

USDA TRIBAL ADVISORY COMMITTEE (TAC)

[February 23, 2024](#)

The Tribal Advisory Committee was convened for its first meeting at 12:00P.M. Eastern Time on February 23, 2024, through a Zoom Teleconference.

In accordance with the provisions of Public Law 92-463, the meeting was open to the public from 12:00P.M. Eastern Time to 6:20P.M. Eastern Time.

Council members present:

Meagen Baldy
William (Billy) Barquin, J.D.
Trenton Kisse, M.P.A.
Karen Linnell
Councilmember David Pourier, Oglala Sioux Tribe
Charles (Monty) Roessel, Ph.D.
Whitney Sawney
Kelsey Scott
Glenn Teves

Council members absent:

President Whitney Gravelle, J.D., Bay Mills Indian Community
Benjamin (Ben) Jacobs

Staff of the U.S. Department of Agriculture (USDA) Office of Tribal Relations attending were:

Heather Dawn Thompson, Director
Betsy Rakola, Deputy Director
Josiah Griffin, Designated Federal Officer

Staff of the U.S. Department of the Interior (DOI) Office of the Assistant Secretary for Indian Affairs attending were:

Bryan Newland, Assistant Secretary for Indian Affairs
Wizipan Little Elk Garriott, Principal Deputy Assistant Secretary for Indian Affairs
Thomas Mendez, Branch of Agriculture and Rangeland Development, Bureau of Indian Affairs (BIA)

INTRODUCTIONS AND ADOPTION OF THE AGENDA

Mr. Griffin opened the meeting as the Designated Federal Officer by outlining the purpose of the meeting, general guidelines for the Federal Advisory Committee Act

meeting guidelines the meeting agenda. Through his opening remarks, he reflected that USDA's establishment of this Committee over a five year time-span is consistent with another Federal department's establishment of a similarly structured advisory committee.

Mr. Griffin additionally reflected that the hope for this first meeting agenda was to level set Tribal Advisory Committee member understanding of how USDA has responded to tribal inputs to date and provide a foundation for future Tribal Advisory Committee deliberations over the life of the Committee.

Director Thompson provided introductory remarks, noting her excitement to hosting the first Tribal Advisory Committee meeting and anticipation to meeting in person. She reiterated that Indian Country has already provided USDA a wealth of input through consultations, the Council for Native American Farming and Ranching, and other venues. Through this meeting, USDA wants to report back on the progress made and not made to date. Mr. Griffin requested Director Thompson help facilitate this meeting until such time as this Committee elects a Chairperson and Vice Chairperson. Director Thompson agreed with the caveat that this facilitation is not intended to detract from the Committee's authority to determine its own leadership.

In conducting the roll call, Mr. Griffin requested each Tribal Advisory Committee member introduce themselves and share their motivation for joining this Committee.

Billy Barquin, Attorney General, Kootenai Tribe of Idaho (Pacific Northwest Region), has represented the Kootenai Tribe of Idaho for 24 years in varying capacities. In his role, Mr. Barquin primarily worked with the Forest Service, which is the largest land manager in their territory. Recognizing that USDA is a large agency, he hopes to support a more coordinated approach to Indian Country concerns.

David Pourier, Tribal Council, Oglala Sioux Tribe (Great Plains Region), Chairs the Land and Natural Resources Committee on Tribal Council. His interest is primarily in food and agriculture as the Reservation is strongly invested in food production. Councilmember Pourier has spoken with other Tribes to gather their input in the Great Plains region and wishes to address issues with how the Bureau of Indian Affairs and USDA coordinate.

Glenn Teves, County Extension with the University of Hawai'i at Manoa (retired, Hawai'i Region) has served as an extension agent for 42 years before retiring to provide technical assistance in transportation, organizational development, infrastructure, production, and research. His focus is on nutrition and broadband with a strong emphasis in agricultural production and wildlife management.

Karen Linnell, Executive Director for Ahtna Intertribal Resource Commission (Alaska Region), also serves as the executive director for a tribal conservation district with a memorandum of agreement to manage wildlife on federal lands. She conveyed

that Alaska has 22 tribal conservation districts and regularly convenes to identify and strategize on common issues as 95 percent of food is imported.

Kelsey Scott, Chief Operating Officer, Intertribal Agriculture Council (Great Plains Region), is a grassfed beef rancher supporting a national intertribal organization borne from the 1980s farm credit crisis. She feels called to honor the resilience, adaptability, and role that Indian food systems can have in repairing the United States food system, including through understanding kinship to the land. Mrs. Scott affirmed this Tribal Advisory Committee as a mechanism to elevate Indian Country's voice.

Meagen Baldy, Food Safety Specialist, Indigenous Food and Agriculture Initiative (Pacific Region), sits on the Intertribal Agriculture Council executive board. Through her work with the Hoopa Valley community on revitalizing food sovereignty, she understands how Tribes have always been food sovereign but may need additional resources to achieve their vision. She continues to work with farmers markets, community gardens, and producers on these goals.

Monty Roessel, Ph.D., President, Diné College (Navajo Nation), is the president of the first Tribal College. Dr. Roessel recognizes that Tribal Colleges and Universities can bring much to the table in finding solutions, drawing from the experiences embedded in their community.

Trenton Kisse, Director of Agriculture and Natural Resources, Muscogee (Creek) Nation (Eastern Oklahoma Region), works for the fourth largest tribe in the United States and comes from a farming family. Working for Tribal government, Mr. Kisse sees how the levers of government can be used for the benefit of its people. While he acknowledges that USDA has good intentions in serving Native producers, he is reflective on missed opportunities with what Indian Country needs. Through his role on the Committee, Mr. Kisse hopes to eliminate additional burdens placed on producers to thrive and shift the dynamic of food systems for tribal interests.

Whitney Sawney, Director of Communications and Policy, Native American Agriculture Fund (Eastern Region), felt called to join the Tribal Advisory Committee because of her work in policy and communications. Ms. Sawney wants to develop effective communication strategies for dialogue with Tribes and propose solutions for conversations with tribal agricultural interests. She reflected that priorities derived from those conversations must lead to action.

Wizipan Little Elk Garriot, DOI, noted that USDA is currently working with DOI to implement a memorandum of understanding through quarterly meetings.

Thomas Mendez, BIA, administers programs in the agriculture and range branch of DOI and has collaborated with OTR to form an inter-agency working group to address barriers with USDA for tribal lands.

ETHICS TRAINING: INTRODUCTION

Mr. Griffin noted that distinctions between the Tribal Advisory Committee and other USDA advisory committees in terms of membership appointment, compensation, and the representation of expertise across Indian Country. Tribal Advisory Committee members and Indian Country should be aware of ethical standards that this Committee must meet. Tribal Advisory Committee members are welcome to contact the USDA Office of Ethics for direct inquiries.

Andrew Tobin, Deputy Director for the USDA Office of Ethics, presented to the Tribal Advisory Committee on these ethical standards germane to all advisory committees and more specifically to Committee members in their capacity as Special Government Employees, a designation only required because Committee members are required to be compensated by law.

While advisory committee members are prohibited from formally deliberating on specific projects to which they or their immediate family may have financial interest without disclosure and recusal, Mr. Griffin noted that this Committee's role is to provide general advice and guidance to the Secretary on Indian and tribal matters. In that role, the Committee will not be expected to deliberate on any grant applicant or provide direct recommendations to the Secretary on which specific entity will receive funding. Additional standards apply where Special Government Employees are compensated for more than 60 days which is not anticipated to be met.

Committee members may not present themselves as representing USDA, and Committee members should seek approval from USDA before providing public remarks in their capacity as a Tribal Advisory Committee member.

TAC MANAGEMENT AND EXPECTATIONS

Choosing Next Meeting Date. Mr. Griffin affirmed that the Committee is required to meet by law at least twice annually in-person, with the filed Charter affirming quarterly meetings: two meetings to be in-person and two meetings to be held virtually.

USDA proposed hosting the first in-person meeting in late May at the USDA headquarters in Washington, DC. The committee members expressed concerns regarding the length of travel from western areas, Hawaii, and Alaska to the east coast. Members also asked for hybrid attendance options for remote committee members to ease their travel burden, as well as requesting a year-long calendar to allow members to plan for their participation at future meetings.

For the end of year meeting, USDA asked the TAC to consider having meeting during the Intertribal Agriculture Council's annual membership meeting, tentatively scheduled December 10-12. This would facilitate public comment, which is required under the Federal Advisory Committee Act. At the Tribal Advisory Committee's request, Mr. Griffin

affirmed an intention to publish the Tribal Advisory Committee meetings with sufficiently advanced notice.

Presentation of Charter. USDA filed the [Tribal Advisory Committee Charter](#) with the U.S. General Services Administration, the agency designated with overseeing all Federal Advisory Committee Act implementation, on July 13, 2023. This Committee Charter is required to be renewed bi-annually; however, the Committee will remain permanent until such time as it is disbanded by law. Given the level of specificity in the Tribal Advisory Committee's authorizing legislation (7 U.S.C. 6921(b)), the Charter language largely mirrors the legislative language.

Robert's Rules. The Tribal Advisory Committee recognized two broad authorities: 1) to provide recommendations to the Secretary through advice and guidance on Indian and tribal matters and 2) the submission of a report to the Secretary of Agriculture and three Congressional Committees on their work over the last year and administrative and legislative recommendations for the following year. USDA proposed the Committee incorporate Roberts Rules of Order to ensure their recommendations and formal actions are captured in minutes and other reporting through motions.

The Committee noted their interest in achieving consensus recommendations rather than majority vote and acknowledged the usefulness of Robert's Rules as a standard.

Compensation. Each Committee member will receive compensation at the level IV rate of the Executive Schedule for each day they participate in a formal meeting of the full Tribal Advisory Committee and each day in travel to and from such meetings. For calendar year 2024, the daily compensation rate for member compensation is estimated at \$738.08.

Selection of Chair and Vice Chair. Tribal Advisory Committee members expressed concern on USDA oversight for Tribal Advisory Committee operations. USDA recognized the authority of the Tribal Advisory Committee to inform how it operate semi-autonomously within applicable laws and standards and administrative support from OTR. The Council for Native American Farming and Ranching decided to elect a Chair and Vice Chair to coordinate tat facilitation, which proved to be an effective model. While the Designated Federal Officer reserves the right to call meetings to order and approve the agenda, Mr. Griffin noted his intention to empower the Committee to achieve its mission in conjunction with and not against the Committee's interests.

At Mr. Griffin's request, a motion was taken and unanimously approved by the Tribal Advisory Committee to table this vote until the next meeting.

Introduction of Draft By-Laws. USDA offered a draft for potential bylaws, using those enacted by a previous Council for Native American Farming and Ranching as a baseline. Mr. Griffin explained the rationale for departure from those bylaws and acknowledged the need for more Tribal Advisory Committee deliberation before adoption.

At Mr. Griffin's request, a motion was taken and unanimously approved by the Tribal Advisory Committee to table this vote until the next meeting.

BACKGROUND: PRIOR INDIAN COUNTRY PRIORITIES AND USDA PROGRESS TO DATE

Director Thompson outlined OTR's request to USDA agencies and mission areas to come prepared for a discussion of the priorities USDA has heard from Indian Country and high-level actions USDA has taken to address those matters. She presented three examples including an ongoing review of the Farm Service Agency handbook for the needs of tribal producers, efforts to diversify procurement strategies, and recognizing trust land as eligible for base property in grazing permits, a recommendation from the Council for Native American Farming and Ranching. The remaining section summarizes these discussions across six program areas.

Economic Development.

Presenters: Sarah Dietch, Chief of Staff
Tedd Buelow, Native American Coordinator and Team Lead

Overview. Rural Development delivers 70 programs across three agencies across rural housing accessibility, utility infrastructure development, and business and rural market development to support the viability of rural economies. The field-based team is led by 47 state directors to promote rural development programs. To accomplish this mission, Rural Development has recently taken steps to build out its Tribal Relations team. USDA continues to explore and engage partnerships with organizations like the Native CDFI Network to further this mission.

Overall, Rural Development maintains seven programs with tribal set-asides but does not generally maintain tribal specific programming. These programs have largely been tailored to support rural America and may not have initially been designed with tribal considerations in mind. This administration has taken additional steps to use discretionary funds for Tribal set asides in new programs, including in broadband grants. OTR continues to be a key partner for Rural Development in these discussions that have seen unprecedented successes in the last three years. Examples of these steps based on tribal input include the following elements.

Recognizing Tribal Jurisdictions. Rural Development now allows Tribes to self-certify where they are unserved in broadband infrastructure in areas where federal funding may have previously been awarded for that purpose. If in Rural Development's review the agency agrees, Rural Development will recognize applications from Tribes to accomplish that goal. Additionally, Rural Development is now requiring a tribal resolution of consent as a matter of applicant eligibility for any non-tribal applicant proposing to service Tribal lands.

Recognizing Tribal Arms/Instrumentalities. The agency recently made regulatory changes through the Rural Business Development grant clarifying that 100% tribal

owned corporations are eligible and no longer requiring the Tribe maintain a separate Board/Council from its arms/instrumentalities as prospective project beneficiaries.

Recognizing Indigenous Animals and Cultural Practice. USDA has traditionally supported amenable species, species regulated by USDA, as eligible for value-added infrastructure and set standards that indirectly prohibit certain cultural practices. For the first time, Rural Development co-developed and administered a tribal specific program with the Agricultural Marketing Service. This new Indigenous Animals Grant program targeted protein processing of indigenous animals and recognized cultural practices and diverse tribal government operations. While up to \$50million was available, USDA received \$300million in tribal application.

TAC Discussion. One Tribal Advisory Committee member requested a copy of the USDA organizational chart and a stronger explanation of USDA divisions, while another commented that Tribal jurisdictions, particularly in states like Oklahoma remain slightly ambiguous because of their respective State counterpart's position. In the latter case, the member requested USDA seek a stronger stance on the law where it is clear in lieu of defaulting to the state's stance.

Food, Food Safety, and Trade.

*Presenter: Jamal Habibi, Chief of Staff, Trade and Foreign Agricultural Affairs (TFAA)
Jacob Fagliarone, International Economist, Foreign Agricultural Service (FAS)*

FAS Overview. The trade and food security portfolio works to create market access and trade opportunities for rural Americans, as well as working to reduce tariffs in other country. Food security portfolio provides annual grants to countries around the world to strengthen their own food needs. USDA leadership continues to visit international countries for this purpose. Historically, Indian Country has sought increased visibility and accessibility of Native food products in international markets through these programs.

Engagement with Tribal Colleges and Universities. FAS conducts frequent webinars with Tribal colleges and universities, as well as hiring and fellowship opportunities. The agency seeks to ensure that students and faculty know about the services available and what the role FAS plays for U.S. producers.

Ongoing Partnership with Intertribal Agriculture Council. FAS maintains a public-private partnership with the Intertribal Agriculture Council, providing an average of \$360,000 per year since 1998 through the Market Access Program. This program funds the share the costs of overseas marketing and promotional activities that help build commercial export markets for U.S. agricultural products and commodities. FAS has shared best practices with the Council and provided training on how to access different overseas markets.

First Native Nations Trade Mission. For the first time, FAS is convening a trade mission for food products sold by Tribes, Tribal members, and representatives from the Native Hawaiian Community from June 17-20, 2024, in Vancouver, British Columbia, Canada. This trade mission will support targeted business-to-business meetings between retailers and importers and will also include the promotion of food products, cultural events, export readiness, and additional engagement. FAS continues to coordinate with OTR and the Department of the Interior's Office of Native Hawaiian Relations to ensure the success of this mission. Applications may be submitted until March 8, 2024, and FAS encourages the sharing of the announcement broadly.

*Presenter: Alexandra Tarrant, Tribal Liaison/Program Analyst,
Food Safety and Inspection Service (FSIS)*

FSIS Overview. FSIS maintains the goal for ensuring that meat and egg products are safe, wholesome, and properly labeled. FSIS accomplishes this goal through a network of meat inspectors in processing facilities nation-wide overseen by ten (10) district offices. The agency continues to seek opportunities to support Tribal nations and citizens in their goals within its regulatory authority. The remaining subsection reflects discussion on FSIS actions taken and barriers identified to date.

Recognizing Alternative Inspection in USDA Purchase of Nonamenable Species. Typically, the USDA requires all meat purchased by USDA to be federally inspected; however, a recent bison purchase pilot recognizes state or federal inspection. USDA is exploring an expansion of this pilot for fish product.

Opening Pathways for Tribal Meat Inspection. While USDA has heard Tribe's request in recognizing a Tribal inspection authority for meat sold outside Tribal lands, this request requires a legislative change by Congress.

As an alternative, OTR is partnering with FSIS to develop and host bootcamps that will assist Tribal members in being more competitive for federal food inspector positions. These bootcamps will support prospective tribal applicants in articulating their experiences to apply successfully for these federal food inspection positions.

TAC Discussion. Committee member Linnell discussed an interest in expanding the number of inspectors available, citing that the State of Alaska only has two facilities. She acknowledged ongoing discussion with Senator Murkowski's office on draft legislative language.

Committee member Teves also reflected on the need for additional inspection in Hawai'i to address wildlife populations and appreciates the idea of deputizing Natives to work in their communities. He noted that the Department of Labor also has a program to train slaughter workers attending college and working in the slaughter house for work experience.

Committee member Baldy asked for more information on the bootcamp and the ability to cross-deputize inspectors between USDA, the U.S. Food and Drug Administration, and Tribal food codes. Mr. Griffin noted the complexity of this question which otherwise requires legislative change. In the interim, Mr. Griffin reflected that Native youth with a year of relevant experience starting at 16 years old and a high school diploma are eligible to apply for USDA food inspection positions.

*Presenter: Deborah Swerdlow, Chief of Staff, Food and Nutrition Service (FNS)
Brittany McGill, Deputy Assistant Administrator
Keri-Bradford-Gomez, Acting Tribal Liaison, Interim Tribal Affairs
Technical Advisor*

FNS Overview. The USDA Food and Nutrition Service's mission is to increase food security and reduce hunger in partnership with Tribes and cooperating organizations by providing children and people with low-income access to food, a healthy diet, and nutrition education. Overall, FNS administers 16 food and nutrition security programs to accomplish this mission.

Incorporation of Tribal Values and Perspectives. As FNS looks to additional opportunities for integrating tribal perspectives in its policies, FNS maintains five tribal relations specialists in regional offices nationwide who provide trainings on consultation, culturally appropriate communication, meetings, and partnership with tribal communities hosted on their homelands. The agency has recently established its first tribal technical advisor position who will serve as a national tribal liaison supporting the agency's mission and facilitating dialogue between the agency and Indian Country.

Expanding Tribal Program Authorities. FNS is exploring avenues to better align standards with indigenous diets through school nutrition programs. FNS acknowledges the significant tribal interest in USDA expanding Food Distribution Program for Indian Reservations (colloquially known as "commods") 638 self-demonstration authority beyond the current pilot, which will require legislative action.

Presenter: Mia Mayberry, Chief of Staff for Marketing and Regulatory Programs on behalf of the Agricultural Marketing Service (AMS)

AMS Overview. The Agricultural Marketing Service administers a suite of programs and regulation supporting competitive domestic agricultural markets, including the purchase of agricultural commodities to be distributed across USDA feeding programs. Because USDA does not maintain Indian purchase preference by law, AMS has utilized a two-fold approach: 1) providing funds to tribal governments directly in the purchase and distribution of food, and 2) utilizing existing flexibility for more targeted direct, federal purchasing as described below.

Incorporating Indigenous Animals and Practices in Food Systems Programs. AMS coordinated with Rural Development in the development and administration of the

Indigenous Animals Grant as described above. Ultimately, the program authority rests with Rural Development.

Empowering Tribal Purchases and Food Economies. The Local Food Purchase Assistance Cooperative Agreement cooperative agreement program agreements provide up to \$900million of American Rescue Plan and Commodity Credit Corporation funds for tribal, state, and territory governments to purchase food from within their state or 400 miles of the delivery destination to help support local and regional, tribal and underserved producers. USDA heard Indian Country's request that round 1 funding was not sufficient and increased the set aside available for tribal governments. Collectively, over \$130million is being made available to tribal governments directly for this purpose. Under this approach, tribal governments are not required to comply with the broader federal acquisition regulations on commodity purchasing.

Direct USDA Purchasing Flexibility. In the purchase of safe, nutritious foods for the Food Distribution Program on Indian Reservations, AMS is exploring mechanisms on a pilot basis to provide for more targeted, localized purchasing. This bison purchase pilot responds to longstanding producer feedback that USDA purchasing specifications impede small and mid-sized operations from participating and supports USDA's commitment to equity and expanding market opportunities. Through the use of Historically Underutilized Business Zones (HUBZones) certifications, an allowable purchase preference where all tribal lands qualify, and the incorporation of tribal feedback, AMS targeted producers and tribal feeding sites North Dakota, South Dakota, and Montana. This pilot is ongoing, and AMS continues to explore best practices and lessons learned from this pilot in real-time.

TAC Discussion. Committee member Barquin asked about what would apply to fish hatcheries. Director Thompson acknowledged the lack of clarity but the intention for USDA to work on similar efforts with fish in 2024.

Committee member Lindell asked if other restrictions would be put in. She noted that an Easter basket was labeled as SNAP eligible, despite having no nutritional value in its candy. Committee member Teves commented that Congress is trying to address nutrition in SNAP and not allowing non-nutritious foods.

Committee member Baldy noted a hope that USDA staff who are joining will take time to meet us in person and build a relationship in the future. She furthered that while it is nice to hear what the government is doing, a more detailed discussion on where USDA can assist would be appreciated.

Farming, Ranching, and Conservation.

Presenter: Tim Gannon, Chief of Staff, Farm Production and Conservation (FPAC)

FPAC Overview. USDA has worked at a high level to better meet the needs of tribal communities and producers. One of these more recent opportunities is the Partnership for Climate Smart Commodities which is engaging several tribal producers. More

information about these partnerships is available on a dashboard. Through the Inflation Reduction Act, USDA has also received a significant increase in funding for conservation, including through the Regional Conservation Partnership Program. Secretary Vilsack has requested NRCS direct a significant portion of money under this program for RCPP. While the funding set aside for tribes in fiscal year 2023 was not used, NRCS partnered across a significant number of tribal projects and continues to reflect on ways to do better.

Presenter: Jennifer Perez, Tribal Liaison, Farm Service Agency (FSA)

FSA Overview. FSA administers farm loans, commodity price support, and emergency relief to farmers, ranchers, and foresters through over 200 service centers. FSA staff have delivered more than \$6.9 billion in farm programs and farm loan assistance which is a critical safety net for producers in tribal communities. Over the last three years, FSA has made strides in better meeting its nation-to-nation responsibility and improving access to Tribal communities, recognizing Administrator Ducheneaux as the first Tribal member to serve as the agency head.

Addressing Farm Loan and Program Barriers. One of Administrator Ducheneaux's first priorities was to ensure that tribal lands were eligible for USDA programs. Recently, FSA took steps to clarify that trust land is eligible and continues to update each handbook and provide training for FSA staff. USDA hired a Special Policy Advisor for Tribal Agricultural Lands to coordinate engagement with the Bureau of Indian Affairs on related tribal and trust land issues.

Recognizing limited accessibility in agricultural financing, FSA shortened its loan application from 29 pages to 13 pages and offers a more streamlined online loan application for more than 26,000 pilot programs. Additionally, FSA has implemented the Inflation Reduction Act Section 22006 which provides \$3.1 billion in relief for distressed borrowers.

The agency launched a new, tribal specific program page and is engaging tribes to target enrollment of acreage under the Conservation Reserve Enhancement Program. As of this meeting, the agency had entered into three of these agreements with tribal governments in the Great Plains. FSA also referenced other ongoing programs like the Highly Fractionated Indian Lands Program which supports tribal interests.

Where FSA positions are on or near tribal lands, the agency is rethinking its recruitment strategy for these field-based positions. Similarly, FSA continues to encourage Tribal members to seek election for county committees which have the authority to shape program administration locally.

In September 2023, USDA consulted to revise regulations and modernize guidance on the provision of suboffices on Tribal lands. Currently, there are three tribal suboffices and in each office, USDA has partnered with those Tribes to pilot "Tribal Ambassadors" which will serve as an additional front door for tribal interest in FSA programs.

TAC Discussion. Committee member Linnell requested clarification on these tribal suboffices could also be negotiated to Alaska Native Corporations and Native allotment lands. Mr. Griffin responded that this departmental regulation is authorized under the 1990 Farm Bill which specifically references Indian reservations by law.

*Presenter: Pedro Torres, National Tribal Liaison, Natural Resources Conservation Service (NRCS)
Chris Borden, Former Acting National Tribal Liaison, NRCS*

NRCS Overview. NRCS supports private and tribal land holders in meeting their conservation and land stewardship goals. NRCS leadership is committed to meeting the needs of Indian Country and coordinates tribal engagement directly, in conjunction with Regional Tribal Advisory Councils and State Tribal Advisory Councils.

Incorporation of Indigenous Practices in Conservation. The NRCS Indigenous Practices team is reviewing conservation practice standards to better reflect tribal and indigenous practices such as in the management of bison or controlled burns. The goal for this team is to incorporate practices in NRCS programs broadly and as aligned with Bureau of Indian Affairs requirements.

NRCS is also reviewing its hiring practices at all levels to ensure that NRCS staff better understand the needs, priorities, and practices across Indian Country. NRCS is also conducting trainings to support tribes in conservation strategies both internally and externally. The Tribal Soil Analysis Network is engaged in analyzing climate data in tribal land where other weather data is not readily available. Additionally, NRCS seeks more opportunities in establishing suboffices on tribal lands.

NRCS greatly appreciates the coordination and guidance that OTR provides in strengthening its nation-to-nation relationships.

TAC Discussion. Committee member Teves asked if the NRCS Plant Materials Centers are involved in growing native plants for revegetation efforts such as in the recovery of Lahaina after its devastating fires. NRCS reported that these Plant Material Centers are contributing to the Tribal Alliance for Pollinators and will be important partners in the development of rangeland plantings designed to support buffalo restoration.

*Presenter: Jayme Hennenfent, Veterinary Medical Officer, Animal and Plant Health Inspection Service (APHIS)
Terry Clark, National Tribal Liaison, APHIS*

APHIS Overview. APHIS protects the health and value of America's agriculture and natural resources using the best available science. For many years, APHIS has collaborated with Tribal nations and communities to safeguard Indian Country agriculture, livestock, and related animals from pests and disease.

Tribal Partnerships. Among other partnership agreements with Tribal nations, APHIS continues to collaborate with Tribal serving colleges and universities in the Safeguarding Natural Heritage Program. This summer youth program provides Native youth 13 to 17 years old with a two-week of in-class experiential learning on career opportunities, agriculture, and other land management considerations. APHIS provides for lodging and transportation for participants. Additionally, APHIS provides eight (8) to ten (10) weeks of paid internship for tribal young professionals to work with and understand different APHIS programs.

TAC Discussion. Committee member Teves commented that Hawai'i faces approximately 20 invasive pests introduced annually, and the Islands lack necessary infrastructure to prevent pest import. Although the airports do a better job, other entry-points are less secure, including military and other ports of entry. The Committee member requested input on opportunities for mitigating pest introduction. Additionally, Committee member Teves expressed concern with the apparent increase in plant diseases entering through seeds that are not native to the Islands and that USDA appears to be facing difficulty in controlling diseases in the seeds sent out for research.

Committee member Poirier questioned the timeliness in APHIS notifying Tribes on animal disease outbreaks, noting that a mountain goat disease was discovered seven (7) to eight (8) months after the outbreak began. APHIS reported that their mission is to mainly monitor overseas pests and diseases rather than domestic borne disease.

Committee member Barquin reported that an issue Tribes in the northwest face is that APHIS does not appear flexible in addressing Tribal conservation and restoration programs, particularly where the Tribe is seeking to recover those species. Animal inspection for species like fish appears to be bottlenecked.

Forests and Public Lands Management.

*Presenter: Andrea Delgado, Chief of Staff, Natural Resources and Environment
Reed Robinson, Director of Tribal Affairs, USDA Forest Service*

Recognizing Trust Land Eligibility. The Council for Native American Farming and Ranching provided eight (8) recommendations to the Secretary in an effort to hold the Department accountable that trust land was not recognized as eligible for Forest Service grazing permits. National grasslands are particularly important for Tribes seeking to restore bison and reclaim access to their ancestral territory. The Forest Service recently issued guidance clarifying Tribes and Tribal members are beneficial owners of trust land and that trust land is eligible for Forest Service grazing permits.

Strengthening Relationships Between Indian Tribes and the Forest Service.

Recognizing that many National Forests and Grasslands reside on lands where Tribes have treaty and reserved rights to live, work, and pray, Forest Service leadership has visited with Tribes to hear their desires for enhancing access to their historical homeland. The agency articulated five categories for advancing equity through the [Action plan to strengthen tribal consultations and nation-to-nation relationships.](#)

Categories coming out of action plan recommended updating the manual and handbook, where the consultation period was open longer than 120 days and instead keeping the comments open through the entire process until December.

Fulfilling Trust and Treaty Obligations. The Forest Service recognizes the frustration many Tribes have shared in accessing foresting and wild harvesting permits. The Forest Service is training its staff on permitting and corresponding treaty obligations. As the Forest Service seeks to better incorporate and protect indigenous knowledge, the agency recognizes that proprietary information owned by Tribes requires special safeguards to ensure the information is applied for the purpose in which it was intended.

The Inflation Reduction Act provides \$450million which includes a set-aside for Tribal large-scale restoration projects on their own lands.

Enhancing Co-Stewardship of National Forests and Grasslands. By 2023, USDA has negotiated 180 co-stewardship agreements totaling \$90million for implementation. These agreements enable ceremonial and traditional activities, promote food sovereignty, restore healthy wildlife habitats, and restore healthy ecosystems.

Advancing Tribal Relations within the Agency. The Forest Service Office of Tribal Relations was founded over 15 years ago. Under the newly renamed branch of State, Tribal, and Private Forestry, this office has doubled in staff to sixteen (16) employees covering ten (10) regions and five (5) research stations, each of which will have a Tribal program relations manager.

TAC Discussion. Committee member Barquin expressed a desire to integrate the Forest Service more fully into other USDA program delivery.

Committee member Teves questioned whether food forest expansions which incorporate food staples, perennials, and medicinal plants are supported by the Forest Service. The Forest Service responded that this topic is under consultation but may align with agroforestry interests.

Committee member Linnell expressed her appreciation for the co-stewardship agreements and their importance for fisheries management. She also reflected that the addition of three (3) Tribal members to the Subsistence Board is welcome.

Education and Research. Recognizing that discussions were behind schedule, Director Thompson requested to table this discussion until the next meeting.

DOI-USDA Joint Indian Country Ag Initiatives.

Presenter: Wzipan Little Elk Garriott, Principal Deputy Assistant Secretary for Indian Affairs, U.S. Department of the Interior (DOI)

Relationship to the Tribal Advisory Committee. The Assistant Secretary for Indian Affairs or their delegate is required by law to participate in each meeting of the Tribal Advisory Committee. The Assistant Secretary faced technical issues and was not able to join directly.

Principal Deputy Assistant Secretary Garriott congratulated the members of the USDA Tribal Advisory Committee for convening and recognized the opportunity to break down silos between USDA and DOI. DOI recently convened the first meeting of its Secretary's Tribal Advisory Committee.

Coordination with USDA. USDA and DOI have long held a Memorandum of Understanding outlining common interest in addressing Indian Country's concerns. From a technical perspective DOI recognizes that its policies have historically excluded participation from USDA programs. To address this issue, DOI and USDA met to discuss what language was needed in agriculture and grazing leases to support better alignment with USDA programs. Once identified, DOI has drafted new agricultural leasing regulations to support USDA program needs and tribal interest in conservation and regenerative agriculture important to indigenous agriculture broadly.

One outstanding challenge is to ensure the interagency collaboration and communication occurs at all levels, not just at headquarters. DOI requests input and recommendations from the Tribal Advisory Committee for this purpose.

Agriculture Resource Management Plans. Once Tribes have approved plans by the Bureau of Indian Affairs (BIA), BIA is obligated to provide funding, resources, and technical assistance; however, BIA has not received appropriations to fund Tribes in the development of these plans which may cost upwards of \$500,000 to \$1million. DOI is working to find an innovative solution to this structural challenge.

Joint Secretarial order on Tribal Homelands Initiative. The Joint Secretarial Order directs DOI to enter into co-stewardship agreements and return ancestral lands. There is a healthy competition with USDA to see who can enter into more agreements.

Food Hubs. DOI is managing a new food hubs initiative through four (4) BIA schools and four (4) BIA detention centers to prioritize the serving of indigenous foods at these facilities through Indian purchase preference. This initiative has been informed by USDA. Challenges remain in determining vendors and supporting vendors in navigating federal procurement.

TAC Discussion. Committee member Pourier asked what is needed to seek a meeting with the area director and superintendent, citing concerns about increased lease rates on Tribal members but not on non-Tribal leases. Principal Deputy Assistant Secretary Garriott responded that DOI defers to the leasing policies of the Tribe.

Mr. Griffin expressed gratitude to the Principal Deputy Assistant Secretary for his and DOI's commitment of time during this meeting, reinforcing the necessity of DOI's involvement in these meetings both by law and as a matter of good policy.

TRIBAL ADVISORY COMMITTEE DISCUSSION OF PRIORITIES

Mr. Griffin reflected the intent of this first meeting in providing a common foundation for Tribal Advisory Committee members in the scope of USDA's programmatic authority, what the Department has heard from Indian Country at a high level, and steps USDA is taking to better address tribal priorities. As Tribal Advisory Committee members reflected on what they heard in meeting and their own priorities, Mr. Griffin requested Committee members utilize this time for deliberation and recommendation.

Committee member Barquin noted that the Department is massive and needs to take additional steps to bridge gaps between mission areas. He hopes to offer recommendations supporting USDA in reconciliation and creating better alignment across USDA programs with those Tribes in co-stewardship of their land. He also expressed interest in identifying additional avenues for breaking down barriers across USDA, including in the application process, and informing USDA's provision of technical assistance.

Several Committee members requested more time to share their own perspectives with USDA rather than hearing USDA presentations. While Committee members recognized the need for background knowledge, the different levels in understanding mean that some members have a deep background and are ready to work through subcommittees.

At least one Committee member requested the cultural training materials mentioned by the Food and Nutrition Service to better understand how traditional foods are being represented.

Committee member Sawney acknowledged that outreach and communication poses a challenge as staff change in organizations and government administration. She expressed interest in supporting more effective guidance for how USDA communicates with and engages tribal communities.

Committee members broadly expressed interest in sharing concerns and recommendations for Farm Bill implementation recognizing the need for specific legislative authorities. Given the broad potential scope of Tribal Advisory Committee recommendations, discussion centered around whether USDA supported enough infrastructure to effectively take actions on recommendations.

Mr. Griffin acknowledged the effectiveness of subcommittees in other advisory committees and that the Designated Federal Officer reserves discretion in the creation of subcommittees to help better inform deliberations of the whole Committee. At the Committee's behest, Mr. Griffin confirmed the intent to establish subcommittees across the five subject areas discussed above: Food, Farm, Forest, Economic Development, and Research. These subcommittees could not represent the whole Committee but may be helpful instruments in framing the next Tribal Advisory Committee meeting agenda.

One Committee member questioned how materials will be shared following the meeting and how Committee members who were not able to join this meeting will receive information. Mr. Griffin affirmed that this meeting was recorded for internal deliberation and that the Committee will have the opportunity to review formal minutes to be published pursuant to the Federal Advisory Committee Act.

Committee member Pourier expressed ongoing frustration with DOI but thanked both Departments for continuing to work together.

Topics discussed for future meetings included but were not limited to the following:

- 1) USDA tribal/cultural trainings/insight into the content
- 2) Communications/what tribal contact lists are being used, process for updating
- 3) TA - what TA USDA has/doesn't have
- 4) More listening from USDA
- 5) Streamlining USDA processes
- 6) complete charts and lists of all USDA organizational structures and programs
- 7) identify programs that are working well
- 8) OTR perspectives on barriers
- 9) Positive staff experiences and programs that are working
- 10) TAC committee prioritization
- 11) Review and understanding of ~20% CNAFR recommendations which were not fully implemented.

Mr. Griffin reaffirmed that some of this deliberation may be achieved by subcommittees prior to the May meeting.

PUBLIC COMMENT

Mr. Griffin recalled the roll. Members returning for the public comment period were Billy Barquin, Meagen Baldy, Karen Linnell, Monty Roessel, Glen Teves, Whitney Sawney, Kelsey Scott, and Trent Kisse. With sufficient quorum, Mr. Griffin recalled the meeting to order with the opening of the public comment period.

The Tribal Advisory Committee received one public comment submission in advance of this meeting, which Mr. Griffin read into record. This submission is enclosed as addendum to these minutes.

Abi Fain, Chief Legal and Policy Officer for the Intertribal Agriculture Council expressed hope that the TAC will ensure USDA is aware of what Tribal agriculture looks like on the ground, what is working well, and what is serving as barriers either to Tribes or to individual Tribal producers. She expressed hope in the work of the Committee and the comprehensive representation of Native producers before USDA and DOI representatives in each TAC meeting.

ADJOURNMENT

Committee member Barquin moved to adjourn the meeting with a second from Committee member Scott. All members voted in favor of adjourning the meeting at 6:20P.M. Eastern Time.

In lieu of the Chair to be elected, I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

Josiah Griffin
Designated Federal Officer
USDA Office of Tribal Relations

These minutes will be formally considered by the Council at its next meeting, and any corrections or notations will be incorporated in the minutes of that meeting.