Wadsworth: And tomorrow we'll be down ready to go by 8:00.

Female Voice: We'll have the van there at 8:00.

Mary Ann Thompson: I'm not sure if -- if the entire council doesn't go on, I don't think it's a requirement. They just want you to do some introductions and give a brief, little summary of this council.

Gilbert Harrison: What time did you say?

Leslie Wheelock: 8:00.

Mark Wadsworth: 8:00.

Male Voice: At Starbucks.

Dana Richey: At Starbucks.

Gilbert Harrison: That's tonight?

Dana Richey: No. No, no. Tomorrow morning. So dinner tonight is between -- be at the buffet between 6:30 and 7:00. There is a room set aside for USDA, under that name. Then tomorrow don't meet at Starbucks. Meet at 8:00am in the lobby

and there'll be cars and a van to take them to the council meeting.

Gilbert Harrison: Can we start the dinner at 6:30 tonight because I'd like to see the basketball game.

Female Voice: I think it starts at 9:00.

Mark Wadsworth: They don't know.

Gilbert Harrison: The national championship.

Female Voice: It doesn't start until 9:00.

Leslie Wheelock: Come on, Gilbert. Just eat fast, okay?

Gilbert Harrison: It will be a late game here and I'm taking bets on who's going to be --

Mark Wadsworth: All right.

Gilbert Harrison: All my favorite teams has got lots of stuff.

Female Voice: I know.

Mark Wadsworth: We'll be adjourned until tomorrow.

Dana Richey: Until tomorrow at 9:30.

Mark Wadsworth: Do we leave our stuff or do we take -- ?

Leslie Wheelock: Take it with you, please.

[End of file]

[End of transcript]