

**U.S. Department of Agriculture  
Council for Native American Farming and Ranching  
December 13, 2012**

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

[Start of file: 1002]

Mark Wadsworth: If everyone could have their seats again, we'll get started. [off topic general conversation until 002:00] Just an FYI. Gilbert Suazo is doing his caucus meeting, so he's going to be in and out during this timeframe and he just wanted to mention that to you.

Well, I think everybody needs to turn to what I believe that we have spent enough time on, and I'd like the council, and if you're in total agreement, I think that we're through with our public comment period for this meeting.

Gerald Lunak: Would that be by motion, Chairman?

Mark Wadsworth: If you'd like.

Gerald Lunak: I'd like to make a motion to close the comment period for this meeting.

Mary Thompson: Second.

Mark Wadsworth: It has been motioned and seconded to -- we are done with our public comment period for this meeting. Any further discussion?

Sarah Vogel: I think Ross Racine -- not Ross, but Zach.

Mark Wadsworth: I talked with Zach. We have on our Randall Ware who's a part of the minority committee that's also involved with the USDA as an advisory committee. I thought if Randall didn't take most of his time, we can have time for IAC to give us an update on their network system. If they want to give us that information, I think that's vitally important. Okay. Let's turn to the section in our book --

Mary Thompson: Question.

Mark Wadsworth: Yes?

Mary Thompson: No. Question for the motion. You have a motion on the floor, Chairman.

Mark Wadsworth: Okay. It has been - a quick motion. All those in favor?

All: Aye.

Mark Wadsworth: Anybody not?

Gerald Lunak: What is the motion?

Mark Wadsworth: Motion passes.

Male Voice: Of the comment.

Gerald Lunak: Okay.

Mark Wadsworth: Okay. It's on Section 4 or 5. From previous recommendations that was given to the council, we had several that came up, and out of those several that you guys were given, you came back and ranked in order of one through 10, one being the most important, 10 the least. From those

recommendations, we took as many number ones. So, basically whatever scored the lowest was the highest ranked first recommendation that we'd want.

I think there's one here that we can take immediate action on, and it's probably the first recommendation as a council. Is John in with that example? Do you have the example resolution?

John: I do, but I do not have a copy.

Mark Wadsworth: Would you be able to put it on --

John: I could do it after lunch, yes, sir.

Mark Wadsworth: Okay. Well, I made some copies. I don't know if everybody'll have enough.

John: I can easily run down to UPS and make copies.

Mark Wadsworth: Okay.

Jerry McPeak: Mr. Chairman, I have a question.

Mark Wadsworth: Yes?

Jerry McPeak: I kind of have a procedural question since I've learned so much this morning. When we do these resolutions, where are we going to send them to? They're like smoke signals or we send them to somebody? What do we do with them?

Mark Wadsworth: Actually, I've been in conversation with Dustin Miller who used to work in the secretary office, actually the secretary of ag used to be his professor, and he's going to give us a format of how the secretary makes his decisions in an

executive decision-making memo. And what we would like to do is pass this resolution and attach it to that memo but I do not have that memo at this time. Just make it normal as possible or easy as possible for the secretary to review and take action on.

Jerry McPeak: So, we're going to give it to the secretary?

Mark Wadsworth: Yes.

Jerry McPeak: Okay. The guy who spoke a while ago said that we don't talk to the secretary.

Female Voice: On the cy pres.

Mark Wadsworth: On the cy pres.

Jerry McPeak: On Keepseagle thing? On the Keepseagle thing? Okay. So, then we still talk to him about the Keepseagle Settlement, we don't talk to him about the money? So, I still think the most important thing we're going to do here is find out what it is that we're supposed to do and what we're not supposed to do. I'm obviously confused.

Joanna Mounce Stancil: All right. Well, Jerry, I think there are two things going on. Based on the settlement, the council was created to look at everything within USDA on enhancements, improvements, make sure all the -- so that we never get into another Keepseagle situation. So, yes, you do have a conduit to the secretary but the recommendations would be based on analysis, your research and your ideas and recommendations of how to improve how USDA works with tribes and

individual Native American farmers and ranchers. At the program level, it could be that you've seen a form and you're saying that's not going to work in Indian Country, you make a recommendation on that, you can -- on anything that you want other than the process for Keepseagle or the cy pres account.

Jerry McPeak: Okay. Let me condense that then. So, we are only to make recommendations for anything going forth from this day forward? Nothing that has occurred from this day behind us?

Joanna Mounce Stancil: In relation to Keepseagle. But if you're looking backwards and you know that there's something that didn't work well in Indian Country because a farmer -- you have that personal experience or a farmer and rancher shared that with you, then we certainly want lessons learned and use that for how you see how we should move forward in the future. So, history is part of this but not the Keepseagle settlement history. Does that make sense? Am I speaking okay, sir?

Jerry McPeak: Yes. Okay. Yes. And I think this is so important because we really missed the target on this thing in Washington, D.C. in my opinion. But absolutely, we missed the target. So, then, truthfully, we have nothing to do with the Keepseagle settlement except that this council was created through the Keepseagle settlement, so therefore, we really have nothing to do with the Keepseagle settlement whatsoever. We

only have to do with what goes -- we were only created by that so, therefore, -- but we have nothing to do with the Keepseagle settlement except for the fact that we're created?

Joanna Mounce Stancil: And I think we have one more [indiscernible] Sarah are waiting to make comments on [indiscernible].

Mark Wadsworth: Gilbert Harrison has the floor.

Gilbert Harrison: Yes. This is Gilbert Harrison. I've thought about -- I've heard quite a bit of conversation about this Keepseagle, and I think -- I look at our charge here, the role here, and it really is -- we were created to do something different. I know that a lot of effort and work has gone in the Keepseagle, but I think we need to -- I would like for us to clarify what should our role be here as the council. Because over the last couple of days, there's been a tremendous amount of request and recommendations through the public comment period and what we've heard.

And so, I think if we are to basically be effective, we need to sort of define what is that we really want to do, clarify our role and that way, we are focus on topics and issues that are going to move forward because, otherwise, we're going to have overflowing plate, and we're not gonna to be able to move anything. So, I would like to go ahead and suggest that maybe we ought to just go ahead and clarify for the record that

these are what we'll be working on. Keepseagle has its own course and its own path to follow. That's how I sort of see this. And again, we have a big job on hand as it is. Thank you very much.

Mark Wadsworth: Sarah Vogel.

Sarah Vogel: I just want to add a little nuance to Jerry, I think you've sort of wanted a yes-no type of answer -- is this council involved with the Keepseagle case? Yes or no? And the answer is, we are very much involved with the Keepseagle case because part of the Keepseagle case said that there was to be programmatic reforms, said that there was to be technical assistance offices, said funding permitted there would be offices on reservations, it said that there is to be a plain language guide. So, there are -- and there is going to be statistical reporting to this council indicating where loans are being made or not made in Indian Country, so that we can monitor that and so on.

So, there is a lot having to do with the implementation of the Keepseagle Settlement agreement that this council, we hope as class counsel and class representatives that the council keep an eye on and make sure it's working. And yet, we've beaten it to death. But the cy pres fund is the class counsel to the judge, but as I indicated, I think that's a ways down the road. But I just want to emphasize that, because when Jerry was

saying, so, we have nothing to do with Keepseagle, I wanted to make --

Jerry McPeak: [Indiscernible].

Sarah Vogel: No, Jerry, you're not. You're really -- I just went through all of the different things on the programmatic relief that -- specific things in the programmatic relief that we have to follow, like the statistics, for example, which will be coming to us on a biannual basis and to class counsel. Those are the things that are specific to the Keepseagle decision that the council is being asked to monitor.

In addition, the council's role is wide open on all of the different agencies as we'd heard at our first meeting and giving suggestions in NRCS, our decision is focused on credit only, but there are wide ranges of stuff that the council will be doing, I'm sure, on all of the different agencies, all of the different components of USDA and then giving advice to the secretary.

Mark Wadsworth: Chairman Jandreau.

Michael Jandreau: That's right. This is Mike Jandreau. You know, the purposes and the structure -- you know, I'm from an old area of the country that believes very strongly in treaties and agreements and also a believer that the interpretation is in the mind of the Indian or the person that [indiscernible] is with. And it says very clearly, very clearly, that the purpose is to implement the provisions of

Keepseagle-Vilsack Settlement agreement, calling for the creation of the council itself. So, you know, to me, that means that this body is either empowered to really deal with the issues that are laid before it or it is a rubber stamp for the Department of Ag.

Now, I truly believe that I don't want to be a rubber stamp for nobody. I believe that if I'm here to help the people at home that are asking for relief from this process, through this process, then that's the obligation I have. If it is only a façade that is being implemented to facilitate a federal court ruling, then that should've been identified as the purpose. But the purpose on its face says that this body will deal with all the provisions of Keepseagle. I mean, that's what it says. Am I wrong? Am I too confused here or too illiterate to really understand what that's saying?

Sarah Vogel: No.

Mark Wadsworth: Sarah?

Sarah Vogel: No, I -- yeah. I think when we dealt with the bylaws at the last meeting, we sort of went through in some detail what our role was at Section 3, and that's very, very broad. Very broad. But it is not limited to implementing the Keepseagle decision by any means, because the Keepseagle decision only dealt with credit. We get to deal with natural

resources, we get to deal with real development, [cross-talking].

Michael Jandreau: No, I understand that completely, Sarah. I understand that.

Sarah Vogel: Yeah. And we have -- it does say the purpose of the council is to implement the part of the settlement agreement that said there was to be a council. So, I think that's the beginning of it. And then, our role is --

Michael Jandreau: No, it doesn't say that. It says to implement the provisions of that settlement. And also calling for the -- but there are two separate issues. The "and" does not create a secondary meaning. It is an addition to. Now, maybe my understanding of English is flawed, but it's a two-prong purpose.

Mark Wadsworth: Angela?

Angela Sandstol: Angela Sandstol from Alaska. I don't know -- and you could correct me if I'm wrong, but sitting here for a couple of days with public comment, I'm just -- if I could be corrected if I'm wrong, of course, but should we have necessarily been receiving public comment on something that we don't necessarily have an impact in? I mean, it's confusing to me why I'm sitting here, listening to something I have nothing to do with.

Sarah Vogel: Angela, the way the public comment is it's just that, it's open to the public and they can come in and talk about whatever topic they wish to that relates to what they think this council is about. So, we couldn't limit people by saying we give them a list of the only things that they can talk about so that's what's open to the public. So, we kind of talked about that on our conference calls, that the anticipation is because this is such a hot topic in Indian Country that Keepseagle might be quite a big point of discussion, and that's why we also -- Rick was kind enough to provide us with updated talking points, as it were, on Keepseagle so in case that you were encountered in the meeting or in the hallway or something, you would have a little bit more on your side in order to explain where we are within the Keepseagle process. But, if we need to, we can go over the charter one more time if that was what people -- I'll just read from the charter. I don't think you need that but --

Angela Sandstol: I agree with the public comment. I just don't understand how -- well, how come we have to accept public comment for something that we don't have nothing to do with. That's all. Thank you.

Sarah Vogel: That's just the way [indiscernible]. But we have a lot of excellent other things as well.

Mark Wadsworth: Jerry McPeak?

Jerry McPeak: In the sake of being honest, had we been accepting those comments, which is one comment I made yesterday is we were just told that we had no impact or that -- which is a statement I tried to make, trying to get out to the people to understand that based on what I was being told since I've arrived here that we have no impact on it. I tend to agree with the Chairman Jandreau that that is the way I interpreted it. It's a little bit like the foundation thing or the interpretation of, "Moneys will be distributed equally. Money distributed equally among non-profits," would not be my interpretation of equal. Equal would be distributed equally among people by the people.

So, anyhow, I agree that finding where we are or who we are is absolutely essential to this meeting and beyond what is on the agenda. I'm not nearly so concerned about getting that done as us coming to some kind of conclusion as to who we are.

Gerald Lunak: Chairman?

Mark Wadsworth: Gerald Lunak?

Gerald Lunak: I guess my concern is more -- I understand the public comment issue. I don't know if the people that came here understood that. I mean, you had people crying and just baring their soul and thinking we have some say, and we don't. We are a façade in that light. If we have no ability to meet them in the hallway or call them in a month or have our people

contact them to say we have a solution, then why didn't we tell them, "You can come in and talk, but we really can't give you any help"? I mean, where do we draw the line here? I feel like with a lot of those people -- just with what I've learned this morning is that we've offered up something to people, they responded, and now we're on the second day saying, "You know what, we can't even do anything to help those people." And I just think we need to really clarify this whole process of public comment. We need to define our rules and where we sit.

I mean, as I see it, even with the money, we've got a layered system here. And maybe it's just the counsel and the plaintiffs that need to have their own little session to where they deal with that process. I feel somewhat -- not chastised, but there's no point in me being here addressing it unless I have some kind of an impact. And if I don't, then it should be taken to the people that do have an impact, which are the counsel and the plaintiffs. So, what's our role in that? I just want to know. Thank you.

Mark Wadsworth: And Mary Thompson's next.

Mary Thompson: Okay. I think I do have opportunity to have impact. And the way that I'm going to have opportunity to have impact is that as I was listening to what they're talking about -- and they're talking about FHA and farm loan and NRCS programs -- is that, I'd make a recommendation to Chris over

there about a way to improve the NRCS program, or I can make a recommendation to Chris over there about a way to improve the extension program, the FRTEP program, the -- whatever, USDA program. That's the impact that I have opportunity to have.

And as far as that cy pres fund, I feel like the roundabout way for me to have an impact is I'll listen to people out there with their comments and I pass it along to the appropriate council. And that's the way that I have impact.

And so, from that point then, if I go to these 10 recommendations and start looking at the resolution form that Mark had brought over for us to kind of look at, I think that we're still not ready to do a resolution because, yes, number one, "Item 23: Essential that 4-H and FFA remain active in Indian Country," that whole idea is good, but we need to be specific and pinpoint what we need to do to improve that. And so, that's -- when we get to that point, then I'll feel like I'm being pretty doggone productive around here. Thank you.

Mark Wadsworth: Janie was next.

Janie Hipp: This is Janie. I'm just going to second what Mary said. Because I think if we get hung up in what we have authority over and not, the reason for this council is for us to have a voice directly with the secretary to elevate things that need to be fixed, need to be changed, need to be tweaked, need to be improved, all of that. There's a difference between

having a voice and fully realizing that voice to the secretary and having the power and authority to change a settlement. And those are -- we can hear -- everything that we've heard for the last day on the settlement and the cy pres, if we -- just because we don't have the power and authority to change it as a council, if we step away from that and lose our voice to tell the secretary what we've heard, then we'd lose an opportunity to help create a future pathway that can really start to dig into the fundamental changes that need to happen.

And so, I think we're kind of mixing things up, but I think there's very much value in having heard people bare their souls and having heard from their representatives and from the extension folks. There is an important part that all that plays in how we think about what we tell the secretary. But our primary role, I think -- and it's a role of power -- is to make sure that we communicate regularly with him.

Mark Wadsworth: Gilbert Harrison?

Gilbert Harrison: Thank you very much. I really agree with what Mary and Janie are saying. I think our role is more like a conduit, where we take information, concerns, and we point it in the right direction. I think, to me, that's one of our primary roles, and a recommendation as we put those in the proper perspective is that's our voice to say we've received comments here, these are some issues, and this is what the

council recommends and point it, whether it's to one of the program managers or whether it's the secretary or whoever. I think that to me is a role that I perceive as our second meeting and I think it's a good role. And we don't necessarily lose our voice. We have a way of voicing formally what is being said. Thank you.

Mark Wadsworth: And Michael Jandreau.

Michael Jandreau: While I agree with all of you in that regard, what always has to be at the head of anything is the immediacy of with which those who testify, dealt with, that there -- of opportunity that they have to recover from what they feel were the same losses as all of the other plaintiffs. And somehow, that has got to be understood. All of the conversation that I heard while I was here -- and granted I was not here for the whole period of time the rest of you were -- but each and every one of them were not only talking about the future services that could be derived from USDA, but they were talking about the immediacy of surviving today, now, on the reservation with the lack of capital and the lack of access to capital.

You know, I have to put that first in my mind because I've been with it every day. I deal with it every day. I have people coming in and out of my office every day. I can make recommendations. I can say, "why are they doing this, why are they doing that, they should change this, they should change

that," and use my role here as a catalyst to help that to happen. But folks aren't really concerned about that as much as they're concerned about survival today.

Mark Wadsworth: Porter Holder.

Porter Holder: Speaking of this council, not as an attorney, not as a politician -- hell, I don't even work for my tribe, I'm a rancher -- what I would like to see this council do, what I would hope it would do is quit looking back at Keepseagle. Let's look at the programs that's established in USDA right now and make them more accessible for the Native American farmer and rancher like myself. That's the reason I wanted to come on this council. Let's quit looking back. Let's look forward. Thank you.

Mark Wadsworth: I, as I looked at being involved in this and putting my voice to it, and I was just basically thinking maybe there was going to be a rubber stamp scenario, and I didn't want that to happen and I do not want it to happen. And one of the things that I've seen as a definite hindrance to us as a council is being able to communicate with these people effectively in more of a formal format where actually we could write a letter, we've talked about letterhead, we've talked about having business cards, and the communication that we can start to build with the USDA and the secretary. And I guess, Joanna, if you would kind of explain what we've been running

into in this aspect of building that effective communication and them recognizing us.

Joanna Mounce Stancil: Well, the only real issue that we're facing right now -- and certainly the council's not being singled out -- is that USDA has written new directives limiting the use of brands like our artwork or imagery and logos, and it is cross the department. So, I'm in dialogue. We have Dr. Leonard as an advocate, we've already met with the head of communications, and we don't know the status yet if we will be able to continue to use the council's imagery. Things have changed. They want to make sure -- when an agency sets up a logo, that is how they want to be recognized and their brand, what they do recognize. And we have one logo as a department and it's the USDA logo.

So, I'm not sure we'll win that, but I am fairly confident that we will have letterhead and that we will have business cards. I can't say 100 percent, because I am working with people that are the heads of their department and we have to make the argument, but we do have an advocate in Dr. Leonard. It may or may not end up having the same imagery, but some sort of imagery based on that design would be incorporated somewhere in those documents. So, we'll continue to do that.

And I also wanted to share with you that Dr. Leonard is so adamant and so supportive of this council that he has

volunteered to pay for the business cards out of his own office budget. And so, we are pursuing that. We just have to finalize a couple of these little details and then we'll move forward with the design and getting you something. Does that answer that?

And you do have the ear of the secretary. As Janie has shared with you numerous times, he is so supportive and is looking forward to what -- but you are right, the expectation is that things will be coming out of the council, and this is your council. And what I would love to see as a designated federal official, and Mark and others and I already met on it, is looking at what you can do in the short term to have some immediate success in getting something forward, what's going to take a little bit longer more than intermediate strategy of what needs to be done. And if there's something that's really important to the council that you want to work on but is going to take longer, then you have that long-range golden objective that you want to accomplish.

To do that -- and I made a decision and I talked it over with others -- the charter does give the DFO the authorization to set subcommittees. I felt that with the talent that we have in this subcommittee, I would be doing you a disservice if I did that, so that's why it's on the agenda. We would love to see you set up your subcommittees. And how you break out and do the

topics could be done at a later date. We can call another telephone conference or you can work in those subcommittees. But I think that is an important next step for the council, is to -- and if you change them along the way, so be it. Add on or take off, so be it.

Mark Wadsworth: And before I let you go, there have been other concerns from the council that have come to me, just we want to know -- it feels like we're at the whim of USDA at this point in time with setting our kind of our travel schedule or even have an effective budget. And -- how is that budgetary process working for this council through USDA?

Joanna Mounce Stancil: Well, the -- Juan, did you want to address --

Juan Garcia: [Indiscernible].

Joanna Mounce Stancil: Okay. My understanding of it is it's based on the charter with the charter language is that FSA will provide support and staffing for the council -- and they have been generous in doing that. But none of our programs have unlimited funds. So, we are exploring that -- went back to FSA and they made the funds available for this meeting and they're going to go back and we're going to talk about subsequent meetings. But I cannot guarantee that we're going to have this big finite budget. There're a lot of things that we have to take into consideration, but we will do the best as we can, and

maybe even an inter-agency approach since you're going to be addressing more than just FSA programs and services.

Mark Wadsworth: Gilbert Harrison.

Gilbert Harrison: I'm sorry, Juan. You know, there's a very high expectation we've heard over the last couple of days, and there's been comments made that this is a very big step forward as far as work increasing and working with USDA and other government agencies. And if you look at that, we've got quite a big job ahead of us if we are to be effective even though we may be selective and prioritize. And I sort of feel - - I would like to recommend -- and if USDA departments and programs can pull it off -- I think we ought to have quarterly meetings. Because we have meetings like this, we get things rolling. We would put a lot of energy into it, then there's a low period for about five or six months before all of a sudden we're back together and trying to pick up pieces.

And I think I would suggest, and maybe put it before the council and put it before Juan and others, is there a way we can do quarterly meetings? Because it's -- to be a little more effective and to keep the momentum going. And that's really what I've been saying, is we have a chance to change things, we have a chance to improve relationships. I think we ought to have appropriate budget to do that. Thank you very much.

Joanna Mounce Stancil: Actually, inside the agreement also, the amount that is -- there is a dollar amount stated in the agreement, and I think that was \$75,000 annually. And so, it really does take a lot of money to put on these meetings, you'd be surprised. I'm still amazed, and I arranged that budget. So, we're looking at that. But, yes, sir, Gilbert, we're required to have a minimum of two, and those could be -- depending on budget, I'm just going to put it out there -- can be two in-face meetings like this or we can have -- depending on what the council decides -- a lot of conference calls. There is no reason why we cannot do that. If we can't meet person to person more than twice a year, if that's the way it works out, then we can certainly hold at the desire of this council, or we can call, the DFO can call meetings and get on the phone together and continue these dialogues as often as you feel necessary.

Mark Wadsworth: And Juan, you had a --

Juan Garcia: Yes, this is Juan. I wanted to mention a little bit about the budget. And of course, FSA -- I set aside funding for this meeting. What my intentions are is to go back, and with Joanna's help, is to go back to the other USDA agencies. If you look at all the priorities and everything we did, this is just not FSA issues. I mean, yeah, we have loans, but we've got a lot of other issues with community development,

we know where rural development comes in, NRCS; it was a major discussion yesterday about the WHIP program. I mean, we've got a lot of other USDA agencies that can contribute to the budget for this council. And Joanna, I think, it's important for us to go back and gather the agency leaders, and if we have to -- Dr. Leonard is a strong advocate, but I've got to get to the secretary and say, "Mr. Secretary, this is just not an FSA issue at this point, the council's role here, it involves all of the USDA agencies, that we need their funding to be able to gain some ground on what we're doing."

I totally agree with -- you know, conference calls, they'll work for short things but you can't do on a conference call what we're doing here today. You can't do it on a VTC call. How are you going to get to a VTC? You've got to get somewhere on the USDA side that you can -- and most of us might be able to do it or arrange it, but you know, Angela, in your situation, you've got to go all the way to the state office to be able to do that. So, we need to go back and visit with all the USDA agencies that can be involved here. You know, we've got Food and Nutrition Service, we've got Rural Development, we've got ag research. Just all 17 agencies need to be involved with the work of this council.

Mark Wadsworth: Thank you, Juan.

Joanna Mounce Stancil: And I think that if not next week, I think it ought to be the priority, top of my to-do list for the first of the year and get that done.

Now, I can't -- I'm on the undersecretary's agenda for a brief little meeting on Monday morning, and I have a couple of things that I wanted to talk to her about; I'm sure she has other things she wants to share with me. But if the opportunity comes up, I will bring this at that level and let her know that we're planning to have this kind of conversation with the heads of the 17 agencies for continued and expansion of funding for the council.

Juan Garcia: And you know, I can continue talking to the deputy secretary, to the chief of staff. I talk to them all the time, but I think it's important after we leave here, and I think Lisa will agree with me here, that we've got to get their ears and hit them up with what's going on with this.

Joanna Mounce Stancil: But is the council -- are you ready with the message that you want to come forward to that? A plan, some thought process of what the need is?

Mark Wadsworth: Angela first and then you, Mary.

Angela Sandstol: Thank you, Mark. This is Angela from Alaska. I would just like to put in there that if we decide for more meetings, please have them regional. We've got needs all

around. I'm not saying you guys come to Alaska in minus-55 degree weather.

Jerry McPeak: Thank God.

Angela Sandstol: But I'll buy you a snowsuit. But, you know, even our region goes all the way to Seattle, all that, pretty much we're in the western -- but, you know, go regional. Thank you.

Mark Wadsworth: Yes, Mary?

Mary Thompson: I think that what Juan's talking about over there would be probably a first good recommendation that we can take forward, sitting down and getting the language correct, but asking the other programs to participate in funding to the efforts of this council, because the issues that we are addressing are more -- there's more programs involved. So, I'll make that move. But the verbiage needs to be fine tuned.

Mark Wadsworth: Porter Holder?

Porter Holder: I'll make a recommendation to the secretary that all USDA agencies advance financial support to cover the cost of ensuring the council meet at least quarterly and ensure all -- to ensure an effective council.

Mary Thompson: That we can reach the goal set forth in this --

Female Voice: Charter.

Female Voice: Second.

Porter Holder: Second.

Mark Wadsworth: A motion has been brought forward and seconded. Any other discussion?

Angela Sandstol: Would that help, Juan?

Juan Garcia: Yes, definitely.

Joanna Mounce Stancil: With or without letterhead.

Mark Wadsworth: Gilbert Harrison.

Juan Garcia: With or without letterhead. I mean, we don't need a letterhead. What we need is funding to be able to meet and get some things done. I think as you mentioned, we have a short time period here to get a lot done.

Joanna Mounce Stancil: But that information can be funneled through. Mark can put that on a document and sign it, and it will represent the council. Because any recommendations you make, whether there's a resolution or not, has to have a cover letter on it as well.

Mary Thompson: And, Mark, you have the resolution form?

Mark Wadsworth: Yes.

Gilbert Harrison: Mark?

Mark Wadsworth: Yes, Gilbert?

Gilbert Harrison: Mark, this is a sign if we put our heads and work on a project, we can get something done. I congratulate the council members here, at least we're going to

take that first step. With that, I make a motion that we go ahead and make this recommendation to the secretary.

Mark Wadsworth: It's already been --

Female Voice: Isn't there a motion on the floor?

Mark Wadsworth: Yes, motion's on the floor.

Female Voice: You've got a motion on the floor.

Gilbert Harrison: Oh, there is?

Mark Wadsworth: Yes, the same thing you just said.

Female Voice: So, it'd be a discussion with him.

Gilbert Harrison: Okay. Fine. Thank you.

Mark Wadsworth: All those in favor of the recommendation to have all federal agencies through USDA support the efforts of the Council for Native American Farmers and Ranchers, all those in favor say, aye.

All: Aye.

Mary Thompson: Well, but now, clarify --

Male Voice: Yes, [indiscernible].

Mary Thompson: The support is specifically funding money.

Mark Wadsworth: Oh, okay.

Female Voice: That's the way it was read.

Sarah Vogel: Yes.

Female Voice: Yes, funding.

Sarah Vogel: Or at least for meetings.

Juan Garcia: Yes, [indiscernible].

Mary Thompson: Well, because we don't want to leave that part open to interpretation. We want money.

Mark Wadsworth: I wish I had a computer to type them up real quick, you know, have the format and everything. We're just at the beginning, you know.

Mary Thompson: Type it up. Shoot the e-mail out.

Female Voice: Yes, I read it. I'm going to do it.

Female Voice: [Cross-talking].

Sarah Vogel: Porter's got the [indiscernible].

Female Voice: He's got the language.

Female Voice: [Indiscernible].

Female Voice: All against?

Mark Wadsworth: All those in favor?

Female Voice: Aye.

Gerald Lunak: Can I make one --

Mark Wadsworth: Yes?

Gerald Lunak: I've got one comment. One concern I would have -- Gerry Lunak -- this building we're sitting in and this meeting we're sitting in is part of IAC's funding comes from these very same departments. And so, the potential there is that they say, "Well, we'll give you money but we're going to take it away from money out of sister or brother organizations." And I think we need to be careful that we don't -- all of a sudden, you know, Ross and them are taking a hit because they

funded us. So, I just wanted to put that on the record because that's not going to be positive or conducive to either of our efforts if they lose money at our --

Female Voice: [Indiscernible].

Gerald Lunak: Yes. I just want to make that point.

Female Voice: That's a good point.

Mary Thompson: Can I ask Juan a question? Are you with FSA? Are you FSA?

Juan Garcia: Yes, ma'am.

Mary Thompson: And where in your line item did the money come from out of your budget?

Juan Garcia: We took it out of our farm loan program budget.

Mary Thompson: I mean, like specifically. Was it your travel budget? Was it your first month of allowance budget?

Juan Garcia: It's travel budget that we authorize, and we specifically agreed to set aside funding for these particular meetings. We operate in a \$1.6 billion budget with FSA but that covers all our salaries and expenses, everything, our county offices that we have out there. So, I have other budget line items where we can -- that I can approve for this particular council. So, that's what I did. But at some point in time, I mean -- you know, right now, with the budget reductions that all agencies are undergoing, it's hard. So, 35-70,000 that we

authorized for the council is \$70,000 that I can't use out for the field to go do more work out there in Indian Country.

What I'm trying to do with FSA right now as well as all other agencies -- you know, we've got different budgetary authorities that we ask for funding from different titles that we try to get authority for. But this particular funding for the last meeting we had and this meeting is money that we set aside. You know, it's quite a bit of money. I'm just saying this, that there needs to be more of a budgetary process, not just for the meetings but U.S. council members -- how are you going to hear the word of the people, okay, unless you go out at certain times to the different areas to hear? How can you bring the information that you need to the council if you don't have a conversation with the folks out there? So, there's a lot of work.

That's the main work, I think we need to do is come up with a budget for the council on how we're going to get our business done, but it's difficult. But I need -- I can't do it alone with FSA. And I don't think the intentions -- or maybe, I came in kind of in the back part of this thing because I wasn't involved in this, I was involved in program administration -- but, yeah, I mean, we're willing to do what we can with FSA. We've done a lot with FSA already in regard to the settlement, but I need the other agencies' support. And I think that's

where Joanna can help us, Dr. Leonard can help us to come up with some additional funding for us.

Joanna Mounce Stancil: And I just want to -- as we close out this issue -- and I think that's an absolutely fantastic maybe first recommendation -- Juan, I'll work with you when we get home next week. But I just wanted to let you know that even though that money was in there, these meetings take up almost every penny that's been budgeted. Yeah.

Mark Wadsworth: Go ahead, Jerry.

Jerry McPeak: Thank you, Mr. Chairman. This is Jerry McPeak. I think it's interesting as I've been involved in government that the Keepseagle settlement created an unfunded mandate in that they created the council without funding, with just those guys out there. And that's simply a statement but it's something that -- you guys want to know how government works. Well, you're getting to watch it and live in it.

Juan Garcia: Maybe that's what the cy pres thing needs to have some funding for?

Jerry McPeak: That's what I'm thinking.

Juan Garcia: I mean, that could be a recommendation and I'm -- I'm speaking not as an administrator of FSA, okay, but as a member of the council, but we've had a lot of recommendations on what that cy pres money should be used for. Well, the

council needs funding too in order to operate effectively to get our issues out here. That's all I can say here.

Michael Jandreau: But, can we do that?

Juan Garcia: Well, I don't know. It's not allowed, but that would be something for the council to [cross-talking].

Mary Thompson: Can I ask you, where are we on the agenda?

Jerry McPeak: That's what's going [cross-talking].

Mary Thompson: Because we're not going to get done today if we don't get on the agenda.

Mark Wadsworth: Yes.

Sarah Vogel: I just want to add that the settlement agreement negotiated with USDA made a commitment to have a council, and it was negotiated that there would be at least two meetings a year. And it's our expectation that USDA would find the funds as they have thus far for that.

Juan Garcia: Yeah. That comes out of my [indiscernible].

Mark Wadsworth: All right. On the agenda, we're to look at the top 10 recommendations. I would kind of like to hear from the council, if you're looking at the top 10 recommendations, would you like to start subcommittees in some of these areas? Some of these areas are like an area of education and youth, some are with the farm lending, some are with economic development. I would kind of like to get an idea -- maybe we don't have to make that decision today on a

committee structure that we would like to form and put these recommendations under those committees and then draft up resolutions that they want to see done from it and bring it to us as a council. Is that something we can all agree on working at? Yes, Angela?

Angela Sandstol: So, kind of categorize?

Mark Wadsworth: Yes.

Michael Jandreau: Chairman?

Mark Wadsworth: Yes?

Michael Jandreau: What would really be the purposes of the subcommittee? It's almost as though we're trying to create an ideal of becoming another arm of the federal government without the reality of what I believe my function was here, and that is to represent the people and to make sure that the programs that are out there were adequately dealt with. And Juan brings out a very, very significant point about making the decision to really request -- I guess that's about all we can do -- the secretary to really either fund this mechanism or not. And lacking that, asking the court to truly utilize funding from the settlement to fund this council, that by court order, was designed and developed. Now, either we're something or we're nothing.

You know, I've sat on the tribal government for a long, long time, and we have very few committees. But what those committees do is a specific function that has direct conduit

back to the council and it's acted on with immediacy. It's not an organization that sits out there and mutters and putters with an ideal or a concept hoping to come to a conclusion at a later date that it then can recommend to someone who can recommend it to someone else. So, you get lost in the confusion of committees.

And you know, the issues that we have, if you move to quarterly meetings, can be handled by this body and should be put together succinctly enough that we know what we're dealing with by administrative staff. I don't know if we even have administrative staff, truly, who are committed to the development of this council and fulfilling the council's end product. We have federal people who are assigned to work with us but who also have other obligations. So, are we really a council or are we somebody out of his hand and we just kind of watch ourselves move. It's confusion in my mind, anyway.

Mark Wadsworth: Yes, Juan?

Juan Garcia: Chairman, if I can make a point. I agree with the secretary's philosophy -- I'm going to give you what his philosophy is, every time I have to go meet with the secretary by myself, tell him about what my agency is doing. The secretary is results driven. He wants to see results on anything that goes on, and I think all of you feel the same way. So, the only point I want to make is, at some point in time with

this council, we need to show some results. We created the council, the membership has been created. What are the results of our two meetings so far that we're going to have? And I think at some point, when we ask for funding, when I ask to go over there in front of all the agency heads and I say, "Look, we have this great council here that can do a lot of things. We need additional funding," what are we going to be doing and what are going to be the results after the two years or whatever years were we're working together here. Mr. Chairman, I just wanted to make that point.

Mark Wadsworth: Yes, Jerry? Or was it Mary? Mary.

Mary Thompson: At least you're rhyming, Jerry and Mary.

Then, I guess, getting back to -- I guess the 10 recommendations then, and our quarterly meetings and what we're going to do and what we're going to accomplish in a little bit, I'm not sure that -- okay, I like the idea of subcommittees, but I don't want to be on one because then they have to do all the work, right, and I don't have time. But a recommendation would be then if we could get to these quarterly meetings and deal with maybe the top -- what did we hear this time? FRTEP or extension and NRCS, right?

So, at a meeting then, why don't we come in with a facilitator and just deal with extension, just extension, and go down through there. Because I've got some recommendations to

clarify the first of the top 10, item number 23, because that's pretty broad, and to get down to some things -- I mean, I don't know it was requested that more research dollars be sent to the tribal colleges, the Indian colleges, and land grant colleges, or more funding for more research, or access to funds for research, or that the FRTEP funds are competitive in nature between Indian funds and not formula funded as with county extension offices.

Okay. So, I've got those little points from the comments here, but what I don't know is where and how that policy's made. Is that an internal policy within the extension program or is that a congressional law in the Farm Bill? Is it in the Farm Bill that the county extension agents are formula funded and it's in the Farm Bill that the Indian Tribes in the FRTEP extension agents or they have to compete for the funds? Okay. Then knowing that, then that means, okay, our first step is getting some language in the Farm Bill which is item number two, getting language in the Farm Bill. And right now, the Farm Bill is up for -- it's time to put an Indian title in the Farm Bill. Okay. But what's the Indian title and what are we going to say? We're going to say we want non-competitive funds? We're going to say we want more money? Well, everybody's saying that, right? And how are we going to do that? But I think if we can get some language in the Farm Bill, that would be a good step.

But back to the extension, is there anything within the -- is it NIFA, N-I-F-A, that extension is under -- are there any policies and procedures under, internally, that can be changed? I don't know what those policies are and where do I go find them. See, that's the part of stuff that I don't know so that I can make a legitimate recommendation. Okay. So, somebody give me this information, and at our next meeting, we'll have a facilitated meeting and we'll come up with something.

Mark Wadsworth: [Indiscernible] extension. Jerry. Jerry McPeak. I'm sorry.

Jerry McPeak: Thank you, Mr. Chairman. We're chasing three rabbits in this discussion and we've got all from -- one discussion was committees, whether or not we ought to have committees, and the other discussion was about funding. Now then, Mary is already discussing about recommendations that we'll be making. So, we've got committees, we've got recommendations that we'll be making, and we've got funding, and we need to just take one of those and put those to the side and take care one at this time.

As my alter ego and my other side of my brain pointed out to me, and my funding thing had some question to this, it may not be accurate to say that the judgment, Juan, was punitive but I think it would be irrational, not to say that with the punishment USDA was getting. Perhaps being in government, I

hate unfunded mandates. I have never voted for one and won't ever vote for one. But having said that, maybe that funding of this council was part of the punishment for that -- it appears that's what happened because they say, "You guys got to fund it." But also if that funding is only \$70,000 or \$75,000, then that also has limitations for the council. So, at any rate, so whether we're talking about the funding or the committees or what we're going to move forward with one or the other, I'm not sure about the -- if we're going to chase the funding thing, that was where I was is just that thought about the funding.

Mark Wadsworth: Michael Jandreau?

Male Voice: [Indiscernible].

Mark Wadsworth: Okay then. Gilbert Harrison, please?

[Indiscernible] both of them.

Gilbert Harrison: Thank you. I think I sort of have similar thoughts of what Mary was saying. I'm going to use item number two as an example, Farm Bill in Indian title. And I know that the Navajo Nation and the other tribes, you know, they've submitted written documentation, written recommendations, so there's a lot of stuff that's already been submitted. And also within the Farm Bill, I imagine there's pages of stuff that relate to Indian Nations. And I think somewhere, we need somebody to do sort of like an analysis. This is what's already in the bill, this is what the tribes have recommended, so we

don't reinvent the wheel. So, I think stuff -- things like that, we need some internal or somebody to make an analysis and present to the council saying this is what the bill says, this is what the recommendations are. And then, with that we can make some informed decisions on what should our recommendation be.

And a lot of these things here, very same way we talk about extension. I imagine there're a lot of extension programs, there's a lot of effort going into it, but nobody has said, "This is what we're doing. These are the processes we have in place." Then we know if there needs to be some tweaking. How do we tweak, recommend that tweak? I think there needs to be some analysis before we just jump in there and start slugging away. So, I sort of would like to see some sort of a -- I thought about if we are to truly address these issues, do we have -- can we get the departments -- let's say somebody that's working on the Farm Bill or somebody that's knowledgeable -- can we ask them to make an analysis or do something for us -- I mean, a one-pager -- and then we can act on it appropriately. Because I wouldn't know where to start with this Farm Bill. I went on the Internet and I looked at it, and just rolled, rolled, rolled through. After the third page, I gave up. So, anyway, that's my recommendation, Mark. Thank you.

Mark Wadsworth: You know, and what we're talking about is basically the recommendations as we see it on the deal here, and also in what I know is happening here, is that from what I have asked and talked to through the USDA, there has never been a council formed like what we're forming ever. We are basically making history with our council the way we're forming it, in that aspect of, I've talked with other advisory come out and that's how come I wanted to bring this Randall Ware. How does that -- your USDA Advisory Council address and work with the secretary or with the USDA program.

So, we're in these steps of becoming effective, is what I feel. And we're going to have growing pains and maybe some aggravation and some stuff, but I would rather like people to voice what they want to say than to hold it back and become discouraged. And that's kind of one of the things we're talking about here, so that we all know any. You guys are knowing everything that I know, and that's the way that I work and that's the way I want you guys to realize that.

So, I am going to stick to this agenda, and it says 11:30 that we're supposed to have lunch, but I think --

Jerry McPeak: Amen, brother.

Mark Wadsworth: Yes, Lisa?

Lisa Pino: Just -- thank you very much, because we're short on time and I don't want to hold up lunch. But I just

wanted to say a couple of things, and one is I do work for USDA and I'm privileged to be a part of the administration, privileged to work with great folks like Janie. But before I came to USDA, I was a community lawyer and I worked in the community for about 15 years. And so, I just wanted to share that I really believe in my heart that this council can be whatever it is we make it, and that we have a lot of untapped potential power in this room and that it doesn't have to be static, it's a dynamic effort. And even though this council is the first of its kind, it will set precedent for the Department of Agriculture.

I've also had the privilege of working on not exactly the same but kind of similar ventures with other departments, including like the Department of Education, which is a White House initiative for Asian Americans, for Hispanic Americans, and others. And so, what I've seen -- and also that when I was in the Food and Nutrition Service, we led an outreach effort that was also unprecedented.

So, I'd like to just make a couple of suggestions, and that is that when we make these recommendations to the secretary, it's a dynamic document, right? So, it's not like we have to do this within 30 days and it's done forever. We can continually improve this process. But I think it's really helpful to set some guidelines, like, you know, in terms of results. And Juan

is exactly right -- the secretary is very results driven -- do we want to have our first set of recommendations done three months from now, six months from now, on an annual basis? Making those decisions.

And Mary is also exactly right; the more specific we can make those recommendations, the better. But in terms of educating ourselves and how to do that, there are multiple ways. Like, we can, for our quarterly meetings, if we're able to do that, we can invite different departments or different areas that speak to the themes that emerge and say, "Hey, let's work - - what exactly does this mean? What expertise can you guys provide? Because we should all be working together on this."

And when we led an outreach effort -- at the Food and Nutrition Service -- what we did to get specific and get things done, you know, out of this list you'll get certain arenas like education, youth development, ag business stuff. You can set up different buckets and then think about, "Okay. What would require a statutory change, what would require a regulatory change, what's the low-hanging fruit in terms of administrative fixes because that's the easiest stuff that we can actually do within the next year.

And then the Farm Bill that --" So, we can begin to scale that so we have a mixture of specific recommendations, and we also have a realistic time line so that we can make the most of

the time so that we're not just a rubber stamp or façade, but we're a living, breathing council that is respecting the past and moving forward. And I'm done. Thanks, Mr. Chair.

Mark Wadsworth: Thank you. Should we break for lunch?

Male Voice: I'll make a motion.

Mark Wadsworth: [Indiscernible] be back at 1:30.

[End of file: 1002]

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