

**Council for Native American
Farming and Ranching, Meeting: August 14-15, 2012
CD5 8-15-12 Track01 to Track06
Contains Election of Vice Chair;
Council's vote on list of working topics;
Council accepts changes to By-laws.**

[Note: Due to distance from the audio recorder, some words and phrases are indiscernible]

[Start CD5_8-15-2012 Track01]

Joanna Stancil: All right. Now we have --

Female Voice: I get to turn the mic over. I'm so excited.

Joanna Stancil: Anyway, we now need to -- we can do the same process or we could do a closed ballot on the nomination of vice chair for the council. Sarah?

Sarah Vogel: I'd like to nominate Porter Holder to be the vice chair. I've worked with Porter closely for a number of years in his role as one of the class representatives, and he's shown amazing dedication, loyalty, commitment, and came to Washington I don't know how many times. He even drove --

Sarah Vogel: What?

Male Voice: [Indiscernible].

Sarah Vogel: He came to North Dakota, left his young family and brought his young family one time. And I think there is some value in the continuity. He was part of the discussions on the programmatic relief that we wanted. This was in [indiscernible]. So, I think he has a vision and a sense of

history about this council, and I would nominate Porter to be the vice chair.

Male Voice: I second that.

Joanna Stancil: Okay. Thank you. We have nomination by Angela for Porter Holder as the vice chair.

All: Sarah.

Joanna Stancil: Sarah. I get those two -- I don't know why I do that. And Angela has second it. I'm thinking the right person, I'm just not saying the right person.

Are there any other nominations for vice chair? Gilbert?

Gilbert Harrison: I'd like to nominate Janie. The reason I do that is because there are documents to be signed or something done, and she's here [indiscernible]. And sometimes these things have to be done quickly [indiscernible], the chair is not here, you're going to act on behalf of the chair to sign and [indiscernible] office. [Indiscernible].

Joanna Stancil: Well, I think I have to close out because we didn't do that. Porter, do you accept the nomination as --

Porter Holder: [Indiscernible].

Joanna Stancil: So, we have two nominations. Janie, do you accept?

Janie Hipp: Thank you, Gil, but I'm going to respectfully decline. And I really think it should be one of the non-USDA

folks who are [indiscernible] last year. But thank you for the nomination.

Joanna Stancil: All right. Porter has accepted and Janie has declined the nomination for vice chair. Are there any other nominations for vice chair? None heard. We'll move forward with the voice vote. All in favor of Porter Holder for vice chair, say "aye."

All: Aye.

Joanna Stancil: Any oppositions? Congratulations.

Angela Sandstol: We're an easy bunch.

Joanna Stancil: Excellent. All right. Mark, see what's on the agenda? We have chair written right next to it.

Mark Wadsworth: As chair, I'll make a motion we adjourn.

Joanna Stancil: This would be -- what we had on the agenda and would be the first official duty for Mark would be the committee strategy discussion and recommendations for how to document your recommendations, how you want to work and get those forward back to me, and on your behalf, I would take those forward to USDA, back to the secretary. So, that's how the relationship --

The second thing we can both work on, or I can do it myself, was the discussion of your sub-committees. And then the third would be discussion and planning your next meeting. Meeting of the full council or meeting of subcommittees.

Joanna Stancil: Go ahead.

Mark Wadsworth: Go ahead.

Joanna Stancil: Angela.

Angela Sandstol: I haven't gotten a chance to visit on our website. Is it -- does the council have its own website or is it part of USDA?

Janie Hipp: Part of USDA.

Joanna Stancil: Well, we're under the Office of the Secretary, OTRs, and now the council is part of our website.

Angela Sandstol: Okay. So, most of our documents that we speak on is going to be on the website?

Joanna Stancil: Eventually. We're --

Angela Sandstol: Including our subcommittees?

Joanna Stancil: Everything. Anything that you do within this council unless deemed for some reason to be administrative, even those things probably will eventually be up there. But every document that we deal with, that's easy on your binder that we can find a digital copy of that you're using for deliberations and recommendations will eventually be on the website. We have to make sure they're 508 compliant, so if there's any delay in getting them up there, that is why. The website went live last week, so it is up there. We'll send you the -- I had sent out the link but I'll send you that again so you can check it out.

Angela Sandstol: I'm trying to find a way that the public can tell us what we need to do.

Joanna Stancil: Well, we can actually -- we have --

Janie Hipp: We actually have, and we can -- this is pretty to do, Joanna. We have a tribal consultation at USDA.gov that we already have as an e-mail address. What we could do is just have one for the council. Just have an e-mail address that's connected -- that's @usda.gov.

Joanna Stancil: Can we meet when we get back in the office on Thursday?

Janie Hipp: Yes.

Joanna Stancil: Because we're also updating the OTR site, the main page, and that's going to be a slow process as we find the time to do that. But there are some limitations, but if there are [indiscernible] links we've already got, we probably can amend those somewhat to include comments to the council.

Angela Sandstol: Okay.

Chris Beyerhelm: This is Chris Beyerhelm. I'd just make a recommendation, too. Because there are two other committees that serve as secretary on related matters, farmers and ranchers. There's the Beginning Farmer Advisory Committee and there's the Minority Farmer Advisory Committee, and I would recommend we get copies -- they've already made recommendations to the secretary that we get copies and distribute to this

council so they can see -- first of all, the format that they've been submitted in, so I think that was one of the issues we want to deal with. And then secondly, what those recommendations have been, just to give you some sense.

Joanna Stancil: And there is a letter, a formal letter, that the chair -- and we'll work with you on that, Mark -- the chair would send forward with those recommendations that kind of describes how the deliberations and how the recommendations came to be, and the justification behind, and that would go with your recommendations [indiscernible].

Mark Wadsworth: So, what you're saying is there's already a format developed by those two groups that we could follow?

Joanna Stancil: I think there are examples out there, yes.

Chris Beyerhelm: [Indiscernible].

Janie Hipp: There's not a firm format but there's -- we can follow it.

Chris Beyerhelm: I mean, it is basically what Sarah handed out, it's kind of the same format -- issue-proposal-solution, issue-proposal-solution. That's kind of the format.

Mark Wadsworth: Okay.

Jerry McPeak: I'm assuming that we are now discussing that point that says Committee Strategy for Documenting Recommendations?

Mark Wadsworth: Yes, right now.

Jerry McPeak: Okay. That's what I want -- and so, you guys are defining now what that is, right? That's what I --

Mark Wadsworth: Yes, Sarah?

Sarah Vogel: If you'd like, I could help on writing stuff up.

[CD5 Track 2]

Mark Wadsworth: One of the comments that Janie said at the end is that the secretary is looking for these recommendations as soon as possible. And one of my concerns when we had a break was, do we want to flood him with the myriad of recommendations that we've received so far, or as we as a council, do we want to give him our top 10 concerns?

And one of the formats that we were thinking was to write down and to possibly e-mail this or get this to you, each recommendation which may be close to 50 or something to that effect, and you guys write on there; what, in degree of importance, this is our number one concern, my number one concern through the council, and then we'd kind of quantify that into coming up to five or 10 recommendations that we'd work off first.

So, as we do each set of recommendations, then we could get reports back on the progress of those, and then start the process with another 10, and another 10, and another 10, and continue our process of documenting the progress on each one of

those top 10 issues. And I realize that we will not get that done today but, it's going to be the compilation of that data, getting it to us, and we get it back to you timely so that we can finally come up with our first top 10. Is that agreeable?

Angela Sandstol: Mark, that sounds like a good idea, or Mr. Chairman. But how are we going to -- I think, I don't know if this is -- how this subject is. Is this -- how are we going to select the top 10? Is that what this subject is?

Joanna Stancil: It's basically how you're going to do the business of the council in making the recommendations, and it can be whatever anyone recommends, the top 10 recommendations.

Gerald Lunak: It could be done through the subcommittees or these --

Joanna Stancil: When we get to that, the subcommittees -- yes, the subcommittees can help you make those recommendations. You choose the topics for the subcommittee, whether it's youth, or whether it's the technical assistance. Things that we've heard that Janie already kind of shared -- technical assistance, extension, education outreach, subsistence and traditional foods, youth activities, economics, development infrastructure. You know, any of those topics that Janie brought up earlier, whatever you come up with. They could do your work, feed it back to the chair, make the recommendations. We send their recommendations to [indiscernible].

Mark Wadsworth: Yes.

Gilbert Harrison: Gilbert Harrison. I'd like to see [indiscernible] recommendations [indiscernible], because I think that we certainly [indiscernible], then we can look at it--

Mark Wadsworth: Yes.

Mary Thompson: Also, it would help many if as we go through the recommendations, if we could categorize them, I'm sorry, Mary Thompson -- if we could categorize those recommendations into -- and put them with the programs that they go with. And then, if you have a top 10 or a top five or top 150 of them -- you know what I mean -- but for each program. And maybe if we just send our top three recommendations for each program, that would be a lot, depending on the comments. And I agree with Gilbert that we do need to get -- I need, for my own information, everybody's notes. Thank you.

Gerald Lunak: Mr. Chairman?

Mark Wadsworth: Gerry.

Gerald Lunak: Gerald Lunak, Blackfeet. I know we probably don't have time here but I'm really an advocate of having a meeting where it's facilitated. Generally it's by a professional facilitator, non-engaged, to really try to set these lists that Janie has and maybe other things that had been brought up here to kind of make some sense of all of it. I mean, -- I guess, we can do an end run through the list, but

I've kind of found my work with IAC and we use facilitators a lot, that it becomes a lot clearer if you have a professional person sitting there and setting up your -- setting a direction for what your issues are. So, I guess, I would maybe keep that in mind. Maybe not at this time, but if we can somehow work that in. Just a recommendation.

Mark Wadsworth: Yes, Sarah Vogel?

Sarah Vogel: Sarah. If -- it seems to me, one way it might work is to get from Janie's office or the OTR, the lengthy list and then devise some way of people ranking them, or I'd put these in the top 10. And there could very well be consensus just the way there was on the election. And then, maybe if there could be a drafting committee -- and I don't think that these need to be formal things. And then, it could be put into final form by the chair and shared with us, maybe the final draft editing or something. But I think we're going to have to -- in terms of procedure, we're going to pretty much have to use Internet and working out of our places, because I don't know that that's a practical -- to write something like this, if you could -- it's easily done from home or telephone conference calls, that kind of thing.

Mark Wadsworth: Yes, Gilbert?

Gilbert Harrison: Gilbert Harrison. Thank you, Mark. I was sort of thinking, you know, with the elections coming pretty

soon, we don't know what the outcome's going to be, we have a momentum here, I'd like to see us -- or maybe once this is generated, maybe just sit down, have a little work session, and agree and move just the top most important ones, move it into the system. And I think it would be good if we can just have a work session where we have just the board members and just go over these like we're sitting here. That way -- because time is going to be of essence. Thank you.

Mark Wadsworth: We've had several ideas, and I think in some cases, we actually are talking about the same thing, just in a different way, which is agreeable consensus. Before we carry on, Jerry?

Jerry McPeak: I think I'm at a same place you're on, Mr. Chairman. Having been involved with political process, you inundate with a large volume of something, you get zero back because you're feeding too much into the hay baler, and the hay baler can't handle all the other two, you want to get it down. Her concept is really, really good and that we come down to 10 or whatever, and go back and get that done really, really quickly, we can do that. I like your idea of send out what you've got so far, send them back in, get them down to a final 10. And if it's okay, I'd like to make that for a motion that that's what we do.

Mark Wadsworth: Yes. Gerry has been mentioning that we go through the separate recommendations as a total, and each individual councilman/councilwoman choose their priorities, and then from that listing, come to a general consensus of the most important ones. And I was just being told that, by the OTR staff, we'll find out from the socially disadvantaged one and the Beginning of Farmer formats and forward those on to you to show you their format in which how they're presenting to the secretary and the secretary's preferred way of receiving these, of putting them into that sort of order.

So, again, I guess what we're going to have to do here is to have that compiled again, Sarah and Janie, from the notes that we took previously and then going through in e-mail.

Chris Beyerhelm: Thank you, Mr. Chairman. I just -- at the risk of getting myself in trouble, I just want to ask a practical question, is, do we want to try to time these so they come in before or just right after the election? I mean, my concern is -- I'm not asking for this to happen or hoping this happens, but if we send them in before the election and the same administration doesn't stay, they're going to die in a vine. So, I'm wondering if we should at least time it so they just come in maybe right after the election.

[CD5 Track 3]

Mark Wadsworth: Go ahead, Gerry. Gerry Lunak, he was

answering. Gerry.

Gerald Lunak: Gerald Lunak, Blackfeet. I guess what I would like to recommend, too, that Janie and some of these other folks is a system of drafting of this document and make it a recommendation from the council.

Mark Wadsworth: [Indiscernible].

Jerry McPeak: Yes, absolutely, Mr. Chairman. I absolutely agree with that. I think that's a very logical thing [indiscernible] drafting. But in reference to your statement -- and as you all know, I'm not politically correct -- along with that, it doesn't make a damn to the next administration comes in and it's not what we got now, it's going to go down the vine anyhow. And that's an opinion, not a fact. [Indiscernible].

Sarah Vogel: And to the degree that things can be set in place, set in motion with the folks that we've been hearing from all day and all day yesterday, and all these wonderful things, I'd just as soon give all you folks as much a run-in time as we can. So, I'd say, time is of the essence, because a great deal could get done, not as much could get done if one had an entire four years but, you know, I'm the kind of person -- I thought McGovern was going to win. So, I'm -- hey, full of optimism, but I think as much run-in time as to get all these initiatives going, and some of them are going to be quick fixes and some of them will take a long time, but let's get on with what we can.

And the only thing I'm hesitant about is that if I were doing drafting and with Janie and maybe -- I haven't been taking the best notes because I've been mostly listening, but if we could hash out a pretty good list and circulate it with folks, and then get feedback from, you know, you forgot X, Y, Z points, people could do that, and then we could do a ranking thing, and it could all be done by e-mail. Maybe.

Gerald Lunak: Chairman, Mary.

Mark Wadsworth: Yes, Mary Thompson.

Mary Thompson: Thank you. Mary Thompson. Okay, I agree that we should receive our little list of these issues and rank them and send back recommendations. But I'm wondering, did we ever decide whether we were going to rank them by just need or necessity or program or department? And then, with Gerry's point there, I was thinking about what about ranking them, or would you start with the ones where the policies could be amended or in-house policies as opposed to the statutory. Because those, we know we're not going to -- if we did the in-house, we could move on those a little bit better than we could doing some changes to the legislation.

Janie Hipp: Can I?

Mark Wadsworth: Yes, Janie.

Janie Hipp: This is Janie. My comments on that -- Mary, I totally get where you're coming from, but having worked with

Juan and Chris, some of these issues, even though we know -- even though we hear what the problems are, we go down a path -- when you're inside the building trying to work these things out, you go down a path thinking that if it's regulation, you can blah, blah, blah, and if it's statute, you've got a harder problem. And some of these things just unravel in a way that it takes a long time to even get to the point of understanding and having a clear read from all your policy people, all your legal people, if BIA's involved, a read from them.

I think that trying to look at that list through the lens of reg versus statute versus quick, some things that I've thought had been quick take the longest, and some things that I've thought would be the longest are quick. And I think if we -- my guidance to the council is that we don't look at it through that lens. That we look at it through the lens of needs, of Indian country, and what are not collective knowledge and guts and what we're hearing from people are the strongest needs, and if they're the hardest, then they're the hardest. But that's just my [indiscernible].

Mary Thompson: Okay. That might be something that -- let's just vote on it and decide it so we can get past that one and move on.

Mark Wadsworth: Okay.

Chris Beyerhelm: Motion on the floor.

Mark Wadsworth: Is there a motion on the floor? Could you restate the motion?

Chris Beyerhelm: [Indiscernible]

Mary Thompson: Or a consensus.

Gerald Lunak: Chairman?

Mark Wadsworth: Okay. Gerald Lunak first [indiscernible].

Gerald Lunak: Okay. I want to back up a bit. I did make a recommendation for these guys to help draft, and I would ask a for a voice vote on that, please. I think it's needed for their sake as much as for ours.

Mary Thompson: To do what now?

Chris Beyerhelm: To do drafting.

Gerald Lunak: Janie and Sarah.

Mary Thompson: Would you repeat your motion --

Mark Wadsworth: Correct me if I'm wrong, but the motion on the floor from Gerald Lunak is that we pass a vote on the procedure of having the OTR staff give us a copy of the regulations and compile the data.

Gerald Lunak: They would, yes, compile.

Mark Wadsworth: Sarah.

Sarah Vogel: Not regulations. You mean recommendations?

Mark Wadsworth: Recommendations. I'm sorry about that.

Joanna Stancil: You meant the topic areas?

Mark Wadsworth: No. The recommendations.

Sarah Vogel: And If I could volunteer to work with Janie?

Mark Wadsworth: Yes.

Mary Thompson: And is that once we have decided what those top 10 priorities are? You're just going to compile all the information and give it to us? Thank you.

Mark Wadsworth: I think the motion on the floor is just to have the staff start working on the recommendations.

Gerald Lunak: Yes.

Mary Thompson: I see.

Chris Beyerhelm: Point of clarification. Okay, is it -- I think that's a good idea, but is it expected that OTR and Washington folks are also going to draft up the proposed solution?

Joanna Stancil: It was --

Mary Thompson: Yes.

Mark Wadsworth: No. I believe, no.

Joanna Stancil: No. This is Joanna. Point of clarifications: My understanding under the FACA rules, the recommendations come from the body of the council, not the Office of Tribal Relations, and that includes all council members in agreement through consensus process. What we can help you with is any of the topics that Janie approached or I mentioned today or that were mentioned in here, I think that's what Tony and staff were thinking about doing. They'll give

you, I guess, some examples but they'll also type up some of the topic areas that we've heard from the tribes of being of importance to a large body of Indian country, like the youth issues, how you're going to deal with USDA and how to deal with youth, technical assistance, extension, education, outreach -- those were the topics we were talking about, making sure that you all had them and how you categorize them, how you prioritize them, vote on them, and make recommendations how to resolve those issues. First, I guess, identifying what the barrier is and then making a recommendation to overcome the barrier [sounds like]. That's the work of the council. Does that clarify that?

Mark Wadsworth: Yes. But can we ask the council designate Janie, yourself, and Sarah to do this work?

Joanna Stancil: To pool your ideas and recommendations together?

Mark Wadsworth: Yes.

Joanna Stancil: Of course. That's how -- you decide how you're going to [indiscernible].

Mark Wadsworth: Okay. The motion on the floor then is to have compiling of the recommendations at this point to begin with, and this will be done by Janie Hipp, Sarah Vogel, and Joanna Stancil. Is there a second?

Jerry McPeak: Second.

Mark Wadsworth: Second. Motion has been second. All those -- we'll go to a voice vote. All those in favor, say, "aye."

All: Aye.

Mark Wadsworth: Any nays? Motion passes. I believe that there's a second motion on the floor that basically says that it'll be the council duty to respond to these recommendations in a ranking criteria and to get those back to the council for review. Should we give this a timeframe in two weeks or should we just do 10 working days?

Jerry McPeak: Ten days are [indiscernible]. Eight.

Mark Wadsworth: Do we want to get that technical or --

Jerry McPeak: Yes, I think [indiscernible] timeframe [indiscernible] timeframe with. If you don't get into that time, you don't count. [Indiscernible] late.

Mark Wadsworth: Okay.

[CD5 Track 4]

Juan Garcia: Mr. Chairman, if I can have some clarification and whatever's going to be sent out, I just want to clarify or understand, is it a list of topics that we're going to be looking at and then -- because if you have a topic, then, okay, then you have to formulate a recommendation of some type based on that topic. So, are we going to be sending out topics to categorize once the topics are categorized, then a

recommendation will be formulated on that particular topic? Is that my understanding?

Mark Wadsworth: That's my understanding, yes.

Juan Garcia: Okay. I just wanted to make it clear.

Mark Wadsworth: Go ahead, Sarah.

Sarah Vogel: Yes. I just wanted to clarify that I think the first list that goes out is going to be the baby in the bathtub, and blah, blah, everything, kitchen sink. It'll be everything. And then, it'll be filtered through the individual members of the council as to what they think is the most important, where we should start with the secretary, and then we'll focus on drafting those. That would be the second round, so maybe -- I mean, that would take more time too, but I think the first round is to get guidance from the entire council.

Mark Wadsworth: And the point is, is what timeframe will we need to get those first out.

Sarah Vogel: What?

Jerry McPeak: The point is, you want more time or less time or --

Sarah Vogel: Well, I think there'll be two rounds.

Mark Wadsworth: Yes, there will be two rounds.

Sarah Vogel: The first round will be here's the big list, and then the second round is after it's been narrowed, the second round would be these are the top 10, here's a draft,

please give feedback.

Gerald Lunak: This is Gerald Lunak. Most of that would be 10 days, 10 working days, 10 days, that's 240 hours of time for everybody?

Sarah Vogel: Both of them within 10 days?

Mark Wadsworth: No, no. Just the one. The ranking. Just the ranking.

Gerald Lunak: [Cross-talking].

Mark Wadsworth: Now, we could try to combine both resolutions.

Joanna Stancil: We have the record in Sarah's office.

Sarah Vogel: Yes. And I think it's good while everything is fresh in people's minds. It's a lot easier that way, yes.

Mark Wadsworth: Yes, Joanna?

Joanna Stancil: This is Joanna, for the record. Now, the list that Janie and I brought up today in this meeting is not the all inclusive list and never was meant to. It was meant to get your thought processes and dialogue going. So, please don't feel that just because we brought these topics up in this meeting, that that's what you're locked into. Those are the ones, those are the areas that we've heard a lot in Indian country, so we throw them out there just to get you started. And if you choose to adopt all of them, that's fine. If you don't that's --

Mark Wadsworth: Yes, Mary?

Mary Thompson: Do you hand them out or you just --?

Joanna Stancil: No. We'll type them up and send them to you is what we're going to do.

Angela Sandstol: Well, but as we've been talking, yes, we were going to get a list of issues or that come up in consultation from you all. I think I say it's a list of some issues that have been brought to their attention and any other organizations over the last couple of days, somebody will say, \ I want to copy and we're going to get them all out. So, you need to include those in your first --

Mark Wadsworth: I believe that it is understood because we also have these roundtables that have been occurring that have their recommendations also. What we're trying to do is compile so that we can look at these. And we're not going to exclude anybody's. We're just trying to say we're going to get these into our hands, and then from that, then we'll rank them individually of what we think our top 10 concerns are. My top 10 may differ from somebody else's, but then from that, we'll say, well, our first recommendation out of the -- how many council do we have here? Thirteen?

Female Voice: Fifteen.

Mark Wadsworth: We had 15 numbers one's on this issue, we had 17 -- or, geez, 13 on number two, that were there.

Gerald Lunak: Seventeen on [indiscernible].

Mark Wadsworth: Yes, I know. But anyway. So, I think we're trying to take this just one step at a time, it sounds to me. So, we'll do it one step at a time for now. So, the motion on the floor is for Janie, Sarah, and Joanna to send us all the recommendations from all the roundtables and all the input that we had from everyone, to send it to the remaining council members within 10 days so that we can start our review.

Gerald Lunak: That we would respond in 10 days?

Mark Wadsworth: And then, after that, we have to respond within 10 days. Do you want to amend the resolution to include that? And then further after receiving the recommendations, we'll have 10 days to send those back to Janie, Joanna, Sarah, and everyone with the ranking criteria.

Sarah Vogel: By the way, I think the feedback could be faster than 10 days. If the gathering, collecting, writing them up takes 10 days, feedback could take five.

Mark Wadsworth: Okay. We'll shorten it by five days. Does everybody agree?

Jerry McPeak: Lord, I thought you all are going to [indiscernible]. You understand this thing, right?

Juan Garcia: We have a short turn around.

Gerald Lunak: You second that recommendation?

Jerry McPeak: Yes, I'm all over it.

Mark Wadsworth: Okay. It's been moved and seconded. All those in favor, say "aye."

All: Aye.

Mark Wadsworth: Anyone opposed, say "nay." Motion passes.

Jerry McPeak: [Indiscernible] and observations?

Mark Wadsworth: Yes. Go ahead.

Jerry McPeak: Mr. Chairman, an observation -- I was being -- this is Jerry. I was being serious a while ago. Folks, if it says five days, you'll get it in five days. Don't be grappling somebody about yours wasn't counted. You said five days, five days is a drop-dead date.

Mark Wadsworth: Go ahead, Gilbert.

Gilbert Harrison: What kind of numerical scoring system would we recommend? The most important ones will get five points, then down to one? The least will get one? So what's the --- one through 10 --

Female Voice: The first five.

Gilbert Harrison: Okay. Thank you.

Male Voice: [Indiscernible].

Mark Wadsworth: Yes, Angela?

Angela Sandstol: Is that work days or calendar days?

Mark Wadsworth: They just want calendar days.

Angela Sandstol: Calendar days. You ought to specify it.

Mark Wadsworth: Yes. Yes, Janie.

Janie Hipp: Mr. Chairman, can I suggest that, I think we've got our 10 days and we've got five days after that, and I'm not so certain that I want to be totally firm of the very end date, that it's ready to walk out the door, there's always something that happens. But my feeling is that once you go through the seeing the kitchen sink and then we'd rank, and then the team comes back together, assuming [indiscernible] it'll be a shorter document than the kitchen sink, and it goes back out. I think that we can't afford to bring everybody physically together to deliberate but we can deliberate by telephone, and we've got to do that in a legal way. And so, we can do that but we just got to be -- we're going to have to set a date, Joanna, deliberate by phone to establish how we vote on these [indiscernible].

[CD5 Track 5]

Joanna Stancil: And may -- sorry. I was going to clarify it [indiscernible]

Mark Wadsworth: Yes, go ahead, Chris.

Chris Beyerhelm: Well, I just wanted to add to that. I mean, my recommendation would be once we get them prioritized, the top 10, that we're going to break into subcommittees and prepare the responses. Because I don't think this group -- I don't think 15 people can get on the phone and try to get a coherent response to these. And this is the way it's normally

handled in advisory committee meetings. They actually meet in subgroups in different rooms, come up with a proposed resolution and then they bring it back and share it with the group. So, at least you get some flavor for the discussion that took place around coming to that resolution rather than just seeing it on an e-mail.

Mark Wadsworth: [Indiscernible].

Chris Beyerhelm: That's correct. Right. But they're not going to be part of the big discussion.

Angela Sandstol: Mark.

Mark Wadsworth: Yes, Angela?

Angela Sandstol: [Indiscernible] based on what people ranked, we'll kind of reflect on what committee subgroup [indiscernible].

Chris Beyerhelm: Yes.

Mark Wadsworth: Yes, it would.

Chris Beyerhelm: Yes. That'll help set that up, yes.

Joanna Stancil: So the next thing on the agenda is to figure out how to go to structure this. But anytime that you deliberate in preparation to make recommendations becomes a public opportunity even if it's on the telephone, so that's what Janie was trying to bring up. When you decide on setting a firm date, we have to notify the public through the Federal Register and give that 15 days before your event happens. So, there is a

process in following the federal -- FACA regulations. So, in doing that, you want to build that in. But if it's the discussion, the due-diligence part of it, but if you're coming to deliberate, then we need to announce that in the Federal Register and make that open to the public, which would basically be giving our call that we'd all be part of and I'll be part of it. So, just take that into consideration.

And one of the things I think -- this is just from me personally as a DFO, that one of the things that Janie and I had talked about earlier for OTR is things that we know we have a window that might be closing. If the administration change or Vilsack decides not to stay with us because of his support, how supportive he's been, to look at things that we can accomplish within our own office, and as we prioritize projects, what do we absolutely have to try to get pushed through while this administration is still in office or Vilsack is still sitting in that position, and looking at short-, intermediate-, and long-term goals or objectives of what we're going to have to try to accomplish. And I don't know if that applies to your recommendations, but some of them will be long-range and some are [indiscernible], some you would hope to try to get through quickly. Thank you.

Mark Wadsworth: And if I understand you correctly then, after we've ranked them and we come back with our top 10, then

at that time that we do your conference call and designating the committees to work on each separate group, will that have to have the 15-day notification during that conference call?

Joanna Stancil: I don't think so. But when you come back as a body to decide on the recommendations, yes.

Mark Wadsworth: Oh, as a body.

Juan Garcia: [Indiscernible] to decide.

Mark Wadsworth: Okay. So we don't have to worry about meeting --

Joanna Stancil: No. I don't think there's enough life left in any of us to do that.

Mark Wadsworth: But we will have to come together as a body after the committees have come up with their final --

Joanna Stancil: Yes, we'll make that a public one. But I do want to be on any -- if what I can, is on any of the subcommittee [indiscernible] I have to be in attendance on the phone or something.

Mark Wadsworth: So, when we have subcommittee recommendations come before the board, can we do that on a conference call but we have to have a 15-day notification?

Joanna Stancil: The individual subcommittees?

Mark Wadsworth: When they come through to the [indiscernible] council.

Joanna Stancil: Technically, yes, but I don't think it's going to work well for this council. So, I think if we come together as a body -- and I will double check this -- as you come together as a body to -- because the structure is the committees go and do their work, they do their research, they do their due diligence, they bring their thoughts and their recommendations forward to the council.

Mark Wadsworth: Okay.

Joanna Stancil: So, they have to come to you.

Mark Wadsworth: Okay.

Joanna Stancil: They don't send anything as independent bodies at all. And at that point, you collectively would take those into considerations and do your deliberations on what you're going to do, that meeting has to be public.

Mark Wadsworth: Okay.

Joanna Stancil: Okay. Janie? So, that has to be --

Mark Wadsworth: I think that we're kind of missing the real situation here. We need to pass our by-laws.

Janie Hipp: Yes.

Joanna Stancil: Yes.

Mark Wadsworth: Okay.

Joanna Stancil: And did we bring those copies of the by-laws changes?

Mark Wadsworth: You know, when we had the recommendations to change our by-laws, we still have not totally --

Joanna Stancil: Well, what --

Janie Hipp: The only thing that we had -- excuse me, Mr. Chairman.

Mark Wadsworth: Yes.

Janie Hipp: The only thing we had outstanding, and I can go through the lists of the by-laws, we all had -- we walked through and gathered all the amendments to the by-laws. The only thing that was outstanding was the insertion of language that was of a general nature that captured the sense of the council about reconciliation and creating new relationship with USDA. We have decided that we would -- well, we hadn't decided -- we talked about inserting an additional bullet in the role of the council. And the assistant secretary for Civil Rights, Office of General Counsel, and myself worked on some language, and Lisa has it, and can -- and it's language that has passed through the Office of General Counsel is what I'm saying. And so, it has been blessed, which Joanna needs to know.

Joanna Stancil: I just learned that now. And on that note too, we incorporated, we did -- and I'm sorry that we don't have it -- yes, we did incorporate all of the changes including, you know, we were talking about that Exemption 4 on the FOIAs, the FOIA? And we have language for that. In fact, there are nine -

- I think there're eight or nine exemptions, but we have the language from the FOIA on the Exemption 4 to be inserted.

Male Voice: What's a FOIA?

Joanna Stancil: Freedom of Information Act.

Male Voice: Oh, okay.

Janie Hipp: If we need to, Mr. Chairman, I can walk through that one more time and I can tell you exactly what's been done. My understanding from our conversation on Monday was that the only thing we needed to do that was kind of left dangling was to insert language that identified the Freedom of Information Act section that Joanna referred to. And Rick has advanced that language for us. It's been blessed by the Office of General Counsel. So, all that was going to do is be a footnote to identify what that section was, because it was vague in the by-law. The only other section that we added that we needed to work on the language and we have worked on the language and we're ready to propose it to the council was in the role of the council in the first section, I think it's page one.

Juan Garcia: Section 3.

Janie Hipp: Section 3? And Lisa, if you -- Mr. Chairman, if you would allow Lisa to actually say the language that Office of General Counsel has approved, that her office drafted, I think if we can reach agreement on that, then we can put those by-laws to bed.

Joanna Stancil: And you can vote on them without having the physical copy in front of you as amended. An amendment's been made [indiscernible].

Mark Wadsworth: Okay. Lisa, would you enlighten the council on the new language?

[CD5 Track 6]

Lisa Pino: Thanks, everyone. This is Lisa Pino with the Office of Civil Rights. So, I'm just going to do a quick before and after just to refresh your memory. What was suggested the other day was that the additional -- now, this is an additional amendment within the proposed amendment to the council by-laws is that we were going to add -- this was as of yesterday -- the following. Evaluate methods to promote reconciliation by USDA with the Native American communities across all program areas. That was the before. And we've tweaked the language a little bit to be both -- we wanted to be a little bit more specific and a little bit more constructive. So, instead, we've all agreed upon the following. "Evaluate methods to promote reconciliation through the creation and restoration of relationships with Native American communities across all program areas to strengthen consultation and collaboration."

I'm happy to repeat that. I'm going to do it one time? The after? So, the after is proposed: Evaluate methods --

Chris Beyerhelm: Lisa, I'm sorry. Are you in Section 3 right now?

Lisa Pino: I don't know. This is Section 3, that's correct.

Chris Beyerhelm: Okay. Just to clarify, so we're inserting this bullet second from the bottom?

Juan Garcia: Yes, second from the bottom.

Lisa Pino: Exactly. Yes, it's just one more bullet. So, instead, what we proposed is: Evaluate methods to promote reconciliation through the creation and restoration of relationships with Native American communities across all program areas to strengthen consultation and collaboration.

So, we wanted to really hit the essence on the head. Is everyone all right with that? Okay. Good. It's now really blessed. Thank you.

Mark Wadsworth: I guess, we need a formal motion to accept the by-laws.

Female Voice: [Indiscernible]

Gerald Lunak: Second.

Mark Wadsworth: It's been motioned and seconded to accept the by-laws with the recommendations of the council from the previous meeting with the new language inserted in Section 3: Role of the Council. All those in favor?

All: Aye.

Mark Wadsworth: Anyone opposed? Motion passes.

Next agenda item, or are we continuing on with the recommendation process? Yes, I think we're going to skip by the subcommittee portion because that will be forthcoming. We have to plan our next advisory committee meeting. That's been -- well, go ahead, sir. Angela, I mean, please.

Joanna Stancil: See?

Female Voice: [Indiscernible].

Angela Sandstol: I was just wondering, I've been looking here, I don't want to look entirely but did we have the subcommittees in our by-laws?

Joanna Stancil: They're mentioned in there, yes.

Angela Sandstol: Okay. So it says how many people will sit on there?

Joanna Stancil: No.

Mark Wadsworth: No.

Joanna Stancil: That's strictly -- there are no --

Angela Sandstol: So, that's what --

Joanna Stancil: There's flexibility.

Angela Sandstol: Do we kind of want to cover at least that part?

Gerald Lunak: No.

Angela Sandstol: No?

Gerald Lunak: May I just --

Mark Wadsworth: Go right ahead, Gerry.

Gerald Lunak: In my experience with what you're doing, you're backing yourself in a corner, you don't have to. You want to leave as much generality as possible so you don't back yourself in a situation that you can't deal with. Without having a certain number -- you don't have quorum, you have all kinds of situation in the House. So, you're a whole lot better off not to quantify that and just let it go and have what you need fit when you need fitted.

Angela Sandstol: [Indiscernible].

Gerald Lunak: In my opinion. My experience and my opinion.

Male Voice: It's a good idea.

Joanna Stancil: Now, the only caveat -- and Janie's going to join me on this -- is in the charter, is that there has to be, I think, two members of the council that sit on the subcommittee. You are not restricted under FACA rules to limit yourself just to appointed council members. If you decide on a topic area for a subcommittee, you are allowed and encouraged even to go forward into your community with your constituency based and bring others to serve on that subcommittee and help you come up with your recommendations. It could be somebody from your community, it could be a member of youth, it could be an elder, it could be someone that's a specialist in

subsistence, food, education. Whatever the area of the topics you're going to be discussing, you can invite somebody to work on the subcommittee with you. But there does have to be -- and that's where I'm kind of in a gray area. I think we've read where it said two, but I think you're okay with one. Janie?

Mark Wadsworth: Yes, Janie?

Janie Hipp: Mr. Chairman, I kind of have a sense of everybody's milling about on this issue right now, it kind of sounds to me, and I think I've heard it said already, that we would all feel more comfortable if we kind of solve the kitchen sink themes and recommendations before we commit to any sort of a subcommittee. And based on what Gerry just said, boy, that sure does make a lot of sense to me. [Indiscernible] set some right now and maybe be in that space where we are fluid enough that we can appoint what is needed, but not create something that we don't want to live with. [Indiscernible]. Gerry?

Gerald Lunak: Yes, kind of like I told [indiscernible] state legislator: I said what I meant and meant what I said [indiscernible] anything else, I said it. Along with - you're saying -- to me, something that sounds a little dangerous [sounds like]. Those folks you're bringing in to be advisors but they don't have a voting right.

Male Voice: Right, exactly.

Mary Thompson: Well, what I was just talking about was how many members that are [indiscernible]. I'm sorry.

[Indiscernible]

Joanna Stancil: Two are required.

Female Voice: [Indiscernible].

Juan Garcia: At least two.

Joanna Stancil: At least two are required, yes.

Male Voice: Two from this council?

Joanna Stancil: Yes, on each subcommittee.

Juan Garcia: At least two.

Mary Thompson: All right. [Indiscernible].

Janie Hipp: But the point I'm trying to make is I think it's early.

Mark Wadsworth: Yes. Well, I think I tried to make that point at the beginning here, is that we were too early to go into the subcommittee format on our agenda at this point in time.

And, just as what I had been looking at to, is as a part of our communications with the secretary and every other person or group that we're involved with, I think we have to come up with some sort of official letterhead recognized by the council. This looks quite nice and stuff, but I was just wondering how that would look about one inch tall. It'd be quite crowded in there with that logo.

Joanna Stancil: Actually, it doesn't look that bad.

Mark Wadsworth: It doesn't?

Joanna Stancil: It doesn't, no.

Mark Wadsworth: Okay.

Joanna Stancil: And I think though, on any letterhead that comes out of here -- I'll have to check on that, but it may also need -- this is not a logo, it is a brand. There is a little bit of a difference. And the only logo that's allowed on official USDA stationery or letterhead would be the USDA, and we are part of USDA. So, -- let me check on that and we could -- We are so thankful that the FSA folks, their graphic artist created that for us. They would be kind enough to maybe lock that down into [indiscernible] that would be great. We'll just check on making sure with the Office of Communications [indiscernible] we will have that.

Mark Wadsworth: Before we adjourn, I know that I would like to sincerely thank the council in this group. It is really needed, and I think that we finally have our voice. If we can really work good together, I think we can get a lot of things accomplished, and in a positive way. I really appreciate every one of you. And I imagine, Porter, you'd like to say something also.

Porter Holder: Sure. Could we allow each person on the committee to have three minutes to make a final statement?

Mark Wadsworth: You bet you.

Sarah Vogel: And before we adjourn, shouldn't we tentatively discuss at least the next time we get together? Because I have an idea.

Joanna Stancil: It's on the agenda.

Mark Wadsworth: Our next meeting.

Chris Beyerhelm: Well, I would -- I'm sorry, Mr. Chairman. Janie, do we need to talk about site [indiscernible]?

Janie Hipp: No.

Chris Beyerhelm: Okay.

Janie Hipp: I don't think so. It's too early for that.

Mark Wadsworth: I think what we're looking at here is after we get our subcommittees together, then I think that's kind of the opportune time to come back together, unless you feel that we can accomplish this subcommittee recommendations over a conference call. And I do not know what the budget is for travel to get us places or anything to that effect, but I'll rely upon your expertise and direction to us of what would be the next logical step in a meeting.

[End of transcript]