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

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Joanna Mounce Stancil: -- to see so many people joining us for the second meeting of the Council for Native American Farming and Ranching. My name is Joanna Mounce Stancil. I am the designated federal official for this council, which means myself and John Lowery, we try to do everything we do to make them comfortable and have what they need and to follow Federal Advisory Committee rules and regulations. But it's a pleasure to have you join us for this second meeting of the council; their first meeting was in Washington, D.C. in August, that was their inauguration. And tomorrow you're also welcome to join us for the full council meeting which starts at 8 o'clock in the morning, runs until five. We'll have again a one-hour public comment period from 8:20 to 9:20.

One of the things -- this is public comment. We're here to hear what you have to share with us. And so, we ask that -- we are recording this. This will help us put transcripts, what we are required to do under Federal Advisory Committee Act, is to make sure that the public has access to what we discussed or what you shared with us today. So, we have John here helping us

with the recording. We ask that you, if you haven't done so, sign in and give us your information in case it is a topic that we need to follow up with you on. We ask that you also -- I know it's uncomfortable, but we ask that you do speak into a microphone, that you identify yourself in however way you would wish as your first and last name, your tribe affiliation, and what you're here to share with the council.

And traditionally, in public comment periods, this is an opportunity for us to hear from you, not necessarily questions and answers so we ask that you stick within that format. We did issue a public register notice, and in that register notice that we did, give a three- to five-minute comment period. If we'd had a smaller participation today, we might have been able to extend that but because we have so many of you with us today, we ask that you stay within the five minutes, the three to five minutes. You are more than welcome to write additional comments and give those to us. We'll make sure before the end of the session that you have that information where you can get back to us.

So, having -- before I get started, are there any questions from our participants or the council? Then, I'm going to go ahead and turn it over to Mark Wadsworth, our chairman, and then we're going to get right into the public comment period. Mark, do you have anything you want to say to start it off?

Mark Wadsworth: I'm just going to go by the list as it comes in, in order that we receive them. I will remind you that we will have public comments for another hour tomorrow morning. So, if you figure out something or want to voice your concerns tomorrow, please do. Also, we encourage the written ones, contact us at any time. You could -- John Lowery and Joanna Stancil are both part of the Office of Tribal Relations by USDA. They are basically our support staff within USDA, and I'm sure that you can get their e-mails and basically get it through them at this point in time.

With that, I'd like to invite Renee Kittle from MSU, Montana State Flathead Reservation.

Renee Kittle: I don't need to make comments. I'm just here to [indiscernible] sign in.

Joanna Mounce Stancil: Okay, good. Thank you.

Mark Wadsworth: Okay.

Joanna Mounce Stancil: Because of the volume -- and we've had multiple sign in sheets, I do apologize if you're not called in the exact order of which you signed up. It's kind of gotten away from us, but please do feel we want to hear your voice. Thank you.

Mark Wadsworth: Well, let's see. Does Brenda Ritney [phonetic] or Rigley.

Brenda Richie: Brenda Richie, and no, sir, I don't need to make any comments either. Thank you so much.

Mark Wadsworth: You bet. We'll go to Stephanie Mascow or Master.

Female Voice: Master.

Stephanie Master: Yes, I also have no comments. Thank you.

Mark Wadsworth: You don't? Okay.

Sarah Vogel: Mark, why don't you see if people [indiscernible] just go through them and ask if they want to make comments [indiscernible].

Mark Wadsworth: So, you still want me to go through this list?

Sarah Vogel: Yea.

Mark Wadsworth: Okay.

Sarah Vogel: Just to check to see how many of them want to speak.

Mark Wadsworth: Okay. [Indiscernible].

Male Voice: Well, [indiscernible]. How many of you all want to speak? I can count -- one, two, three, four, five, six, seven, eight, nine, 11, 12, 13, 14. Fourteen want to speak. [Indiscernible].

Mark Wadsworth: Okay.

Male Voice: We'll just start on this row.

Joanna Mounce Stancil: We'll just come this way and go around.

Mark Wadsworth: Okay. That sounds good.

Joanna Mounce Stancil: There are two ways to do it. You can come up to the podium and use the mic there, or I can bring you a portable mic. Either way you would like to do it.

Female Voice: [Indiscernible].

Joanna Mounce Stancil: We do need to use the mic. That's the only way we can assure getting good quality [indiscernible].

Jay Fisher [phonetic]: Well, Mr. Chairman and members of the council, my name is Jay Fisher. I'm from North Dakota. It's good to see you again, Sarah.

Some of the folks who just raised their hands and said they did not wish to speak, and I don't have written testimony, but I just want to go back in some history with getting the common language out on to reservations where folks who we work with, I think there's a structure in place that I would like to remind the council, and all those who have worked for the Extension Indian Reservation Program or currently the Federally-Recognized Tribes Extension Program, would you please stand? Any who have worked for that in the past or currently. So, I just want you to recognize the interest level from that -- this group, and I will stay well with -- yes, sir?

Male Voice: Your name.

Jay Fisher: My name is Jay Fisher and I've worked for the North Dakota State University Extension Service for 34-and-a-half years. I'm just a farm and ranch kid that grew up in the middle of North Dakota. Currently I work with the program at Fort Berthold, the three affiliated tribes. We have had one of these programs, the Extension Indian Reservation Program, now called the Federally-Recognized Tribes Extension Program, and as Ross Racine can and has and I hope he's told you, this is a program that's, I believe it's excellent, and never has it come to the full staffing that could make it totally effective in much more of Indian country.

As you look at the funding that you have, I hope that you would consider this organization working with yours to continue that getting the easily understood message out to our Native American ranchers, farmers, and those folks we work with, youth through the 4-H program, and we work predominantly in agriculture. Natural resource is a lot of different things from that, but I just am here to say that we would support that. At one point, I think 20 some years ago, they were looking for more than 80 of these kinds of extension agents. I think we have 30-some programs now, but it's -- we can do much more, and we're already there. The cooperative extension service in the nation established in 1914, we can be part of the solution. I'll conclude my comments.

Jo Ann Warner: Hello. I'm Jo Ann Warner from the Western Center for Risk Management Education. I'm the associate director of the Western Center and one of four regional extension risk management education centers. Our goal, we run a competitive grants program that helps farmers and ranchers improve profitability. Since we started in 2001, we've had -- I think, well over a third of our projects have targeted projects reaching Native American farmers and ranchers. And I think most notably, we've worked with our collaborators across the west, especially with the FRTEP and other organization serving this audience.

And I think one of our most successful projects has been our recordkeeping project. I think Trent Teegerstrom who many of you know has helped launch that project that has been extremely successful, and I think it's very integral to what you are wanting to accomplish now. We are in a unique position as the centers to be able to help build capacity for Native American farmers and ranchers, and we are here to offer, in addition to our grants program, I think we're in a strong position with our collaborators across the west and across the country to reach the producers who may need additional training and education and technical assistance. Thank you.

Trent Teegerstrom: Chairman, council, I'm Trent Teegerstrom from the University of Arizona Department of Ag,

Resource, Economics. I'm an extension specialist and the current director of the Arizona FRTEP program. And I've been doing extension in Arizona for the last 16 years, I believe, and working with the tribes a lot, working with the Western Center, and I just wanted to reiterate with the council and the tribes that the commitment to the youth, the recordkeeping -- I also work with tribal tax issues and trying to get this initiative going as you move forward to consider the topics that have been considered with the FRTEP program as well as many other institutes that are out there instead of re-inventing the wheel possibly in some foundations and some other things, look at the existing structures that are out there and take those in consideration when these are going about as well as the work that's been done out there. And we can provide a lot of reports on existing projects, impacts, and this kind of stuff that we're looking at and try to better use the funds to where they belong with the tribe and with the tribal people out there to try to advance them in the future.

Joanna Mounce Stancil: Thank you. Chairman?

Mark Wadsworth: Yes. Mary Thompson?

Mary Thompson: Might I suggest that we have our guests go to the podium so that we can see them and they can see us?

Joanna Mounce Stancil: All right. Next? Who's going to join us up here?

Brian Thomas: Stand behind the podium. Good afternoon, everybody.

All: Good afternoon.

Brian Thomas: My name is Brian Thomas. I'm a Native American producer, rancher, farmer from the Duck Valley Indian Reservation which is located in Owyhee, Nevada. And I kind of really didn't want to go over the education because these folks here already talked about education which is much needed on reservations in recordkeeping to work with USDA programs. What my real main concern is the Keepseagle.

I don't know what you folks have to do or at least listen to what I have to say about Keepseagle, and there was a lot of very, very many upset Native Americans out there that did not get any Keepseagle money. And when it comes to money, people get upset over it, we all know that. But our native people are passive people, and we are very respectful to the decisions of the non-native people come to make when it comes to these USDA loans. And they don't give us any directions to go back in from the early 1981 to '96 when this Keepseagle claim was formally -- when this discrimination suit was filed.

And it's looking back 20 to 40 years. And if you're a native producer starting back in the early '80s to the mid '90s up to the millennium, there's a big change and they talked about where keeping records is really crucial to be a part of

this Keepseagle up to \$250,000 max. A lot of producers got their \$50,000, but a lot of them should've gotten it that didn't get it were very upset. And when I say going back into the „80s, -- let me go back in the history and I'm going to come back to the Keepseagle.

Back in 1992, the diesel fuel was 79.9 cents a gallon. And then it went on to '93 at 88.9 to '94 at 91.5, and '95 it was 95.9. In the May of '95 -- in '95, it was 95.5 in January. And then in May of '95, it went over \$1 to \$1.23 per gallon. And you talk about keeping records. You have to have detail records to qualify for the \$250,000, okay? How many people could say, "I know the prices of diesel fuel back in the „80s and „90s," in this audience? Especially the committee that's listening to us, how many can say that was correct to our knowledge? Going back -- to me and many other producers that talked to me regarding that were upset, the \$50,000 is just a drop in the bucket for discrimination, there's not very much money at all, where we could've done a lot more with it if we got \$250,000 per person, everybody would be square and equal, straight across the board. Again, it goes back into the line of discrimination.

And if you look back in '95 -- in the '80s, -- and I had a loan with USDA, and I sat in a loan office and non-natives came across before me. What I'm going to say is back in '95, in '85, it was -- the cost of your equipment wasn't nearly what it

is after the millennium. To go buy a 160-horse tractor today is you're going to look at hundreds of thousands of dollars. But back in the '80s, even the farm equipment, they were reasonably priced just like the fuel. If you're going to go back in history and want records, everybody should be treated fairly, straight across the board. And I go to a lot of farm auctions and I see the prices. I've got a friend that records the auctions, he's an appraiser, he says the farm equipment today, like 120-horse tractor built back in the 1960s, early '60s is selling for twice the amount what they're selling for brand new back in the '60s.

So, that's a good example of where if you go back in the history and look at your records, \$50,000 is not going to help out any producers today. And a lot of the native people that didn't get it were very upset with the people accepting the \$50,000 because you guys should have never cashed that check and demanded for money. And there were a lot of people that didn't get a chance to put in for Keepseagle file claim on discrimination because they weren't rightfully notified, I guess. There should've been more, better preparation and -- I, they believe that this case should be re-opened so that more people would get a chance to put in their name for the Keepseagle. I'm not talking for myself. I'm talking for some producers that are in remote locations on reservations out

there. You go to the Navajo Nation, you're going to find people out there spread across the acres there; we travelled across that this year, this past summer, and it's miles of driving across Navajo Nation.

So, please take that into consideration, because if you talk about history and keeping records, I have it here. I have it in a document. And if you want to keep records, you know, it's -- everybody should be treated fairly and equally, so that we could become effective producers that are self-sustaining -- a lot of us would've been self-sustaining today if USDA didn't turn them down or maybe even graduated them at an early date where they tried to go in and get a new loan. Is that my time? Well, that's primarily what I have, and I hope you listen to what I say. And I'm not speaking for myself. I'm speaking for many Native Americans that are out there that needs a voice to be heard out there. Thank you.

Female Voice: Thank you.

Joanna Mounce Stancil: I'd just remind everyone that try to stay within that five minute cap so that every one voice gets a chance to be heard. Thank you.

James McCuen: You're going to have to wait for me. I don't start for five minutes. Mr. Chairman, I've been on this board for 18 years. And this is --

Mark Wadsworth: James, could you say your full name?

James McCuen: James McCuen. I've been a member of the Colville Confederated Tribes in Washington State, and I'm on the board of directors of the Intertribal Agriculture Council. I've been there quite a while. I wanted to say that this group here, I have the most upstanding, most respect for you for taking on this job, because you're going to hear a lot of things that's going on out in Indian countries that wasn't brought out before, and I feel sorry for those people that didn't go to the meetings and whatnot. I tried to inform everybody and I went to those meetings with the lawyers on our -- and I went as an observer, not as a claimant to start with. And I'll guarantee you one thing, I told Mr. Sellers [phonetic] out here a while ago a better crew he could've not picked to come to our reservation.

Number one, they're a good crew. After the first hearing, there were no more lawyers representing me. They were friends. They try hard. They caught people in the hallways at our community centers saying, "Do you want to sign up? We're signing up people." So, that was a good sign, and I hope you keep that in mind, because they're out there and they will help you. The money that everybody's talking about, I'm like everybody on this board today -- we support kids. I'm also on our advisory board for the ag extension on my reservation. So, I have a little bit of idea of what's going on. And when another tribe comes in and applies to have an extension agent

for their -- they don't have any money to take - they take, chop the money off that we're getting and when we lose 15 percent, 17 percent a year go Dan? -- I mean, I'm not saying they shouldn't get it. They chopped our program off by 17 percent so they could store some more, start another one out here.

That -- I agree with it, but let's use some of these money for those kids, the 4-H kids, in particular FFA kids. If you were at that luncheon yesterday and listened to those kids talk, they were damn smarter than this old codger. And I told everyone of them I was proud to be an Indian and don't forget that. The old man will look at you and point, Mark, Mr. Chairman, and say, "Think of what you're doing." As my dad will poke me right now and say, "Shut up," and he's been dead for 10 years. Thank you.

Mark Wadsworth: I and James have been personal friends for a lot of years.

Male Voice: Mr. Chairman, could I just ask a clarification question. When you talk about money, you're talking about the cy pres money? Is that what you're talking about, using that money for the youth?

Male Voice: [Indiscernible] money to be distributed.

James McCuen: Yes. Support the kids with some of this \$280 million or \$900 million or whatever that magic number is.

Let`s spend \$1 million on the kids -- \$2 million, \$3 million. I mean, an old codger like me, all I`d do is go down and buy a new pickup or a car.

Male Voice: Thank you.

James McCuen: Did I use my five yet?

Jess LeFevre: Hello. My name is Jess LeFevre and I`m your extension agent on the Jicarilla Apache Nation in Dulce, New Mexico. I`ve been with FRTEP and program before that for the last 12 years. I just wanted to go ahead and kind of reiterate what has been said, but our programs are not funded adequately, the existing programs. We`re a great source of disseminating information and providing education, not only to the youth but - - of course, we have our 4-H program, but we also do it to our tribal leaders and the general public as well. We work in conjunction with the USDA programs.

Janie Hipp knows a lot about what I`m talking about. Members of IAC and the board, I`ve got to pull for them really, really hard, and basically they saved my program three years ago, we were cut completely. And what I`d like to do is offer my support or any type of experience that I might have; my contact information is down on the sign up sheet. And we need some help, and the original plan was to have over 80 agents like myself -- there`s only 36 -- and I`d like to see it expanded,

and the programs that are in existence, funded at least at the level that the county agents are -- we shouldn't be trying to do the same job and be punished for being a tribal agent. And that's basically just what I had to say.

Joanna Mounce Stancil: Thank you.

Mitchell Spearman: Good afternoon. I'm Mitchell Spearman, and I work at the University of Arkansas, and I bring you greetings from the chancellor and the dean of the Bumpers College. We're also proud to have Janie as an alumna of our college.

As the first 4-H intern at the USDA in the early '90s, I got to arrive to an organization that I saw may have not truly had a finger on the pulse of youth from technology -- you know, I had an e-mail account, I was on Facebook, and some of my bosses weren't, and I was training them up. Yesterday sitting in the IAC Awards Banquet for our youth, I was proud to see that the Seminole Tribe gave three iPads to the award winners. You all, that is the face of the future, and I ask this wonderful, illustrious board, Mr. Chairman, to consider one word, and that's "relevance."

Today our kids are arriving at University of Arkansas far more connected at age 18 than even some our computer science professors at 45 and 50 years old. They're technologically savvy, but more importantly, they're asking questions at the

Bumpers College, which is for agricultural, food and life science, what does ag mean to me? And we are taking the approach that food, family, and the environment are so important, those three issues and that you can -- from that umbrella, you can dig down very deep. Everything that we do centers around food, family, and the environment.

And so, if there are funds available for youth education, I hope that we talk about relevance. Not just about farming but perhaps the business of farming. You know, that we need kids in agribusiness. We need someone learning how to train others in the art of teaching business. I hope to see an executive leadership-type seminar series for farmers, where they can come in and learn about technology, understand Twitter, understand Facebook, understand the worldwide web, but not only that -- learn to market their products online.

So, I would encourage you to look at your institutions, your 1890, your original land grants, and then your Native American, because there're some very savvy and sophisticated teaching methods going on right now that we're teaching our 19-year-olds that would be relevant for teaching a 57-year-old farmer, and encouraging those students that are in the classes to learn how to teach. In that way, they're learning that their education is not only relevant as a student but it's making impact on the world. So, thank you for having me. It's my

first IAC meeting. We're honored to be here, and we want a seat at the table. Thank you very much.

Gail Raines-WhitemanRunsHim: Good afternoon, Mr. Chairman and also you ladies on the committee. I'm so very proud to see women on the committee. I have been born and raised on the Crow Reservation.

Mark Wadsworth: Ma'am.

Gail Raines-WhitemanRunsHim: Pardon?

Mark Wadsworth: Could you state your full name?

Gail Raines-WhitemanRunsHim: Gail Raines-WhitemanRunsHim. I go by Gail Whiteman because it's a lot easier rather than using my office name. But I am real privileged to have been a rancher, rancher's daughter, rancher's wife, a rancher myself on the Crow Reservation all these years; it's God's country when it comes to raising cattle. And I'm also privileged to have been hired just recently to be the FRTEP agent at Fort Belknap and I started Monday. I flew in on Sunday and I started my job on Monday. And I'm really excited about that.

There are some things I just wanted to make comment to you about. First of all, I read that there was an Indian committee that had just met with the secretary, and I assume that's you guys. I didn't really know too much about it. And that was really exciting, because suddenly we have the kind of vessel that we need in Indian country, and you're at the top. And

we're working in the trenches, and we need your voice, and this is so awesome.

We talked at the FRTEP meeting about what do we do in Indian country about 4-H, and I went back to my room and as I usually do, I process that stuff all night long, so I don't get a lot of sleep sometimes. But my idea there was -- and I did talk to our program director from D.C. and contact Jill Martz from Montana State University, interim director, about -- they can't do anything about 4-H in Indian country. Indian country needs to set up 4-H. And so, my idea that I would suggest -- and I'd like to see this model everywhere, is that just such as yourselves, a good committee of good forward-thinking people, Indian people, get together and an idea with 4-H as an example, an agent or somebody that's working in the community that's working hard and understands the issues, get together in a region or a state from the different reservations and build that idea of how to do 4-H, if we do 4-H.

And we definitely know it's not going to be from the county extension level. That doesn't work. They're expecting FRTEP people to be on the same line as county agents, and it just doesn't work. It's apples and oranges. So, let the Indian people build the programs from the local level and then get together. They want national 4-H in Indian country? Then get together and put the apples in the same box and the oranges in

the other box and build it that way.

I mean, it doesn't even have to be 4-H. Why can't it be 4-C's? We've got the four directions, we've got the four seasons, why can't it be 4-C's meaning culture, communication, coordination, you know what I mean? Does it really have to be 4-H and does it really have to come from a standpoint that our people aren't used to it coming from? That they would rather be self-guided? So, that's what I'd like to see more of, is let's work a little bit harder at making it actually for the people, by the people, of the people, and all that. That's my suggestion, and thank you.

Mark Wadsworth: Yes, Jerry?

Jerry McPeak: Let's see if I'm doing this right. You're wanting to take the money that is provided for extension but not call it 4-H but have your own program that's just not associated with [indiscernible].

Gail Raines-WhitemanRunsHim: You know, I realize that that's going to be a hard sell. I'm sure we need to be under the problem of 4-H. But can't it be -- does it have to be the way the county would have it and on a national level? Can't it be of the people, by the people, and for the people?

John Lowery: Jerry, you have to - he's recording [indiscernible].

Jerry McPeak: Okay. All right. My question was, you're

wanting the money that's provided by extension but you don't want to call it 4-H, which I'm okay with because I don't care what you name a cow, a cow is still a cow. So, I understand where you're headed with that and I appreciate the fact that you understand it may be a little bit difficult to ask for the money but not give them credit for getting it -- this kind of -- what we may be wrestling with with that deal. And I don't care if

you call it 4-H. The 4-H didn't use to be called 4-H. What did 4-H used to be call, the very first? It was called --

Male Voice: Boys and Girls Club.

Jerry McPeak: Boys and Girls Club. All right. So, I don't think the name matters a whole lot. Are you saying that there's a negative connotation to calling it 4-H?

Gail Raines-WhitemanRunsHim: Yes, sir, I am.

Joanna Mounce Stancil: Any other questions for the council before we move on to our next presenter? Thank you so much.

Gloria Stickwan: My name is Gloria Stickwan. I'm from Alaska. I live in South-central area. I'm from the tribe of Tazlina. It's one of the tribes that signed up with the -- as a member village, we signed up -- there are seven villages, tribes, that are signed up under the Copper River Inter-Tribal Resource Conservation District. I wanted to talk to you about some concerns I have, but I wanted to also explain where I'm

from so you'll understand what our need is here.

From the area where I come from, is about the size of the state of Iowa. That area is what we represent. We don't have much. We don't have hardly any government out there to help us. We don't have any businesses where I live to help us. We live in an impoverished area, just the way you people -- some down here. But I want to tell you about the cost of fuel.

One of the members of our area from Cantwell said she paid \$1200 this month for her oil bill. She pays that much for fuel, to pay for oil, for a month, for the month of November, and that is not the coldest month in Alaska -- January is the coldest month. So, her fuel bill will probably be higher than \$1200, probably as much as \$1500, \$1600. She told me she's a chair of this committee that I serve on which I work for. She had to pay down on her fuel just to pay it off, and she finally got it paid off for November, and now she's going to be hit with another bill in December.

I want you to understand, for a bag of groceries for Wal-Mart, you've seen the Wal-Mart grocery bags, about that size, it's \$120 just for that little amount of groceries. The bag, as you know how big they are and they're very small, it's \$120 for that. That's what we pay for our food in Alaska. For gas in our area, it's \$4.24 right now. In other parts of Alaska, it's a lot more expensive. I talked to some people from Kwethluk

[phonetic] yesterday, I believe he said it was \$7.25 for a gallon of gas. The reason ours is lower is because we are on the road system, highway system. That is why it's \$3 less than where they are at.

I wanted to talk to you about the WHIP program. That WHIP program had moose -- in the past we were able to do moose research grants under that, but that was taken out for Alaska for some unknown reason. Moose is the major mainstay of our livelihood besides fish. We eat -- we hunt for moose every year. Everyone in Alaska that lives in the interior and around the southwest, I guess, they hunt moose in that area. It's a major stay of their livelihood. And to be able to do research projects and to get the moose population up in our area, we need to have that.

So, I would really want to see you to work in getting the moose research project back into the WHIP program, and I would like to invite you to Alaska, if we could, have it up there maybe. I don't know. It'll be a lot of work for Angela but I'm glad she's on here. And, of course, we want you up there in the summer months, not when it's 50 below. Last week before I came down here, it was 49 below; where I live in Cooper Center, it was 50 below. So, our fuel bill skyrocketed. It's going to be worse in January.

Joanna Mounce Stancil: Thank you.

Female Voice: Thank you.

Joanna Mounce Stancil: We have another representative --
oh, I'm sorry. Questions?

Mark Wadsworth: [Indiscernible] Sarah has a --

Joanna Mounce Stancil: Sarah has a question.

Sarah Vogel: My question is, you used the phrase called
WHIP program or WIC?

Male Voice: WIC. W-I-C. WIC.

Female Voice: No. She said WHIP.

Male Voice: WHIP?

Female Voice: WHIP, yes.

Female Voice: Wildlife Habitat Improvement Program.

Sarah Vogel: Wildlife Habitat Improvement Program.

Female Voice: It's an NRCS center.

Male Voice: An NRCS.

Sarah Vogel: Thank you.

Male Voice: I couldn't figure out how [indiscernible]
program.

Joanna Mounce Stancil: We have another commenter from
Alaska.

Martin Andrew: Good afternoon, Mr. Chairman and council.
You know, I just wanted to touch on, add a little to the lady --

Mark Wadsworth: Sir, could you state your full name.

Martin Andrew: Oh, sorry. My name is Martin Andrew. I

serve on the Alaska Tribal Conservation Alliance as co-chair and also serve as president for our tribe. And you know, I just wanted to add some real issues that with the cold weather back home, and as of today in Bethel, two people froze in their homes, and real issues, and I wanted to take this opportunity for Alaska to see if this group here could set up an endowment fund for tribes in Alaska to assist those tribes, because over this past summer, we've also been hard hit. Most of the state was shut down with our fishing and that is what sustains us throughout the winter and through the whole year. So, I just wanted to take this opportunity to bring forth these comments. Thank you.

Rachel Lindvall: Good afternoon. My name is Rachel Lindvall, and I am a community development field specialist for South Dakota State University Extension Service. I'm on the Rosebud Reservation in South Central, South Dakota. I'm another FRTEP agent. And today I'm also speaking to you, representing all of our South Dakota FRTEP programs -- there are three of them -- as well as STSU's Native American program department for extension.

In South Dakota, BIA data suggests that we have at least 125,000 enrolled tribal members. There are millions of acres of tribal land, much of it suited for agriculture, and agriculture amongst our Native American communities is in somewhat of a

precarious position. There's definitely room for improvement.

At FRTEP, I think, in general, definitely in South Dakota, but most of us in the room believe that our youth are our agriculture future and that education is the route to a genuine path to that future. So, we'd like to see more support for FRTEP. I'm joining in my colleagues across the country that say that. There are only 36 of us, and we serve -- you know, if you figure out how many acres we serve with the 36 of us -- I'm not going to do that calculation for us but I know that somebody probably could, but it's a lot, we'll put it that way.

I can speak to our area. I've been on the Rosebud Reservation three years with extension. But for 23 years before that I've also been there, affiliated with Sinte Gleska University, which is one of the oldest tribal colleges in the country. I taught natural resource management and forestry, and then I served as the division of library's dean or head of the library. Out our way, there is little science-based via sources of information, very few sources where people can go and get that science-based information that extension provides. We're very remote, we're very rural. So, without extension, without FRTEP, there's definitely a void in that.

We provide the outreach and information in a way that people trust. I mean, by and large, people trust extension. They know that we're not presenting a bias with that. Rosebud

and Pine Ridge at least have had FRTEP program since 1991, and each of those, we have strong relationships with the tribal college -- and those are some of the original tribal colleges. Many of our constituents, when it comes to information, they don't have Internet access, where a lot of us remove from agricultural knowledge base because a lot of the landowners, there are a lot of landowners, but they're in in a lot mentor lease relationship.

You know, we were really proud to bring you one of the essay writers -- essay contest winners out there yesterday, Cassidy Lindenberry [phonetic]. We recruited her and we're really proud of what she had to say. She talked about being involved with FFA, and she's a really eloquent young lady. The ironic thing is that in order to get that FFA programming, she had to go to school off the reservation, because Todd County School and St. Francis Indian School where she could -- you know, those are the reservation schools, they don't offer FFA programming anymore. And I think some of our educators could speak more to why those types of activities have been removed from the school. So, Cassidy spoke about FFA but she couldn't get it on her home reservation. So, again, there's a lack of way to reach those youth.

I guess we'd like to see more funds go to promote the future of ag in Indian country, and FRTEP helps by engaging and

educating youth on our reservations. We live this, all of our FRTEP agents. If you were in our meeting on Monday, you could tell there's people that -- we live this, so this is important to us. And, you know, I'd just like to put that out there, that if there are any other sources of funding that are available, we feel an itch that isn't being filled on many of our rural remote reservations by other sources. So, that's all I have to say, and thank you for your time.

Sabrina Tuttle: It seems like that's a little low or something for me. I'm Sabrina Tuttle, an extension agent on San Carlos Apache Reservation; I've been there almost 10 years.

I want to support my co-workers in FRTEP. I'm also, I have an affiliate position as an assistant professor at the University of Arizona in the Department of Agricultural Education.

I just want to talk just a little bit about some of the research that we have done in our University of Arizona group with the FRTEP agents. It's not a very big part of our jobs, we're mostly educators, but we have found through that research that we've done with county, staff, and FRTEP extension staff on the reservations that there are some large differences between how extension works on a reservation and how it works in the counties. There are some similarities as well but it's really important that we have FRTEP educators on the reservations

because many of the counties that I've come across -- and I also worked with the Seminole Tribe in Florida for four years as a FRTEP agent -- many of the counties I've come across do not serve the reservation. They can't because they don't have enough staff. They don't have -- some of them don't have the right attitude or interest. And when you look even at some of the people that you have to work with in 4-H with the county versus a reservation, I just witnessed some terrible discrimination at a recent meeting towards our reservation kids. And I don't even want our people to be exposed to that type of attitude in the neighboring county.

And so, I just wanted to talk a little bit about our research and that things are different, and we do need more money to place more agents on the reservation in remote areas as well as be similar to the counties. The counties get -- they have had appropriation since, I guess, about 1914 on formula funds, and we don't have that. And I appreciate being able to come before this committee and talk about that, and my FRTEP co-workers are doing a great job, and we want to keep doing that and expand that. Thank you.

Joanna Mounce Stancil: Is anybody else coming up now?
Yes, ma'am? Sir, we have a lady in front. She's going to come and -- we'll come back around and then -- thank you.

Nikki Crowe: Bonjour. My name is Nikki Crowe. I'm from

the Fond du Lac Tribal and Community College extension program, the Fond du Lac Band of Lake Superior Chippewa or Anishinaabe -- we're the original people -- about 35 miles south of Duluth, Minnesota.

First I have to tell you -- are you getting this? Not necessarily everything that I say, my views and opinions reflect those of the Fond du Lac Band of Lake Superior Chippewa or the Fond du Lac Tribal and Community College and sometimes even my mom. That is a policy and procedure of the Fond du Lac Band and for me as an employee to have to say that.

I like to talk about the extension program that I work through. It's a little tribal college. I work through another extension program as a -- on a project for Little Priest Tribal College in Winnebago, Nebraska back in the day. I didn't know anything about what FRTEP is. I got the discount for signing in as a FRTEP extension educator. Don't tell anyone. Oh, we're recording this again. Just lightening the mood.

So, what I want to say is some of the FRTEP extension educators that I've met here, you do some really good work. I think that's important. When I was at the meeting the other day, I said there was -- we've met with Susan Beaulieu from Minnesota, she got us together from the Anishinaabe Bands. Some of them were left out, but we talked about what we would see in 4-H in Indian country, and what it came down to was having input

from the elders and having the youth interact with the elders, but also, knowing about the culture, the ceremony and the history. Some of these things aren't taught in the public schools. But there's extension programs. I work on the USDA NIFA grant and I'm in an extension program, and I have to renew that funding again.

But there's this small -- it's not all at the big university, the state universities. There's little tribal community college that have extension programs that need to get started or they've fizzled out, they've lost their funding. That's where some of this money can go. I'm a band member from Fond du Lac. If I don't know the culture or the ceremony or the history, I know who to ask. I know how to ask elders in the correct way for what we need. I don't need to put it into my funding to offer a sema for their knowledge or their wisdom. And that's what we need to see with our extension educators and Indian country as well. That's what I would like to see.

As far as the names of calling things 4-H, we started the Minnesota Master Gardener Program. We got through that, there's five of us women. The Fond du Lac Minnesota Master Gardener Program now is recognized as its own county. So, our reservation, we cross over into Carlton and St. Louis County but the whole Fond du Lac res is ours. It's our, I guess, county. So, with that, we started Junior Master Gardening. Those things

aren't a name. My Indian name, my spirit name is [indiscernible] -- you don't have to spell that -- but no matter what you call me, I'm still Anishinaabe, and wherever I'm standing, I'm in Anishinaabe land because I'm the one who's standing there.

So, we had this Junior Master Gardening Program and we're teaching the kids about Three Sisters gardening, about sustainable gardening, and about heirloom seeds that we've taken care of for a long time by us and we changed around. Like the Bear Island Flint, it takes about 50 days to grow compared to like a Blue Hopi Corn that needs a whole 160, I think. We don't have that many days up there. But we changed that corn so that it could grow by us and we could use that corn.

Another thing that we've done through our extension program is the Minnesota Master Naturalist Program. We've gone through one of the classes. They're split up into three different biomes, although there is four; the other one is real little but they still talk about it. And what we're going to be doing is a couple of us, some of the same Master Gardeners, we took this Master Naturalist Instructor Training Course. So, what we'll be doing when we start our class in March is talking about the history of the treaties and the tribes in the Great Lakes area, and we'll be teaching the seasonal events, a little bit about the language and the culture. And we've made it ours in

that way and that's how we'll present it when we put out our class offering. So, we had to make it ours.

But when you're thinking, "Oh, we'll give this money over here to this big university or that big university," say, "Hey, who's got extension programs over in the tribal colleges and what they can use?"

You know, when you talk about community education, one of the things I do is I talk to women about healing from the land, from post-traumatic stress disorder, from abuse. We have long-term abuse. I tell the women, I said, "I can't expect for you to take care of the land or the community at this time. You've got to heal yourself." We have those types of problems. That's community education. Parenting. Funding needs to go into that as well. We can't ask you to start a farm when you've got these other issues that are going on with your life as well. So, you have to think about some funding that goes into that. Those youth have to be taken care of by their parents as well in order for them to be educated. And with that, I'll conclude. I thank you for your time, [indiscernible] -- see you soon.

Joanna Mounce Stancil: Thank you. Anyone else from this side of the room? We'll take this gentleman right here with the hat and then we'll go down that way.

Aaron Begay [Phonetic]: Hi, Mr. Chairman and council. Thank you for giving me this opportunity to speak with you guys

and ladies.

Mark Wadsworth: Excuse me. Full name for the records.

Aaron: My name is I`m Aaron Begay. I`m from the Navajo Nation. I`m a rancher and a farmer. And I`m from Tsaile, Arizona. I also sit on the board with the Tsaile Water User Association, which is a non-profit organization we`ve got going there.

In regard to the Keepseagle settlement, I just got something to say. My father-in-law filed claims, and he went through the whole process and they want denied letters from the FSA program that he applied through, and this happened back in the early „80s that he was denied, and they wanted his denied letter. And we went through the whole house, we couldn`t find nothing, and three days later after the dates closed, we find this letter and we go back over there and tell them we found the letter that you guys needed. "So? It`s too late. You`re three days late. We can`t do anything for you guys."

So, my point is it took him this long to settle this thing, we`re late three days, we don`t get a break. That`s not fair for my people. That`s just not right. And I was in the meeting this morning and you guys were saying this leftover money from the settlement, millions and millions of dollars, we would try to start an organization and transfer this money and use it to start a -- put it into youth or something like that, non-

profits, yes, that's a really good idea. I would like to see it.

We have Diné College right there in Tsaile, which is one of the first Indian colleges across the U.S. It's over 40 years old. It's deteriorating. I would like to see some of that money go to this. We have land grant office there. They help farmers there, the ranchers there. They're always struggling, looking for money. I would like to see it go there. Where we live, it's two hours to go to town. To go to grocery store, it takes us two hours. And we'd like to see Indian land developed, put up some stores for us.

And this money, we would like to see scholarships. We'd like to use some of this money for youth. Just the other day, we're giving away to three essay winners, how they want to go to school, how they want to be scholar -- I mean, to do all these things for their land. It's nice. Let's help them out. Let's back them up. Let's get them there. So, that's what I would like to say. And I sure would hate to see this money go back to Washington and help somebody else, make themselves rich.

Thank you.

Joanna Mounce Stancil: We have someone else from this side? Yes, sir.

George Kipp: Mr. Chairman and respected council members, I'm honored to be able to approach you today with some of the ideas and some of the concerns that I do have. One thing, I

commend you on your positions, it's going to be very difficult to resolve a lot of the issues that you're confronted with.

Mark Wadsworth: Just full name and --

George Kipp: George Kipp. I'm a Blackfeet tribal member from Browning, Montana. I'm an FSA County Committee member for Glacier County, and I've worked for the Blackfeet Community College for 25 years. I'm a small operator. And one of the things that I hear echoing, you're going to put this foundation together and put the money, the only place you can put it is in the tribal colleges. I just wanted to say that because of the pitch ah. No, quite frankly, that's not true.

But anyway, the thing is is that Keepseagle was put together by some individuals, and Mr. Porter Holder there who was one of the original plaintiffs and so forth, and Mr. Keepseagle and him, I have to really admire them and commend them on following through with this. But the Keepseagle case designed for those that was discriminated against in some manner through the USDA. So, I think that money should be very well designed for this purpose. And, of course, there is -- I've been asked by several people about someone who missed the deadlines and some that they didn't know were eligible.

One elder lady who's 88 years old, whose husband applied but was denied, but didn't have the accessibility to

actually file and she said, "You know, I was eligible."

So, there should be some concerns about that. Also, under the youth -- there was youth -- I said, those were denied back in those days was re-eligible and several of those that were eligible, so there should be some special considerations done in on that as far as making sure that every stone and every individual that was discriminated against actually is served. And I think that's the sole purpose of the money.

As far as looking at your committee, you give us a voice in Washington, D.C., leveraging there are the Capitol out there is going to be one of the many main things, but also with your voicing us, I hear a lot of the government agencies, I don't think it's going to be very likely that we're going to be taking money from USDA and giving it back to their programs to help us. I think the grassroots individual will come up with their own ideas and how to expend that there. Of course, their ideas are good, their actions are terrific, and they have some good results.

But I think that -- I work for a program within a tribally controlled community college called the Carl Perkins, and in that is vocational education money -- 1.25 percent set aside out of all the Carl Perkins money distributed vocation money in the United States is set aside for specific use for Native

Americans. I think [indiscernible] and so forth. You as the committee, you guys can start discussing that with the USDA.

Because of the stats yesterday that was presented to us and the numbers in the [indiscernible] base and the number of farmers and ranchers that we have that are \$10,000 and less, we should have a goal to raise their income up to \$20,000 or \$25,000. But you guys start voicing that opinion, I think that would help a lot of the government agencies in hearing the extension programs if there was a set aside and there'd be more money out there to distribute among agencies, so I think that should be one of your mandates as a committee, as a council.

Secondly, another form of discrimination that I think emerged out of here is that married couples applied together and they were awarded as one entity. And I mentioned that a little bit earlier this morning, I have concerns about that there, is that they receive less with their applicants and that was in on time, and they should be given consideration as separate entities because EEOC does not provide discrimination against organizations, as groups, but primarily it's designed on individuals. As for individual, regardless if they were a son and a father, and they had to apply together, a wife and a husband, and with individuals, they should receive the same amount as Keepseagle individuals, and that's my other concern there.

Also, the loans themselves, there is a cutoff date set for the debt, and I think that was January 1st of 2011, the write-off was for the claimants. I mean, that's very, very exceptional. That was very good there. And as an operator, and individuals that I would like to reflect this to you too is that almost all ranchers work on operating capital as for projection. But debt that was acquired prior to 2011 and cannot be paid off until 2012 because of inaccessibility of loan agencies, I think that should -- any debt that was incurred to USDA prior to that date of January 1st 2011 occurred, but debt that was not paid off was not eligible for that. So, I think that should be reconsidered also for the claimants.

And the other thing, and I just want to echo this here, you as the committee, and nowadays in some of the youth programs, and I'm pretty sure you've discussed that and I've heard it from Mr. Ross Racine, is that our youth and youth bills, where there are youth, there are little ones that are held to the requirements of adults; if they fail on the youth bill, they're not eligible for any FSA loans or even Pell grants when they go to secondary school. And I think that Chris, you as an individual as within that area should change that right away for the youth, I think, because that's pretty restrictive. We do have some kids that are almost failure status at this point in time would jeopardize their higher education.

Secondly, one of the things is that you as a committee, one of the things within the farm youth bill, Young Farmers Bill, purchasing of land, there's just not really adequate amounts there if you want to purchase land and go into the business. So, I think that should be one of your duties, to bring that up. And I really appreciate you being our voice now in D.C., and I think that you'll do a great job. You're not going to satisfy everybody, but you can help out considerably. And I thank you.

Joanna Mounce Stancil: Thank you. Next? This gentleman [indiscernible]. We'll just keep going around and then we'll stay back this way and pick up our new commenters that have joined us.

Bruce Cain: Thank you, Mr. Chairman, council members. My name is Bruce Cain, and I work with the Copper River-Ahtna Inter-Tribal Resource Conservation District. It's a consortium of, partnership of seven federally recognized tribes and two Alaska native corporations in Central Alaska.

And like Gloria said, when I left home it was 55 degrees below zero, and that was the air temperature, not the wind chill. And when I walked into the hotel this morning -- or not this morning but earlier this week, it was warm, like 50 degrees and there was a heater going out there by the entrance outside, and I was thinking, "You know, that'd be nice to have, something like that." But it's -- like we heard from Willy, last

week in Bethel two people froze to death in their own homes, unheated homes, because they can't afford fuel. You can Google it, "people frozen to death in Bethel," look at it, read the articles. This is serious business. This is life and death.

The Wildlife Habitat Improvement Program that Gloria mentioned, I just want to reiterate that again. That was taken out of Alaska this fiscal year. We're just getting started, and we really need to get our moose back. Our moose are our food. There's a tenth of a moose per square mile in our area, and a healthy habitat has two to four moose per square mile. So, we need to come up 10 to 20 times what we are.

The thing about that program that's so important is that if we get that going, the way you improve moose habitat with the elders is you clear out the dead trees and you do controlled burns which make fire-killed trees which are firewood. If we had firewood, firewood is life and death in our country. Moose for our food is life and death.

And we heard that that was re-allocated to go to help endangered -- I think it was a moth and maybe there was a little songbird and a box turtle and some frogs. We feel sorry for those creatures, but we need food and we need firewood. So, please, get that Wildlife Habitat Improvement Program back into Alaska and fund it well. I heard that it was going to be rolled into the Equip Program and probably just disappear. I don't

know why they're doing that. But for Alaska, it's what we need. We don't have the developed agricultural lands in Alaska. Everything is our wildlife. That's our subsistence, that's our agriculture. So, that was really my point that I wanted to make.

I'll tell you something that our Elder Chief Walter Charley and maybe it could be a good guidance for this group here -- I admire you for your mission and your start -- and he said, "When I was young, when we were in the river and the water was swift, we had to paddle together. It was a matter of life and death." And Walter's not been with us for many years but I've always remembered that. So, if we can work together and paddle together, we're going to do okay. We're looking to you for helping us with that. Thank you.

Mark Wadsworth: Mary, you have a --

Mary Thompson: I guess, for clarification for my own purposes, I have a question. And I'm wondering about this WHIP program which is through the NRCS program. Was that program taken out -- was it through your state CON [phonetic] or was it through -- how is it that that program was eliminated?

Bruce Cain: You're going to have ask people smarter than me. I'm not sure -- we applied for it and we were told that the money was re-allocated to this endangered species program.

Mary Thompson: Okay. Because, I guess, what I'm wondering

is, was that decision, was it a state decision? Because the --

Bruce Cain: The headquarters, we were told.

Mary Thompson: Headquarters?

Bruce Cain: That's what we were told. I really don't know a lot about how all this works. I know we won't get the money.

Mary Thompson: Thank you.

Christy Cincotta: Hello, everyone. My name is Christy Cincotta, and I'm also from Alaska. I work with the Tyonek Tribal Conservation District there, and one of my main jobs there is to work with the native village of Tyonek to help increase access to USDA funding and technical assistance. And I'd like to comment today based on a presentation I attended yesterday for the agricultural census, and one of the things that I learned in that presentation was that USDA does not consider subsistence activities as agriculture. And I just wanted to make the comment that I think that this is a misrepresentation of what's actually occurring in the state of Alaska and that it puts Alaska at a disadvantage.

From what I've seen, people in the state of Alaska work very hard for their food, it's just in a different way. And in the native village of Tyonek, as in many other places throughout Alaska, there's no grocery store. If you want to go to a grocery store, you'd have to get on a plane and then you have to pay the freight to come back. And so, hunting and fishing are

not hobbies, really, there. And for a recent study that was done by Alaska Department of Fish and Game, they determined that in Tyonek about 80 percent of the food that's consumed there comes from subsistence activities, such as hunting, fishing, berry harvest, and other activities. And people there manage the land in order to increase their access to those subsistence foods.

So, I guess, I'd just like to suggest that I know that this is a discussion that's probably gone for sometime about how to define subsistence, but I would like to suggest that if it's possible, the definition of agriculture be altered to include those activities to increase the opportunities available to Alaska natives.

Thank you for this opportunity to participate in this process.

Joanna Mounce Stancil: Thank you.

Mark Wadsworth: Before we have the next speaker, we have a couple of other council members who came and didn't introduce themselves at the general session. Would you like to introduce yourself, Mike?

Michael Jandreau: My name is Mike Jandreau. I'm the chairman of the Lower Brule Sioux Tribe.

Lisa Pino: Good afternoon, everyone. I'm Lisa Pino, the acting deputy assistant secretary for the Office of Civil Rights

for USDA. It's great to be here.

Lawrence Martinez [phonetic]: Hello, members of the council and everybody in this room. My name is Lawrence Martinez. I'm from the Four Corners area Farmington, New Mexico, and I'm here to support the Indian ag and youth. I'm a cattle rancher. We also have sheep and we have farms, and we have a small working group. I know the name of [indiscernible] Co-op. And we've been working with different ranchers, different farmers on the reservation at our own pace.

We don't go into the tribal assistance because we're independent and we try to do everything our own and one of the things that we're working on is to be able to go on into Indian country with different ideas and to share and be able to concentrate and bring, pool together, unite all the different tribes into what little business that we have to be able to connect all the tribes to form a body of people where we can be heard and we can function throughout ag business, throughout the competition of the market that we're against today. I feel and we feel that if we connect and form a bigger group, we can be able to penetrate the bigger markets, the local markets, the regional market, and also be able to connect and market our supplies and needs to the world.

As we know, we have some other Indian businesses that are already connected in the form of outreach market. And I commend

IAC and the group here in the outreach work that they've done for us, and we have more work coming to us, and you also have more work coming to you. And I appreciate the new council. We would like to work with you, we want to listen to you, and we also want you to listen to us.

And we're also in the process of starting Indian country beef which we'll be connecting -- we're looking for board members to represent different areas. And we're saying that if we can get board members from all different areas, then we can be able to reach everybody to be able to develop this Indian country beef throughout the local area, throughout the regional, and also to develop it through the world. And with this practice, we're located close to NAPI which is a Navajo farm that belongs to all the Navajo and it's a huge farm, some 70,000 acres over there, their irrigated land, and we also have privilege and the door is open for us to put our youth into training, put our youth into ideas of what they want to become.

We have experienced different youths, different students coming back with Master's degree to this farm and put them to work and really don't know what they're there for. And we've helped them in developing in their skills; they know the knowledge of the book but they don't know the knowledge of how to get on a horse or how to put a tractor in gear. So, with these, what we've been receiving, what we've experienced,

we're trying to develop youth development where we can start the students at the ranch, start the students at the farm, send them to school, and then they'll know the reason being in school so they can practice, continue practicing what they want to be. And that, I feel, is our future. The kids, the students, anybody behind you is the one that's going to carry on tomorrow. So, if we help them develop skills or develop common sense, that will make him a better person and our future will continue, and that's what we're striving for.

And in developing this Indian country beef, in developing any Indian country ag business, that's what we're looking for. This Indian country beef, we feel, is going to be a pilot project. We'd like somebody -- other people, we're already talking about Indian country wheat. We're looking at people that have sheep, lamb operation, Indian country lamb. So, when this comes up to the table, please stop and look at it and listen to us and help us grow this big dream that we have in Indian ag business.

With this, I'd like to end my speech, and I thank you. Joanna Mounce Stancil: Thank you.

Randall Ware: Good afternoon, committee. My name is Randall Ware, a member of the Kiowa Tribe. I'm also a chairman of the advisory committee on minority farmers for Secretary Vilsack. Today, committee, you are to be committed on this

history-making committee that you sit on. Congratulations. But today, I come to you as a farmer and a rancher. I'm also a cattle rancher and I'm a wheat farmer, and I bring you the pains from the farmers of Southwest Oklahoma today. What our needs are, I'm going to present them to you, and you just take it to heart, okay? I just want to say thank you for this opportunity.

I would like to say that there's so many things that we need in Southwest Oklahoma. First of all, I'm going to cover -- you covered it many times -- we have 39 tribe represented in Oklahoma and there's been no funding. The advocacy and outreach programs has not funded no entity, colleges, or anybody else to give us, Native Americans, trainings, beginning farmers and ranchers trainings. We need money for that for training there in Southwest to keep us sustainable, to keep us going. We have no money, whatsoever. There's nobody that's been funded there.

We have nonprofit organizations who qualify for this moneys. We have the Oklahoma Tribal Conservation Advisory Council that we could work with, but we need this. That is our immediate need there in order to keep us sustainable. Right now, we have 80 families that are waiting and we have no money to start this training on it.

Another idea that we'd like to see that you could think about is maybe creating a Native American heifer project. You

know, give grant moneys to organizations that are organized. Let them help them help themselves. Give them grant moneys to get them started. Let them purchase five red heifers and pass them on to families. They could have the heifers and they could pass them on to another group, keep going, keep it going. It'll work. It'll work. It's a good way to work.

Another idea is credit unions. Let organized organizations, nonprofit groups or whatever have you that are qualified, give them grant money, let them start a co-op. Because they know and they serve the people, they know who can pay these moneys back, you know, to keep it going and help us to help ourselves. Let us establish these credit unions and to help the groups all over there in Southwest Oklahoma and abroad.

This will work y'all. You have a wonderful committee here, you're good thinkers and everything, but these are just some ideas that I'm passing to you all and this is what our needs are.

We need farm equipment, y'all. There're families that we can share our farm equipment with. We need tractors, we need no-till drill, we need a disc. I tell you what, you get use tractors, you get us drills, you get us disc, I'll give you a darn success story that will knock your socks off next year. But that is the truth. We need farm equipment. I mean, help the farmers. Help the farmers, help the Native American farmers

help themselves. I mean, when everybody else help the neighbors, we need to help planting because the tractor broke down. One tractor among us. You know, I hate to say this but the white farmers turned their backs on us when they would jump in a heartbeat to help the farmer plant. Nobody came to help us in our land. Where was our help? And that's the way it's been. Help us help ourselves, okay?

And also, too, put an endowment fund up. We're having a drought out there. Committee, we're having a drought. Put some money up for hay. You know, our farmers, they have cattle -- they're struggling to keep their farm sustainable, they're struggling to keep them going. Have some hay money ready for them. You know, any way that you can help us, the farmers and ranchers. That's what we're all about. We have an opportunity, committee, you have an opportunity committee to help us.

Thank you, you know, to Mr. Secretary Vilsack, having a heart [indiscernible]. Thank you. You know, you heard our cry, you heard what kind of positions we're in. This is the real world out there, we have a job to do, and by golly, we can farm the best with the rest of them. You know, our Native American farmers, they get farm and ranch with the bet out there. You know, help us and we can feed the world also, and I just want to leave that with you. And you know, our children, they're smart. I know that you all want to take care of them in their training,

scholarships, whatever have you, but remember, the farmer and rancher out there. We have, like I said, non-profit groups there that are ready. But help us. I humbly ask you, help us today. Okay. Thank you for your time.

Joanna Mounce Stancil: I think we have a question for you, sir.

Male Voice: Mr. Ware, just a point of clarification. When you talked about Office of Advocacy and Outreach and the training funds, are you talking about the 2501 grant money?

Randall Ware: Yes, the 2501 money. Committee, be our voice out there. Ensure next funding cycle that the Native Americans are taken care of. Nobody out there lobby to ensure that -- 39 tribes in Oklahoma left out, you know, and that's ridiculous. You know, we should've had funding out there for us, and there's nobody there. There's only one university that works with the Native Americans and one entity that was Langston University who had shut down their outreach program, and Oklahoma Tribal Conservation Advisory Council that worked with us and there was no funding, and now we are without.

Joanna Mounce Stancil: Thank you. Now, do we have -- thank you very much. I guess we have one gentleman that's next to the wall here. Did you want to speak, sir? And then we're going to go back here and then wrap around this end, and then take in our new people that have joined us.

Bruce Savage: Good afternoon, committee. My name is Bruce Savage, Fond du Lac band member, private farmer. I'm not with any organization. I don't know if there's that many private farmers in the room today. Then these guys know that sometimes we'll take a risk -- interest rate high, you can't wait for your farm programs. If you're gonna do it, you're gonna to do it.

Some of the funds that you guys are going to be distributing, I really would like to see you advocate to put a program together for private farmers to be able to access this money at a really low interest rate. Because that's the key to doing a business adventure. We all know it's interest rate. And when you're paying six, seven, eight, 13, 14 percent interest, if you could access your money at 0.75 percent or less, it's going to make the difference between a guy like me working until I'm 80 to pay off my loans to when I'm 60. We all have a ceiling of how long we're going to be able to do this, and if you could somehow, with all you folks, figure out a way to help the private farmers, the private native farmers.

And if you're not going to do that, make sure that this money that you use goes to the natives. I understand there's a lot of extension service people out there that want access to this money, try to put it into native people's pockets, because those are the people who fought for that money. That's all I got to say.

Joanna Mounce Stancil: Thank you. Okay, this gentleman here -- oh, he was the first one. This gentleman here and then [indiscernible].

Mark Wadsworth: Jerry? Jerry [indiscernible].

Male Voice: [Indiscernible].

Joanna Mounce Stancil: Please use the mic. Thank you.

Jerry McPeak: Commenting on -- where is Bruce? Where did you go?

Bruce Savage: I'm right behind you.

Jerry McPeak: Aaah, all right. You're kind of where I was on this thing, it's probably 24 hours ago. My understanding from the question I asked this morning at open session was is that it's going to be a set of judges' decision as to where that money goes, even if it's not resolved in the fiscal cliff. [Indiscernible]. My family has a fiscal cliff every week. I'm not really getting excited about the one they're having right now. Damn, we've got it all the time. So, it's like not a big deal at our place -- "Who gets paid this month? Let's see. That one. We'll pay that one."

But in all seriousness, we believe at this juncture -- I think, we're trying to figure out where we are, and we think maybe best case scenario, we're going to get maybe some suggestions. Now, we may be trying to get stronger legs that we can make a stronger suggestion, but based on what I've heard

this morning and I've heard before, I don't think that we're going to get to be the ones that decide where it goes. I think we're going to [indiscernible] deciding personally.

Bruce Savage: I understand that. All I'm asking is that you advocate for us.

Jerry McPeak: There you go. I can do that.

Bruce Savage: I'm honestly amazed that this payment went through already. There's tribal issues out there that are still being settled from the 1800s.

Joanna Mounce Stancil: You and then we have Barry. We have one of our youth with us today too, so we want to make sure we give her an opportunity to talk.

Joel Clairmont: Mr. Chairman, members of the council, my name is Joel Clairmont -- that is -C-L-A-I-R-M-O-N-T. I'm a member of the Confederated Salish and Kootenai Tribes. I'm a producer, I raise grain, hay, cattle, and have irrigated land as well. As most producers, I have a second job. I'm the deputy director of the Montana Department of Agriculture. I have a list of ideas here for \$450 million, and we'll go ahead and just kind of keep the big ones.

One of the things that I think that's important is the -- well, I was with EIRP when I was in extension program, but you have FRTEP program which is the Federally-Recognized Tribal Extension Program, and I don't want to risk repeating myself

from what I've heard earlier, but you saw that there were 36 programs, and now would like to be fully at 80. Extension brings a lot to the reservations that particularly -- on the Flathead Reservation where I'm from, we have county programs and we have the reservation program, and there is a difference about reaching producers. And I don't know how to say that any better than the fact that we have trust land and you have fee land, and on the reservation, people know the difference. You have your Indian lands and you have your white lands. And we try to work together but, however it is, the county programs, they try to make the best working with the tribes and the tribes try to make the best working with each other, but when it really comes down to it. This has been the most successful way I've seen of getting programming out in Indian country.

So, I want to also talk about economic development. Education, I believe, is the first building block before economic development can start. And one of the ways that we go about doing that is through the tribal colleges. But one of the things that I find missing with the tribal colleges, and I'm not up to speed what has probably changed in the last 10 years, but as I understand it, in 1994 they made a land grant college, and all of our land grants do research. And I'm under the impression -- correct me if I'm wrong here, but I don't believe

our colleges do research. Honestly, that's hurting the tribes and the reservations in a big way, because they can't access dollars that our check out programs have.

Montana has a wheat and barley committee, \$4 million in the fund, \$1.5 million goes to research; not a tribal college has ever applied for a research grant there. We have different varieties that would perform well in Western Montana on the Flathead Reservation that I know that do not perform well over on the Fort Peck Reservation which is about 1000 miles away. So, I guess what I'm saying is that if we could get the tribal colleges where they could do research where they could access these funds, then we can start with some more economic development which I also see there's a new industry developing in the Montana is in the pulse crops.

And why is that important? In Montana, we have summer fallow land. Peas and lentils can be raised on those fallow lands, and once that's done, many family farms is going to be able to bring the next generation home because they're able to plant another crop on those acres. Research would boost those yields, there's world demand for pulse. Just recently in the last year, we used to sell pulse crops, piece of lentils, by the container load. Now, we're selling them by the freighter load, which is about 400 carloads of peas and lentil into a freighter that takes it over to Bangladesh or India, wherever it might be,

and it's competing with wheat. So, I'm just saying as long as there possibly could be research done at these tribal colleges, there's money there, just can't access it because they don't have the means to do that.

Another area -- I guess, I'm going to ask the council here a question before I dive into it, on economic development -- the foundation that we're talking about here, is it going to be considered private or is it going to be like federal or state dollars? How --

Sarah Vogel: Private.

Joel Clairmont: It'll be private. Wonderful.

Male Voice: [Indiscernible]. I'm going to clarify it. First we heard about this foundation or I heard about it was this morning when that man said, the word "foundation," but other than that, I had never heard of that. You? You? You?

Male Voice: I heard [indiscernible].

Male Voice: Before that?

Male Voice: Just this week.

Male Voice: Okay.

Joel Clairmont: But it is considered private?

Sarah Vogel. Number one, we're a long ways away from getting that done. But if that's the recommendation based on input and a whole lot of other things and if the judge were to approve it, it would be private.

Joel Clairmont: Let's go through all those if's and let's hope we get to the end here. I can't be happier to hear that it's moving in that direction, if that is that case. Because one of the things to do economic development that I've seen in my position at the Department of Agriculture is that we do not have any money for startup. If you can access as an entrepreneur, money that is uninhibited, that doesn't require a matched gift, you start out with that hard dollar, then you can leverage that hard dollar with state dollars, then you can take that state dollar and leverage it with federal dollar. So, just the math here, you've gone from \$5000, you can go to \$10,000, and now you're \$15,000. The \$15,000 can start moving an idea ahead. But if there was some money set aside here for ideas for ag innovation, for a new product or such, that would be a real big help.

We see that with First Nation. They were our foundation if I recall, and they start it off with a business plan, then you leverage it into a feasibility study, then you leverage that into maybe some real beginning enterprise development grants. I'm sure I've got that wrong, but you get my point, that we're trying to leverage here. And it takes about \$300,000 to \$500,000 to get a product from your mind all the way to the

marketplace. And so, you're going to have to leverage several times, but you have to have that start.

We might want to also move on to talking about water development. On the Flathead Reservation, 147,000 acres of irrigated land, we have this problem that because of the different strings that are attached to the different funding sources, [indiscernible] water development --

Mark Wadsworth: Sir. Sir.

Joel Clairmont: Yes?

Mark Wadsworth: We're trying to keep this to three to five minutes.

Joel Clairmont: Okay. I'm just about finished with that.

Mark Wadsworth: Okay.

Joel Clairmont: Okay. But this is a real important part on the Flathead Reservation with that and I just wanted to make sure that there might be some funding available for those irrigation development lands that we're fighting so hard to get and keep in irrigation. Thank you.

Joanna Mounce Stancil: Thank you, sir. Thank you. We'd like to take a real short break, maybe 10 minutes, no more, so the council members can refresh themselves, and we'll come back. And then we have this lady here, and we have a representative from our youth that wants to speak. So, I hope you will return, all of you, so that you can hear everyone's

comments.

[Break]

Joanna Mounce Stancil: Let`s see. We`re waiting for the chairman to come back. Who else do we need?

Male Voice: The chairman is here.

Joanna Mounce Stancil: Chairman Jandreau. I`m sorry.
Tribal Chairman Jandreau.

Male Voice: He`s downstairs. [Indiscernible]

Joanna Mounce Stancil: Okay. Well, I probably wouldn`t wait then.

Erin Hoffman: Thank you for your time today. My name is Erin Hoffman and I work with the Tyonek Tribal Conservation District in Alaska. I`m here today to reiterate two main points: First is the importance of including sustainable -- excuse me -- the importance of including subsistence in the NASS agriculture census data. And my second point is to offer solutions in which to do this, and there`s cost-effective methods and information available that you can already use.

First, subsistence. The loose definition is the use of natural wild resources for home use, goods, clothing, food, and the economy for native people in Alaska. This includes moose, big game, fish, marine mammals, plants, and berries.

Second, the reason why I bring up the importance of this data is today we learned about the NASS agriculture survey that`s going on at this point, and we learned that this would

influence the future of NRCS and USDA funding to our state. So, this is not only important to Tyonek but Alaska and our future generations.

So, second, I wanted to bring up cost-effective methods to influence -- to provide this data. And actually, a lot of the information is already available in Alaska. The Department of Fish and Game has a subsistence department. They currently have harvest tags and harvest permits and annually collect data from native villages across Alaska. So, this would be merely coordinating USDA with the Alaska State Department Fish and Game.

So, I just wanted to offer those two points. And also, if you would like a local tool or an organization to work with the Alaska Department of Fish and Game Tyonek, we would absolutely like to be a part of that process.

Joanna Mounce Stancil: Thank you.

Jerry McPeak: I have one question for the Alaska people.

Joanna Mounce Stancil: All right. We have one question. Jerry?

Jerry McPeak: Yes. And one of the things that when we came to Washington, D.C. the first time, I've already told Angela that what I came away fired up about was about not being allowed to fish in your streams but coming from a state government myself, how much like of the drilling of the oil and

gas taxes are utilized in your state and how much are they giving those folks tax credits when they're drilling? And I'm wondering about your state -- I'm thinking that your state is probably not doing as good a job as they should with the native people, and that's just a -- is that an understatement or is that an accurate statement?

Joanna Mounce Stancil: Use the mic [indiscernible]. Thank you.

Female Voice: As far as I'm concerned, the relationship with tribes and the state, it's very hard when you have 229 tribes that want to exercise their sovereignty in a state such as Alaska. We have a hard time -- we also have corporations. We have first the regional corporations which they own the mineral rights or the subsurface rights, and then you have the village corporation owning the rights, and then tribes which do not own anything unless they are given - unless they are given - - unless they are conveyed land by the corporation to the tribe. The tribes do not own land there. The corporations own the land. That's why we have problems.

Mark Wadsworth: Wait on this until tomorrow.

Joanna Mounce Stancil: Thank you.

Taylor Martinez: I'm Taylor Martinez yeah. I'm from Farmington, New Mexico which is located in the Four Corners.

Just as Mr. Bruce said, Native Americans will take their

risk for the system. That's what my family and I are here for. So many people are out there waiting for this but no one expects that. [pause] But I do. [crying sound throughout] Every chance we get, the people say no. They will help us plan, but when it comes to take the action -- Every chance we get, the people say no. We'll plan out, but when it comes to action, they set out our plans -- But when we set out, they leave saying that they will come back. They say that they're going to go talk to somebody that can change this but they never come back. Millions of people are waiting for this but nothing happens. I ask for the needs and smaller economics. Thank you.

Joanna Mounce Stancil: All right. I'm going to get myself under control. We have someone -- anyone else on this row? Sir?

Kevin Welch: Good afternoon. My name is Kevin Welch. I am a member of the Eastern Band of Cherokee in North Carolina. I am a dues-paying member of IAC. I'm the Eastern Band's rep to IAC. I'm also an employee of FRTEP, and I'm not here to represent either of them. FRTEP is, as far as I know, is an entity of USDA. Their chain of command for receiving funds, improving funds, increasing funds or decreasing funds goes through the chain of command USDA through the government. I didn't come in with the other group because I chose to abstain

from other things. And I am not supporting IAC as their wish to kind of be the sole controller of these funds. As far as I know, when the settlement was created, it was for all native peoples. Is that not correct? Yes? No? Shake your head. Do something.

Female Voice: Yes.

Female Voice: [Indiscernible].

Kevin Welch: Okay. Now, hopefully once the judge's decision comes down, and so as far as I understand, you guys are here to gather information and make a recommendation on the dispersal of this funding. Is that not correct? You're to make recommendations to the --

Male Voice: To USDA's programs, to the secretary.

Kevin Welch: Okay. Great. I was one of the folks that worked on the assessment tool a few years ago for FRTEP to help identify needs in Indian country. You guys may take a look at those surveys. They were done here at IAC a few years ago on a survey. Okay. So, my question -- and I sat here and listened to a lot of the proposals and stuff, and I queried Janie Hipp on it a little while ago before the break about whether or not this was a grant proposal session or a session to gather information. And so, I'm glad to say that it's an information-gathering thing.

My proposal is basically this, when you do, like, get the

dispersal of funding in however manner that is chosen or making a recommendation to the folks that will make the final decisions on that is to look at Indian country across the board. There are quite a few folks here who have vested interest in which area that funding goes to, and I have a cowboy hat too, but I'm Eastern Cherokee; I wear mine to keep the sun off of me when I'm on my tractor.

So, I won't take too much of your time but I have read that and, like I said, I was under the impression that you guys were not a grant-making entity today. Thank you very much for your time.

Joanna Mounce Stancil: Thank you. [Indiscernible] the gentleman in the white hat who's been waiting patiently.

Donovan Archambault: I want to thank the committee for allowing this to let you know what our concerns are. I thought this was a per capita meeting, everybody getting per capita here -- "We need this, we need that." That's how desperate it is, I think of --

Mark Wadsworth: Sir, could you give us your full name?

Donovan Archambault: My name is Donovan Archambault. I'm from the Fort Belknap Indian Reservation in Montana. I was -- this is my 14th year on the Tribal Council. I served two years as a tribal chairman, and I've been away from tribal politics for about 20 years. When I got back in here this last year, it

hasn't changed much. But anyway, you know, I'm one of them guys that sat in front of those people out there and it used to be -- it wasn't FSA, it was some other bunch of initials anyway, and we sat there all day long and waited for them to ask us what we needed and didn't ask us what we needed, they asked us, "What do you guys want?" There was two of us, Foxy Filesteel and myself and we were new farmers, ranchers, with cows and a few acres of land. "What do you guys want?" And I said, "Well, I want to report my crops so I can kind of participate in these giveaway programs you've got to help me farm, help me meet my debts." "Oh, you guys don't qualify. Go back to the bureau. The BIA has money for you over there." And so, I mean, that's how we were treated. And when George and Marilyn -- I graduated with Marilyn, and George was a good friend of my -- Keepseagle. And when this thing was settled, I drove over to thank them over at Fort Yates.

But you know, I would like to see something -- my proposal anyway is -- my grandfather a long time ago in 1934, he told me -- my dad and I went back to Belknap in '59 and he told my dad, he said, "In 1934, I was on this Tribal Council and we gave you a full reservation." And at that time, about 10 percent of our reservation was sold. And so, it is getting worse now, more and more, it's getting sold off and it's no longer a reservation

like it used to be.

But he also said another thing. He said, "You didn't inherit this place from your grandfolks. You're borrowing it from your grandchildren." Right there, this little girl over here. You're borrowing it from her. And what I would like to see with this money that we all sat there and got ridiculed and made fun of for all those years that we farmed and ranched, trying to get in these programs, I would like to see these funds put some place -- I don't know if you can use them to earn interest or -- I was reading something about it that you can put it in a place where you can earn interest. But even as we sit here right now, that money is sitting over there, and I don't know if it's earning interest, but it should be. And keep the original amount, keep the capital. And I know there's probably more money there than what they paid out, so that means there's going to be over \$300 million sitting over there.

You know how much that \$300 million could be in about four or five years? That would be a billion dollars. And all the people that lost their land -- this gentleman over here, this little girl, myself. I had to give my place up for about \$35,000 for all of my equipment, what a little bit of land I had. My tractor alone cost \$80,000, but because of the drought and I couldn't make my payments, I had to get out. I never got that back. I never will. I don't have nothing to leave my kids

or my grandkids. My kids, they're too smart, they don't want it.

But anyway, I would like to see something like that where this capital is sitting there, and these guys that lost their lands and lost everything, let's go out and buy some land where they can lease it for -- what that fellow say this afternoon -- 0.75 percent interest? Low-interest money, because it's not gonna to cost you anything. You've already got the capital there. Leave it there. Take this money and the money that you loaned him to get his land going. Purchase that land. You'll have more owner, you'll expand your reservations, you'll get more people working, you'd have younger farmers like this little girl over here. We have to look at that.

And I think it's fine if you help people out, whatever they need to have to survive. But I think we need to survive, too. The reservations, I mean, the tribes, all of us. And the only way to do it -- and when you talk about self-sufficiency, this money is a good opportunity to make you self-sufficient. It's government money to start with but the next go-around is going to be your money, it's going to be our money. It isn't going to be the government's. And it can be done.

We started a little insurance company, 120 employees. We took it over, took it from the state. The state fought us. We have sole jurisdiction on running this unemployment workman's comp. I said, "Where is your jurisdiction? You don't have any

jurisdiction on this reservation." That's ours, so we started this. That was in 1990, 1991. Today, we got over \$12 million in there, we're doing our own unemployment. We don't have any state money in there, we don't have any federal money. From 120 employees, that's what we got. And that's \$12 million. If we amortize that after 30 years, we'd have \$1 billion. So, if you've got \$300,000 or \$300 million right now, it wouldn't be long that you'd have \$1 billion, and we could help everybody, not just a few. But that's what I'd like to see. Let's build. Let's be self-sufficient. Let's get this little girl back a place over here. Thank you.

Joanna Mounce Stancil: Do we have anyone else waiting? Because we do have one request. We want to make sure that -- Christine, we've also had a request after you if everybody will stay in place, the mother of our young lady here would like to complete what she was starting and make her presentation. Do you want to go ahead and do that?

Brenda Martinez: Hello. I'm Brenda Martinez. My daughter, Taylor, she's 11 years old. She came out a couple of years ago with us to IAC and did a presentation. But just from listening to everybody speak and listening to comments, she kind of jotted this down and was determined to talk but it's very emotional for her, so I'll just read what she wrote.

"Just as Mr. Bruce said, Native Americans will take the

risk for the system. That's what my family and I are here for. I respect that and I ask for your help. So many people are out there ready to become part of this and no one respects that, but I do. Every chance we get, the people sent out to help us will listen and plan, but when it comes to action, we set out our plans but no one listens. They leave saying they will talk to someone in charge and they don't come back. Millions of people are asking for this and there's still nothing. I ask for needs and smaller economics." Thank you.

Christine Webber: Good afternoon. My name is Christine Webber, and I'm one of the lawyers who had the privilege of representing George and Marilyn Keepseagle and Porter Holder and all the other Native American farmers and ranchers that were part of the Keepseagle lawsuit. And one of the most important accomplishments of the lawsuit was the creation of this council, something that can be a permanent fixture as part of USDA and making sure that the programs at USDA will serve Native American farming and ranching community for generations to come.

I want to take this opportunity to give a report to the council. You -- obviously, you came in at the end as being appointed to the council at the end of the litigation and after the council was created. So, I wanted to take the opportunity to give a little background on the lawsuit and what we went through in the claims process and sort of tell you where we are

today.

The case was filed back in November of 1999 and was in litigation for 12 hard-fought years. There were hundreds of depositions taken to collect testimony, both from class members and from USDA employees. There were hundreds of thousands of pages of documents reviewed. We had all of USDA's loan data going back to 1981. We had several experts working on analyzing that. The case was appealed to the Court of Appeals for the District of Columbia two times which really delayed the resolution of the case.

But ultimately, we had a very determined group of plaintiffs who were absolutely crucial to our effort, and ultimately with a new administration, came a new effort instead and we had a long year of settlement negotiations which was also in some sense is hard-fought but ended up in a settlement agreement that the court approved as a historic achievement.

The settlement was considered historic not simply for the size of the settlement fund, which was over 90 percent of what our experts said could be collected if the plaintiffs were successful at trial. It was considered historic because of the programmatic relief starting with the creation of this council but including many other steps as well, including most importantly, the regional centers providing technical assistance, education, and training to assist Native American

farmers and ranchers in getting best access to all the programs that USDA has to offer.

So, after the settlement agreement was reached back in the fall of 2010 and presented to the court, the next step was the notice process. There was over \$2 million spent on providing notice by publication throughout Indian country. There was individually mailed notice to everybody for whom we had an address, which was everybody who USDA had contact information from in their files which was basically prior borrowers, as well as nearly a thousand people who were potential class members who class counsel had met with over the course of that 12 years of litigation. We had our core group of our named plaintiffs like Porter Holder who were with us every step of the way, but we also had dozens of meetings throughout the country where we could meet with more Native American farmers and ranchers, and we had a list of nearly a thousand of them that were part of the folks who got the initial mailed notice, but we knew that, of course, that wasn't everybody.

And so, as I said, we spent \$2 million on radio announcements, newspaper announcements, Internet ads, every way we could to get word to folks about the settlement and give them a chance to comment on the settlement and the terms that had been negotiated between the parties. And that was the period from basically October of 2010 to March of 2011 when people had

the chance to submit comments and objections. There were maybe about 40 or 50 folks who submitted written comments to the court, and we then had a day-long hearing in April in which the court considered all the written submissions and also heard from everybody who was present to speak.

And as some of you may have heard Joe Sellers speak this morning, many of the provisions in the settlement were ones that may not have been our ideal, negotiating for the plaintiffs, but were an essential ingredient in order for USDA to be willing to come to the table and settle with us. And a lot of those terms that were important, just as it was important to us to get 90 percent of the money that we could recover at trial and enough debt relief to provide debt forgiveness for everybody who was successful, those were our core goals along with the important programmatic relief. It was important for USDA's perspective to have what they call parity with the Pigford and other lawsuits against USDA in terms of the burdens of proof and the elements of proof that people would be required to meet in order to have a successful claim.

So, ultimately the court approved the settlement in late April of 2011, and we started a whole new notice process, because now we had a final settlement and we were going to start a claims process. So, we devoted another \$2.3 million to providing notice that now it's time to make claims. Everybody

who'd registered with the claims administrator as a result of the first notice process was mailed a claim form and a schedule of meetings that they could come to to have assistance filling out their claim form.

And then, in addition, we did another round of advertising every meeting with tribal radio, tribal newspapers, non-tribal radio and newspapers, whatever was gonna to serve best to the community where the meeting was being held. We had individually designed media plans for each location. So, you know, I was in the Dakota's a lot, and there we made a lot of use of tribal radio; in other part, I know in Oklahoma it was more local radio stations that were used. We looked at what was available to reach our class members wherever we were going.

And we were on the road. We had seven teams; six of them were on the road permanently. One of them was based in D.C. to work with people by telephone who couldn't get out to one of the meetings. And all together during the six-month claims period, we had 427 days of meetings. And these were meetings to help people with Track A claims. As you have heard, there were two tracks under the settlement. Track A was considered to be the primary track because it was designed for what we knew would be the typical plaintiff. And by that, we mean somebody who didn't have any records because, hey, this was a settlement that covered the period from 1981 to the present. Who would have

their loan applications from 1985? Not that many people. And so, with that in mind, we designed a settlement that would allow folks in those circumstances who wouldn't have records, who would have just the minimal information from their own memories, to be able to submit a claim and be successful and get a recovery.

We also had the Track B process which required a substantially higher burden of proof because it would allow for a substantially higher reward, up to \$250,000. For Track B, as we set forth in the notice and in the claim form itself, for Track B we required to have evidence that would be admissible in the court of law for essentially every point that needed to be proved. And for most of the points, it was required that that would be documentary evidence that would be admissible for a couple of points including indentifying a similarly situated white farmer. It was permissible to use sworn statements from people who had personal knowledge to establish those points.

And as these two different standards were parallel to the standards that are applied in the Pigford Black Farmers case, as in Pigford, the vast majority of people in Keepseagle chose -- and I think wisely chose -- to pursue Track A claims. Over 98 percent of the claims presented in Keepseagle were under Track A and only 92 claims were presented under Track B. This is similar to the numbers in the Pigford case where there were

actually even more -- there were over 20,000 claims altogether but only 169 claims in Pigford were pursued under Track B, in recognition that that was just a much higher burden and not for the typical claimant.

So, following all these meetings and all this notice, we ended up with over, actually, almost 5200 timely claims filed, 5191. Of those, 4380 were completed Track A claims, and over 81 percent, almost 82 percent of those claimants were successful. For Track B claims, there were in the end 92 completed. Track B claimants had a chance, after they submitted their claim to decide that they'd really rather go under the Track A standards if they weren't sure that they -- there weren't confident they could meet the Track B standards. People were given the chance to switch. And after that opportunity passed, the number of Track B's ended up being 92, and ultimately 13 of those claims were successful. The success rates for these two tracks were very similar to what happened both in Pigford in the second round of Black Farmers 2 in comparing the rates between Track A and Track B.

Now, the total number of claims was lower than we had anticipated. We expected around 10,000 claims, and we ended up, as I said with just under 5200. And a major reason, sadly, is that the people who should've been making the claims were no longer here to do so. Over the course of the litigation, we

lost three of our named plaintiffs -- Basil Alkire, Buzz Fredericks, and Luke Crasco.

Similarly -- and that was from just a group of 10 named plaintiffs. Similarly, over the course of the 12 years this case was in litigation, a lot of people who would have been making claims when they were denied loans in the 1980s were no longer here to make those claims. And while family members were entitled to make a claim on behalf of a decedent, we talked to many people who, sadly, just didn't know, didn't know if their dad had actually sought a loan from USDA or when it had been sought and didn't have the information that was required under the settlement in order to pursue a claim.

A second factor that we found affected the ability of people to pursue claims was that the only reason we were allowed to go back to 1981 in pursuing claims, which ordinarily under the equal credit statutes, we'd only be allowed to go back three years from 1999 -- oh, excuse me, two years from 1999, and instead we got to go all the way back to 1981. That was because of a statute passed by Congress to specifically extend the limitations period, but that came with a limitation. Congress said you could only go back to 1981 if you'd complained to USDA about discrimination prior to 1999.

And so, there were also some people who otherwise, you know, I believe absolutely were victims of discrimination and

otherwise would've been eligible to make a claim, but because they had not done anything to complain, they were ineligible under this provision of the settlement, which was again not something that we just negotiated. It was something that was required to be part of the settlement because of that act of Congress.

So, we didn't get quite as many claims as we originally hoped, but we did find that the number of claims we received was actually very close to the number of loans that our expert calculated should have been made to Native Americans. He calculated how many loans were made to Native Americans during the time period and how many should have been and what was the difference. And he said there should've been an additional 5600 loans made to Native Americans. So, we actually got just about as many claims as he calculated was the loss in loans.

As a result of this process, we started out with the \$680 million fund to distribute, and so far, about \$240 million have been distributed to successful class members under both Track A and Track B, and in addition, there's going to be tax money paid to the IRS for those who got debt forgiveness -- 25 percent of the amount of the debt that's been forgiven is going to be paid from the remaining funds to the IRS on their behalf and there's been a total of \$56.4 million in outstanding debt forgiven as a result of the Keepseagle settlement.

So, approximately \$380 million remain from the Keepseagle litigation. And under the terms of the Keepseagle settlement, that money is required to be used for the benefit of Native American farmers and ranchers through a system of distribution, to not-for-profit organizations that will be able to provide services to Native American farmers and ranchers. The exact details have not been finalized yet, and ultimately it will be out to the court to approve whatever plan is put forward, but we certainly appreciated having the opportunity to hear the different thoughts that people have put forward today as we continue to talk with our named plaintiffs and other leaders in the community about the best way to make sure that the Keepseagle funds are ultimately used, as many have said, to create a legacy.

I love the expression that "you're borrowing the land from your grandchildren." Well, this is money that is maybe not borrowed from the grandchildren but could be available to benefit the grandchildren and the great-grandchildren. And if this money -- I think there was a question raised as to whether the money was earning interest; it is indeed earning interest as we speak. And one advantage of having this large amount of money is you get a much better interest rate. If you have \$1000 in your bank account, the bank doesn't really pay you any interest to speak of. But when you have \$100 million in one

bank account, you get a much better rate of interest. So, the money has been earning interest and will continue to earn interest, and that is a mechanism that can be used to mean that it's not just \$380 million to benefit farmers and ranchers in Indian country but could ultimately be \$30 million a year for the next 100 years and have a far greater effect through that mechanism.

I want to see if there were any questions that folks had about the Keepseagle process to date as we are getting close to the end of the distribution process, and if there're any other questions that the council members have.

Male Voice: \$380 million?

Christine Webber: Yes, approximately \$380 million. I mean, and that's not absolutely final. We're getting the final numbers on loans to be forgiven for a handful of people and that will affect the amount of taxes that we have to pay, since the loan forgiveness is often hundreds of thousands of dollars per person; when we pay 25 percent of that in taxes, it does change the figures but not -- change by a million or two, not by a whole lot more than that.

Male Voice: I have a question. What are the chances of -- is there a round two for those of us that have been left out, that [indiscernible]? I understand you did announce it, you did put it out there good, but still some of us got left out and

questions [indiscernible] round two or a chance for us
[indiscernible] getting our -- you know, be able to file?

Christine Webber: This isn't anything in the settlement that would allow for that. The settlement said there'll be a deadline and that's it. And so it's nothing that we could do under the terms of the settlement. The Black Farmers 2 case that came about didn't come through litigation. It came through direction of Congress. Basically, there was enough of political leverage to get Congress to say there will be a Black Farmers 2. I don't think we have that -- frankly, I think if this issue were brought to Congress, they might say, "Oh, we'd like that \$380 million to come back into the congressional coffers to use for some other purposes."

So, the only avenue I know of for allowing a second distribution will be to go to Congress, and frankly my view is if you would go to Congress, we wouldn't even have the \$380 million to distribute cy pres. They'd be trying to divert it to other purposes. So, I don't see any mechanism to allow a Keepseagle 2.

Male Voice: Thank you. Lay it to rest. I'll just say that I heard it from the horse's mouth. Thank you.

Christine Webber: Okay.

Joanna Mounce Stancil: I think we have one more comment.

Male Voice: I'd like to find out how much authority this board has here. Is it just a board asking to suggest something to the guys who control the money or do they have some control of the money?

Christine Webber: The role of the board is actually to advise the secretary of agriculture on programmatic issues. And so, that's the scope of their official authority. The court will ultimately decide what cy pres distribution to approve, how to distribute the funds that didn't go to individual Keepseagle class members. I suspect when the court is making that decision, that the judge would be willing to accept the submission from anybody in the community who wants to give a view on what the plan should be, but there's not any specific role in that process for this board.

Male Voice: Okay. Thank you. Gloria has a tough job. Good luck.

Female Voice: [Indiscernible] is here from Fort Hall, and he's a Keepseagle recipient. If I -- let's just put him on speaker phone right now? All right, Jake [phonetic], you're on.

Jake [Phonetic]: Hello, everyone. How is everyone doing down there [indiscernible]? Having fun I hope.

Female Voice: Having fun.

Female Voice: Yes.

Female Voice: All right. Go ahead, Jake.

Jake: Okay. Everybody able to hear me all right?

Female Voice: [Indiscernible].

Jake: Okay. I was a Keepseagle recipient. I`m a sixth generation Idaho rancher and farmer, cowboy and horseman from the Fort Hall Indian Reservation. I`m a Shoshone-Bannock tribal member.

Throughout my life, ranching is a very important aspect of who I am as an individual. We do not have enough native farmers and ranchers anywhere anymore. They`re going under left and right or they`re very successful, depending on what tribe they`re from, what their tribal politics are like, and what their personal situations are. We were able to have a little bit of relief on this settlement, this Keepseagle settlement. I think it was a great landmark decision and it`s a great thing. It`s allowed me to complete my animal dentistry studies. I`m an animal dentist for horses and cows. I`m certified. I`ve also been a certified horse [indiscernible] for 12 years now. I`ve worked on ranches on all the reservations, quite a few reservations across the United States and reserves in Canada.

So, what I`m addressing the floor about is there`s been a lot of talk about the leftover funds from the Keepseagle settlement and how they`re going to be spent. I agree in my heart and in my mind that the benefit of the settlement money or a good portion of it needs to be put towards [indiscernible] and

towards loans that are guaranteed loans directly from the funds for the claimants that are already in the claim now. We should have the first opportunity to use the rest of that money. The reason why I say this is because if we do not and it gets put into programs that aren't engineered for success or into other areas, the true reason why the case was filed will be lost, and that is to help the Native American farmers and ranchers. That is why the lawsuit was filed is because USDA -- or FSA discriminated against small Native Americans that were trying to farm and ranch.

So, in order to help ag production in Indian country, it takes money, and we need to be able to borrow money. You know, it was nice to get this settlement but it's a very small, small portion compared to how much I would've made had I received a loan or a grant to farm and ranch. And that's what I'm thinking.

My other thinking is very plain and simple, that if it's going to go into education or a portion of it's going to education, it needs to be for agricultural sector education only, restricted, and it shouldn't all go to everyone that just wants to work in office jobs as an ag business [audio glitch] or something of that nature. It needs to go to the people that are going into veterinary, [audio glitch] agrarian studies, farm and ranch management, things of that nature that are going to

benefit the native farmers and ranchers.

Female Voice: All right. You've got five minutes so you've got to kind of wrap it up here.

Jake: All right. In conclusion, there should be a moratorium put on the spending of that money until every claimant can vote and voice their opinions. And that's it. That's all I have to say, folks, and enjoy Las Vegas.

Female Voice: Thank you.

Female Voice: Thank you.

Joanna Mounce Stancil: All right. I think we have Gilbert Harrison, one of our council members, wants to make a comment, and then we'll start. Do we have one more comment? Try to get it in because we'll have to [indiscernible]

Gilbert Harrison: Hello? My name is Gilbert Harrison. Again, I'm from the Navajo Nation. I have a question. We've been talking about residual and money that's not yet spent. Earlier today we were told that there's going to be some -- that a judge is going to make a decision. But before that, it seems like there should be -- is there a deadline of when some suggestions can be submitted and then some formalization or prioritization of these comments so that something reasonable can be recommended to a judge? Is there some timeline associated with that? Thank you.

Christine Webber: There is not a specific timeline in

place. We have been trying to have some discussions with USDA through their lawyers at the Justice Department to see if we'd come to some agreement on a framework of what we'd propose to the judge. Those conversations haven't proceeded very far yet. Basically we're waiting to hear back from them. So, I'm not sure exactly how quickly we'll be prepared to forward any proposal to the judge.

I would say from what we've heard so far in our -- and this goes back to -- we started talking about this almost a year ago with our class representatives and with some other leaders in Indian country. As Joe Sellers described this morning, our current thinking is that we can best serve the community by placing the money in a foundation and getting a board of directors appointed that would then be making the -- hearing everybody out, making priorities, deciding which projects to fund, not having the judge do that all at one go, in part because we want this to be an ongoing process, not a one-time distribution.

So, we've been trying to -- one of the reasons we were out here is to try and hear from folks their thoughts about what the most effective use of the cy pres funds would be, not with the idea that we're going to be deciding to fund this individual project in this particular reservation, but the idea of hearing what the priorities are, hearing what the concerns are, and

trying to put a plan together to the court that would allow those detailed decisions to be made by people with real expertise from the community, from the farming and ranching community going forward.

Gilbert Harrison: But there will be some announcement, right, when some of these things might be occurring? Thank you.

Christine Webber: I mean, if we make a proposal to the court, then that will be something that's on the public record, we'll be putting it up on the Keepseagle class website. And as I said, I don't expect the court to rule immediately without giving people a chance to weigh in. And then obviously, if there is a foundation or some other organization receiving the money to make grants to lots of other organizations, then I would expect that that foundation or organization would have a whole process of informing the community about what the process is going to be for applying for grants and making proposals. So, yeah, I expect there to be many opportunities in the future for those sorts of comments.

Gilbert Harrison: Thank you.

Mark Wadsworth: Mary had one quick question. Mary?

Mary Thompson: A quick one. I guess it kind of goes back to what Gilbert's saying about looking for deadlines to make the recommendations to the court on the remaining balance in the cy pres distribution. But I guess -- and to the folks who made

comments, I'd like to say to you, thank you, I appreciate hearing what you had to say. Because as I go back and look at some of the top 10 recommendations that this council came up with in our very first meeting is fairly well on target with what you're talking about. We're fairly well on target, and with your suggestions for changes, recommended changes in some of the USDA programs, we've kind of got that down too, and yes, it's going to take a little time to go back and look at them, but with the NRCS program, with a couple of the programs that you listed here, FRTEP agents and extension in Indian country, those are in our top 10 recommendations. And so, we'll be able to fine tune and work on those a little bit more.

But I kept hearing -- and I understand that we're going to have many more comments and recommendations come to this council for this cy pres distribution, but I kept looking at it and I kept hearing a thing there about getting the money back to the farmers, the beginning farmers and ranchers who it was originally intended for. And whether it's establishing banks and tribal banks and credit unions, whether it's establishing grants to where especially those individuals who applied for or missed a deadline can be given some priority points for funding, you know, those are things that are going through my mind as I'm, I guess, facing this big task and this big challenge of

making these recommendations to that court system. And it's going to take some work. I guess though I just need to know when we're going to have them recommendations over to the court system.

Christine Webber: As I said there isn't --

Mary Thompson: None. There is no timeline.

Christine Webber: There isn't a set deadline. And frankly, I hope that we will sooner rather than later to present a proposal to the court. We're trying to give USDA a chance to respond to our ideas, because if we can do something cooperatively, I think that would be most effective. But ultimately, once we make a motion, then there will be opportunity for people to comment on what's proposed on the motion. As I said, I don't expect the judge will be making decisions about, "I'm going to fund this scholarship program or that loan program," but more of what the framework is going to be for how the funds are handled.

Mary Thompson: Well, and even with that -- I'll wrap it up, okay, chairman? But even with that. And somebody said something that about 12 years this settlement agreement took too and they missed the deadline by three days. You know, for this committee to come up with some really hard and thoroughly thought out recommendations to the court system, some realistic goals and recommendations here, it's going to take us a little

time too. And I'm hoping that we're not going to be rushed into making recommendations that may not be as realistic or as thoroughly thought through as they need to be when we send them on in the direction of the court system. So, I'm hoping that as council, you guys will make sure we have the time to do our research and homework and gather all the comments.

Christine Webber: Well, it's ultimately up to the judge what schedule he sets. I don't get to tell the judge what to do, he tells me what to do. I just want to make that clear.

Mary Thompson: Right. Understood.

Christine Webber: But what I would say is there is competing -- I've also equally heard, "Gee, isn't the cy pres distribution available yet? Because I've got a project that I want funding for in the spring." And I'm like, "Well, if we wait to even ask the court to start the process of distributing the money, it's not going to be available in the spring of 2014, let alone in the spring of 2013." So, there's competing concerns. Obviously, we want to make sure people have the chance to weigh in, but by the same token, we want to make sure that the money starts being used for the purpose to which it's intended of actually benefitting people instead of just sitting in a bank account.

And so, obviously we want you to have a chance to have comments to the court but I don't know how long you're

suggesting might be needed if we also want to make sure that the court is able to make a decision so that whatever organization will be responsible for distributing the funds can get on about that work so that ultimately community members can benefit instead of the thing spending another 10 years under consideration of the court.

Mark Wadsworth: Okay. Christine -- is it just one other question to her or is it just a comment?

Joanna Mounce Stancil: [Indiscernible].

Mark Wadsworth: And I'd remind everybody, tomorrow is another period for comments, so we'll get to you as best we can.

Joanna Mounce Stancil: Sir and ma'am, are you willing to come back and join us tomorrow at 8:20 to 9:20 timeframe?

Female Voice: I sat here all afternoon waiting.

Joanna Mounce Stancil: Okay, then we have two commenters. And we ask everybody to indulge us to sit and be respectful to listen to them as well. All right.

Evangeline Curley-Thomas: Thank you so much for hearing me. I'd like to say thank you for the board here. And Janie, I'm so sad to hear that you're gonna to be leaving. I feel that just when we really got to know you and you got to know our needs and all. But by way of introduction, my name is Vangie Curley-Thomas, and I'm with the Navajo Nation, and currently I'm

serving in a position with Natural Resources Division as a deputy director. And we had met earlier today as Navajo and bringing out our concerns, and I'm so thankful for the people that came forward who are Navajo. Thank you for your support. Thank you for hearing that.

You know, the family here, we're saying we're doing it for our youth, we're proposing for our youth, we want our youth to do more, and the idea of the board being here for ranching and farming. I for one, not only am I with Natural Resources as a deputy director, but as a Navajo Nation government, I serve as a budget officer for the Navajo Nation government overall, so I'm pretty well familiar with our entire government on not only the divisions and programs that exist and what funding source is coming to the Navajo Nation government, but I also am a farmer and rancher.

I have 10 acres of land, and my husband is the one that pretty well is taking care of that all. And being with the Navajo Nation, you hear a lot of concerns, especially with the position that I'm in. We are going to document what we had gone over earlier today based on the presentations that were made and feedback that were being requested. And one thing that I like to, wanted to hear today was that you heard a lot of comments today and it's very similar to what Navajo has, and I'm so thankful for the Keepseagle. Thank you so much for the hard

work that was done to get that money back to those people that had actually stepped forward to try to make something, that tried to make a difference for improving their land, improving their ranches, improving their farming and all that.

And my family, my in-laws, are actually individuals that -- it's sad to say, they got approved, they got approval for a letter approving their -- what happened with them, but it's sad to say that one thing is that reality. They don't speak English, they don't understand, they do not write English. That's an area, a huge barrier that we've encountered and we're having a challenge there because they are of sound mind, yes, they're up in years, they have sound mind, they know what to do, they know what to say in Navajo speaking with their family and all. So, we have a go-between who is actually their son, and he's trying to help them but they're really giving him a difficult time, getting him through the wringer, they're telling him to go through the court and all and say that his parents are not of sound mind -- reality is that they are. But they need to be heard. It's, like, my worry is that they may lose out on this just because of that process that they have to go through. And otherwise, the recommendations that were made in all with the foundation, possibly, keep the funding as it was intended.

And yes, our youth, we want to see moneys going into our

youth. Again, we heard that not individuals that are going to be sitting in the office. We want them to go to like this youth here -- somebody that wants to get out there to actually do farming, to actually do ranching, to improving their livestock. You know, those are where the funding should be going to. And even like the idea of -- I expressed my concern that I don't want the funding to be going to administrative cost overhead. I don't want that. We need to utilize it. This money was going to go to an applicant, it was going to go to a farmer, it was going to go to a rancher. That's where the money should go, not overhead. I don't want to see that.

If we get a board to oversee this and are going to make the recommendations on behalf of the use of the funding, that's something that would need to be minimized; if at all possible, no overhead. And whoever these individuals are going to be or whoever this board's going to be, I really truly do hope they take to heart these are for the farmers and ranchers and these are our local people. These are the hard workers that we have and not only in Indian country, but in the US of A, you see that those are hard working people.

And we saw a lot of maps in the presentations that were made, these areas are the farming districts. And when you look at it, my part for Navajo, you see kind of like a black hole up there, but reality is that we do have farming out there. We do

have ranching. We have a lot of people that are interested. And yes, when you look at it in terms of population, it's very small. But I just wanted to make sure that that's heard. Otherwise, I'm really hoping that we can get with Janie and other people.

And one thing that I'd like to see is what's going to happen with all these comments that are being captured today. I hope they're being captured. I hope those are going to be utilized for decisions as you individuals being identified as the board of directors, and to really support the native programs.

And one other thing too is that in prior years -- you know, this is actually my third year attending this conference here, and recommendations were made, comments were made by these native people, and it's sad to say that I haven't seen the result of that, I haven't seen the feedback. For example, we have the ag census coming up on our reservation, it's huge, we always say that it's about the size of North Carolina, and people are not home roughly seven o'clock in the morning, six o'clock in the evening to seven o'clock, the reason being is that they have to travel to their work site. Their work site can be anywhere from one hour to an hour and a half away. So, during that period, I'd like to see some type of effort to ensure that every individual to report their agriculture census.

And I just wanted to come up and say that I have a whole list, but we'll get back with those hopefully by way of the session throughout the week. Thank you very much.

Joanna Mounce Stancil: And now, as our next commenter is going up, this isn't the only avenue. Tomorrow, we do that as well but we also will accept your comments in writing. So, if you did have something and you want to expand upon it, please provide it in writing to us.

Matt Livingston: My name is Matt Livingston. I'm the extension agent on the Hopi Reservation, northern Arizona. I've been out there now 21 years. I was the first agent hired in Arizona, and the longest serving in the country under the originally ERP and now the FRTEP program. But there's been enough presentation on the need for expanding FRTEP. I've got a couple of other issues I want to bring up real quick.

I've watched Hopi ranchers over the years and some farmers look at programs like EQIP for possible funding for programs. Unfortunately, they're not really written for Indian country. In some respects, when you're dealing with tribal trust lands, when you're dealing with range and it's being shared by more than one family or one operator, it's been very difficult for them to fit in the niches that NRCS or FSA requires. And I think the programs are getting written back in Washington without a lot of input from tribal people and looking at the

different situations of land ownership within Indian country. I think you do have state conservationist who could probably go out to the tribes and provide that information back to Washington, but right now I see it as still coming very top-down and not responsive to Indian producers. I think that's something as a board, as a council, you guys could take to the secretary, you can take to the heads of the various programs with USDA and maybe get some response.

The other thing is equity. The 2007's ag census was completed, and if anybody read that, you'll notice there is a huge increase in Native American producers. In the state of Arizona, Native American producers outnumber non-native producers. Navajo Nation is a thousand-pound gorilla in this, and actually more than 11,000 people are Navajo producers, majority are women. But they have traditional ways of doing things, too. They don't exactly fit into the neat package that USDA may want to try to wrap it into. I know there are some efforts to make these changes, but I think you've got to look at traditional practices within reservations.

Hopi, for example, does not -- it produces corn. It's been growing corn for a couple thousand years. I do not try to tell Hopis how to grow corn; that's a waste of time. But sometimes they need assistance, and there's no program within the USDA that's going to really put out to provide any kind of assistance

to these small farmers who want to maintain their traditional way of farming. You talk about wanting to keep people on the land. Well, not everybody's commercial. And I think it goes back to some of the things that are being said about Alaska for traditional hunting and fishing. I think you really have to be a little bit more responsive to some of these needs, too. It's an equity issue.

And I haven't seen yet -- and maybe Janie can tell me -- what's USDA's consultative policy that the president called for from all the departments? I haven't seen that yet.

And the other question I got is when the 2010 ag census were done, it's supposed to be paired with the 2010 census of the country to look at formula funding. How is that gonna to change and effect Indian country, let's say, like the state of Arizona, like I said, majority of producers now are Native American? How is that going to get formulated down to the state conservationist to the FSA programs? Also, to NIFA. I don't see anybody from NIFA on this board, and they're the ones who control cooperative extension. And that also goes to the -- I know the cooperative extension doesn't get that much federal money anymore but they get some. And so, how does this affect county programs being required to do more outreach to Indian country themselves, not just through FRTEP?

So, there's a lot of equity issues here, I think, that have

to be looked at. You've got a lot of information you didn't have a few years ago, especially through the 2007 ag census. I think you really need to make use of that. It's a lot of information that you can use to show that this is a very large group of people. It is probably under-counted because you asked people to self-identify in the census. I know we have more farmers than 288 on Hopi. And basically, they have a different way of looking at things, and I think USDA's doesn't fit our policies so we're not going to tell them how to do it. Well, I think you can suggest that there are ways to count your production that will maybe increase the amount of funding coming into various states and whatnot. I know some of this is politics. Tennessee has a lot of counties, Arizona's got 15. So, anyway, that's all I really wanted to talk about. Thanks.

Mark Wadsworth: Okay. Michael, go ahead.

Michael Jandreau: I just wanted to ask Joanna one question. You know, I really admire you when you standing up there, boy, you could really duck that one question, you answered it five different ways but you did a good job. And that's simply --

Female Voice: Christine.

Michael Jandreau: Christine. I mean, that was fantastic. You ought to be a congressman.

Anyway, the real answer, and I think everybody's asked it, I don't know how many times since I've been sitting here, is where is the real information going to come from that makes the recommendation either to the secretary or to the judge or to anyone else as to how this funding is really going to be utilized. I think that answering that question will satisfy and clarify in a lot of minds of people what we're really all about.

If it's going to come from the initial class or those representatives of the initial class, I think that's all that has to be said. I think it's from a determination of some kind of a voting mechanism, or whatever, of this body and recommendations they make, that's fine. If it's going to be from the tribes, that's fine.

But, you know, right now one of the greatest things that divides us as Indian people is money. I mean, we at home are fighting over scraps, scraps, literally scraps in comparison to these dollars. I mean, you know, if you pick up the -- look at the Facebook at home on the greatest enemy that our people has ever had. Probably [indiscernible] too.

Anyway, that's the way this confusion and this hostility and this insurrection begins to develop among our people. This was a conciliatory effort that brought these funds to these farmers and ranchers. And granted it was great effort that got

those funds here, but please, in response to the curiousness of our people, don't answer us in ideals that just put us off to the next step because it's very, very difficult.

Christine Webber: I'm really not trying to be confusing or vague. It's partly because there isn't always definite information. Let me be as specific as I can be. The settlement agreement by its terms specifically says plaintiffs are responsible for making a recommendation to the court, and the court has the decision as to whether to approve it or not. So, that's the process we have. Plaintiffs, meaning the class counsel and the class representatives, but as we have done throughout the litigation, we try to hear from as many members of the community that we're trying to serve, as many class members and not just the class representatives. So, ultimately when it says the plaintiffs must make a recommendation, that means the lawyers and the class representatives have to get their heads together to make a recommendation to the court, but that doesn't mean it comes without listening to other voices before we make the recommendation.

Second -- and, of course, ultimately it's up to the judge as to whether he approves or doesn't approve -- but secondly, as Joe Sellers described this morning and as I described a little bit this afternoon, right now the leading contender of what plaintiffs would recommend is not a specific distribution.

Right now, we don't believe it makes sense for us to try and say, "Okay. Here is the menu. We want you to give money to this scholarship program, this loan program, this, you know, this group of extension agents, et cetera." We're not planning on making any recommendation of that kind, but instead to make a generic recommendation that the money be placed under the direction of the foundation that would be able to manage the funds in perpetuity and develop and devote the interest every year to funding priorities decided by the community. And that is something that is so far in the future, there's no deadline for it.

So, what I'm suggesting is, I think, our recommendation to the court will be put the money in some kind of foundation, some kind of legacy fund, and then there will be a board of directors for that fund that every year, I assume, would have a process by which people could come forward, make their proposals for grants that they'd like to have or just make suggestions of how they think money should be spent. And because now we're talking something that's going to go decades into the future, every year a new grant process, I can't possibly tell you who's going to make those decisions and how that money is going to be spent.

Those I can anticipate is what are we going to propose to the court and then what the next steps are from there. And there're going to be different points along the way in which

people will have the chance to have input. There isn't a voting process in place, I can tell you that, but the people can talk to us now about what they think we should propose to the court. As I said, when we make a proposal formally to the court, we'll be posting that on the Keepseagle website and generally trying to make that public. And if at that point, if people want to make comments directly to the court, there'll be opportunities for people to do that, but I can't say for how long because that will be up to the judge.

And then, if the proposal is accepted and the money is transferred to a foundation to administer, then that foundation, their board of directors will set the deadline every year for making grant proposals and deciding on funding from there.

So, I'm not trying to answer the question in different ways, but to answer all the different stages, whether you're talking about input now as to what we're going to propose to the court, input to the court about what the judge is going to ultimately approve, or input to the foundation that may be created about how the funds are ultimately spent. There's all those different opportunities along the way for people to have input. But in terms of -- I would say right now, a suggestion to plaintiffs, "Oh, the money should be used, this much money should go to this specific organization," it's unlikely that we're gonna to be making those decisions because frankly --

You know, I'm a good civil rights lawyer. I work with the experts on our case, I know all about statistical evidence and how to prove a case in court. What I know about farming and ranching can fit on the head of a pin although I did learn a lot during the claims process. I now know a little bit about red heifers and bottle-fed calves and a few others things. But really, we shouldn't be making the decisions about how the money can best benefit Native American farmers and ranchers. People with expertise in agriculture, in education, should be making -- people from the community should be making those decisions. And that's why what we are proposing is basically shifting the money from the control of the plaintiffs in the court to an organization that would be better suited for that role, what hopefully would be Keepseagle legacy fund.

Michael Jandreau: But, I guess, you know, therein lies the problem, because there isn't even a consensus on that throughout the plaintiffs. So -- and to some of them, not even from my reservation but who have come to me, they disagree wholeheartedly with that, and that's from another reservation. And I haven't went out and polled all the reservations because I didn't see that as my responsibility, however, I think you've driven me to the point that I have to.

Christine Webber: [Cross-talking].

Michael Jandreau: You're almost talking like you've

already gotten predisposed to an ideal, and even though there's among the plaintiffs themselves and the general population, there is disagreement on that. We really don't have even consensus there, so, you know, I guess it's -- the response still continues to be the same as it was, and I think to the general population, there is an ideal that somebody's going to get their hands on this money, because the most suspicious guys you've got are those who don't have.

Sarah Vogel: This is Sarah, and I'm -- it's been very interesting listening to the whole debate today and very informative. What we have is a document that was drafted in, how many meetings we had, like 15 different meetings and many, many documents exchanged, going back and forth. And as Joe said, when we drafted it, we thought there was going to be, like a small amount of money that we as lawyers -- and I think the case -- the settlement agreement actually says "class counsel shall recommend to the court." But we never act as class counsel without a lot of input from our lead plaintiffs, and our lead plaintiffs have a good insight and they've served us very well throughout this whole long, long, long process.

So -- but now we are faced with this situation, and I think we as lawyers -- now, I am an agricultural lawyer and I've been working in agriculture all the time, and I'm on a foundation board myself which would -- not the one -- but I know what it

takes to give away money. You've got to check out who is asking, you've got to disburse funds to appropriate entities. You need to do investigations. Everybody is familiar with that. We as lawyers -- and by the way, not one of us are -- all our lead plaintiffs are Native Americans but not one of us lawyers is a Native American.

Now, who do you want to have decide give away those money? A Native American board or lawyers? And I think it'd be pretty much trouble if we as lawyers said, "Hey, we've got the settlement agreement. We're going to go to town, hey --" And we're not saying that. We've been educated by our lead plaintiffs that these funds, these funds must be managed by Native Americans for Native American farmers and ranchers, and that is what the judge's bottom line is going to be. So, I think he's going to be the decider. And by the way, the judge is black, so he's -- but he's very principled about the fact that -- like, when we did get the money, and Christine will remember this well, when the money was given to us and the issue was where to deposit it, the judge was not happy until a big chunk of that money was deposited in Native American banks.

Mark Wadsworth: Well, that's a good thing to hear. Okay, we're going to wrap this up for tonight. We're going to have public comments tomorrow morning, and then we'll go into our general meeting.

[End of transcript]

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

[Note: Some indiscernible words due to distance from audio source or background noise]

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Mark Wadsworth: All right. This morning we were talking -
- we have still about one hour of public comment, if people
would like to still come up and we still have a couple of people
here. But we informally kind of want to do the blessing, and
Jerry McPeak would like to do that for us at this time.

Jerry McPeak: Dear God, thank you for giving us another
day. Thank you for giving us the opportunity to serve you, the
things you help us do. Help us to use the wisdom, the
opportunity that you've given us with good judgment. Help us to
have ears to listen, eyes to see. Help us as we go through the
winter, as we deal with the drought, as we deal with the things
that are around us, use the wisdom you've given us, we'd
understand and learn what you're giving us, even the drought and
the cold will make us even greater. Thank you for being with us
each day. Ride with us on all of our journeys. Forgive us our
sins [indiscernible]. Amen.

I thought maybe God was telling me I used up too much time.

Mark Wadsworth: For the people that'd like to do the

public comment, Joanna, did you want to go through the room

again in sections and then have them come up front to talk and then we'll break into the general session after the period.

Joanna Mounce Stancil: I think we already have. What we do is just to give general information [inaudible] we are recording the meeting, so that we can have public comments and the general session transcribed and set up on our website. But we do welcome any public comment this morning, and we'd ask that you come to the front podium in this microphone, state your name and [inaudible]. You have three to five minutes, and then we'll break. So, any of you are welcome to join us.

Mark Wadsworth: When you do go up to the mic, please give us your full name for the record.

Linda McLean: Good morning. My name is Linda McLean. I am enrolled member of the Colville Confederated Tribes located in Washington State and my children are enrolled members as well.

My concerns are the future of ag producers. When we participate in intertribal ag councils and advisory boards back home and our tribal council back home, everything we always hear is, "What are we going to do to ensure the future of our reservation? What are we going to do to ensure the future of our ag producers?" And I believe that 4-H is a very strong mechanism to do this very thing. I grew up in the 4-H system. We participated in rodeos, horse showing, various other

activities, sawing, crafts, culture, those types of things, and 4-H provides a lot of opportunity for youth to learn from that. You're not only learning basic horsemanship or how to grow and produce agricultural products such as food or grains but you're learning science through that as well, and it's all done hands on. You're learning how to actually produce a product that you could use to feed your family, whether it be tomatoes, corn, squash, cattle, swine. You're learning all that through 4-H, and that does offer a wonderful opportunity for our producers to learn. If we do not teach them at a young age, how are we going to expect producers to grow in the future?

As I stated before, I did grow up through the 4-H program. I have a successful working cattle ranch that we produce commercial cattle on. We have a dry land cropping system that we produce grains on as well. And I firmly believe that had I not gone through the 4-H program, I would not have the tools that would make me successful. In 4-H, you learn recordkeeping, you learn livestock management, you learn how to take care of the earth, and I think it's very beneficial. And if anything that this program can do to enhance the 4-H programs to further encourage our young people to get involved in agriculture production, I think that would be the most wonderful thing for us.

We have a lot of youth. Our reservation is 1.4 million-acre land base. We have a lot of idle land sitting around. Currently our tribe is working and searching out ideas and opportunities to utilize our water rights and to put those acreages back into production. If we do not have educational opportunities to help our youth get involved in those types of things, our current adult population is not going to be able to do it. We're getting older; we need the young people to come up. And if we do not have 4-H in place to help teach those management skills, we're not going to be able to advance that direction. So, I firmly support any opportunity that you can do to enhance 4-H opportunities for our youth on our reservations nationwide. Thank you. Questions?

Janie Hipp: Yes, I have one. Janie Hipp. Who manages the 4-H at your reservation? Is it through the -- who's running the ship?

Linda McLean: Thank you. The question was, who's running the ship on our reservation as far as 4-H management? We have in place a FRTEP program, which is a Federally Recognized Tribes Extension Program that's overseen through WSU, which is Washington State University, that's our state's land grant university that obtained the FRTEP grant and that is provided through USDA. And so, we have FRTEP agents on board on

reservation, FRTEP office on reservation, to provide outreach to not only youth but to adults as well.

Janie Hipp: And I have another follow-up question. What do you think is the biggest challenge for -- I mean, other than funding for FRTEP, kind of leave that aside, what is the biggest challenge within the delivery of 4-H? What do you all -- is there a stumbling block somewhere or something that you would fix to make it better or do we just need more?

Linda McLean: As far as what are the stumbling blocks and the challenges we face in providing 4-H activities, there are quite a few currently. Our situation is we're a very rural and large land base, so we do have a lot of area to cover, so more people would be a very big benefit for us. We have one FRTEP agent on our reservation. As I stated, we have 1.4 million acres, we have 9000-plus members enrolled in the Colville Confederated Tribes. That's a lot of people for one agent to try to take care of and manage.

So, we do lack staffing and funding to support those activities and just getting the word out. Like I said, the one person trying to get all that information out for 9,000 members is a roadblock for us, but we are making strides for that because our 4-H program has grown. Currently on our reservation, we do have 66 enrolled youth in 4-H programs. We have seven clubs on the reservation.

Male Voice: How many?

Linda McLean: How many clubs? We have seven 4-H clubs on our reservation and they are growing. Like I said, we have 66 kids in 4-H. And we do have a county fair. We have two options for our county fair that these youth can go participate at. And if it were not for these fairs and market sales, I don't believe that these kids would get involved in agricultural production. We were fortunate enough at Fairy County Fair this year to have two market animals shown, market steers, and both those steers came from the Colville Confederated Tribes Reservation. So, that was really exciting for us, the county level as well as the tribal level.

Mark Wadsworth: If I may, I'd like to ask a very -- this is just important, and we're all looking at the youth, but what I see on my reservation Fort Hall, is we have a strong 4-H program. But then when they hit the high school area, it dropped off dramatically in our number of our kids that go into FFA. Are you guys having that sort of situation too or are you retaining those youth involved in agriculture all the way through, and hopefully from there to college to a land grant institution? I'm just kind of curious on what your success has been.

Linda McLean: That's a good question. We've heard a lot of competition here with clubs. You hear Boys and Girls Clubs,

Boy Scouts, FFA, 4-H -- what's the best one? Any youth development program is a good one, but FFA is non-existent on our reservation. FFA is done through schools. It's an educational component of schools. It's a vocational ag program. We do not have that on the Colville Reservation at all. A lot of our kids go off reservation to go to school, and even the off-reservation border towns do not have FFA in their schools. So, we are retaining our youth. We offer 4-H -- and 4-H, I don't know if any of you are familiar with 4-H program. The 4-H, it covers ages five through 19, so we cover all those ranges of youth. So, we are keeping youth involved through 12th grade.

I spoke to a young lady this summer, and she told me she was a 10-year 4-H member. By the time she graduates, she will be a 12-year 4-H member. I thought that was very interesting. That says something about her staying in 4-H from kindergarten until graduation. But we do not have FFA on our reservation. FFA does focus only on freshman, sophomore, junior, and senior. As I stated before, 4-H does cover ages five through 19, so there is no other opportunity for our youth to learn ag other than 4-H on our reservation.

Janie Hipp: One more comment. Sorry to be so mouthy this morning. But you bring up a really good point about FFA, and I wanted you to know that I personally in our office, in general, in the secretary's office, we've been talking with the National

FFA Organization for the last two years. They are very adamant that they want to be on reservations, but it's the funding mechanism and the link to the schools. So, what I'm trying to tell you is that I think there's a huge willingness on the part of the national FFA organization to kind of crack this problem open so that they can be with all of their reservation communities that are screaming for FFA. I've got a national intertribal leadership meetings and our tribal chairmen are reaching out to FFA saying, "We've got to get you on our reservations." So, I think there are folks here trying to put some muscle into solving that problem.

Linda McLean: And FFA, for those of you that aren't familiar with that, it's Future Farmers of America, as well. So, that's what FFA stands for. But 4-H and FFA can work together though. Mr. Wadsworth mentioned that kids are leaving 4-H for FFA; you can be dually enrolled in 4-H and FFA. You do not have to quit one to join the other. FFA is just in the schools; 4-H is outreach, 4-H is off school time. So, when you're not in school, you're getting education as well, and it's hands on. And most of our Native American youth learn a lot more freely and readily hands on.

I'll use my son for instance. He struggled with math, did not do well in school with math. He is currently in college in a diesel program, he likes to work on our equipment, which is

great -- it's hands on, it's still agriculture involved. So, we need somebody to take care of the equipment as well as operate equipment for food production. So, he went to school -- all the way through school, he's worked with his father on machinery and everything. He did not understand fractions until he started looking at wrenches. What -- it finally dawned on him -- what's larger, half inch or five-eighths? He didn't get it until he started laying out the wrenches and you can see the difference, five-eighths is larger than half which equals four-eighths. So, there are so many different ways you can learn through participation and hands-on activities for youth, and 4-H is a strong tool for that.

Jerry McPeak: Thank you. I'm Jerry McPeak -- are we supposed to identify ourselves? Okay. Ma'am, do you work for the extension service?

Linda McLean: I am a volunteer 4-H leader and yes, I do.

Jerry McPeak: You're a volunteer? Okay. But you're not paid?

Linda McLean: Yes, I am.

Jerry McPeak: You are paid?

Linda McLean: Yes.

Jerry McPeak: Okay. So --

Linda McLean: I am a FRTEP. But I'm not here representing FRTEP, I'm not here representing my tribe. This is a personal--

Jerry McPeak: That"s fine. [Cross-talking] we don"t care. I promise you we don"t care. Were you raised on the reservation?

Linda McLean: Yes, I was.

Jerry McPeak: Is your ranch on the reservation?

Linda McLean: No, it is not. I married and I moved off reservation with my husband. My son is working on -- he is an enrolled member and he is able to graze on reservation lands, and he is currently working on a getting a range unit on our reservation for this next grazing season.

Jerry McPeak: Your son is?

Linda McLean: Yes, my son. As there is no longer any room on our -

Jerry McPeak: Did you go to school on reservation?

Linda McLean: Yes, I did.

Jerry McPeak: Was there a 4-H when you were a kid?

Linda McLean: Yes, there was.

Jerry McPeak: I like the way you answer, by the way. I wish we could get people in the state legislature on Oklahoma or any other legislature to answer that way. I tell them all the time, if it"s -- I asked you a yes-or-no question, that"s all I need, really.

Linda McLean: Yes.

Jerry McPeak: How many high schools are on your reservation?

Linda McLean: High schools on our reservation, there is one.

Jerry McPeak: Okay. It does not have FFA. It was a late -- well, I'm not going to say that. Is the name 4-H a problem for getting the kids to be involved in 4-H?

Linda McLean: To my understanding, it is not.

Jerry McPeak: Okay. [Indiscernible] one down. I'll also make a comment. I'm extremely involved in FFA programs and 4-H programs, like, extremely. I can tell you that, first off, matching funds is -- as a state legislator, if you've got matching funds, I'm all in it. If you want me to pay for it by myself, why would I do that? State funding is very important in funding your FFA program. I was an extension agent also for FFA, and I know they can work together. Candidly, I think it's redundancy. I think it's kind of a problem we have in some of our government stuff, but that's neither here or there. But the state, your school in the reservation has asked for that and I'm -- where are you from?

Linda McLean: Colville Reservation in Washington State.

Jerry McPeak: Okay. Do you sense any prejudice about Indian schools? Is your Indian school a public school?

Linda McLean: Yes. We have -- can I explain further?

Jerry McPeak: Sure. I'd love for you to take this time.

Linda McLean: Okay. Yes, our schools on our reservation are state-funded public schools. We have one tribal school on our reservation, it's a boarding school, Paschal Sherman Indian School, and it's located in our Omak District of our reservation. We have four districts so our schools are state-funded and public.

Jerry McPeak: That for the state FFA -- I talk pretty fast for an [indiscernible]. That for a state FFA program is a problem because they have a certain amount of funds, and I was trying to stretch ours and grow them. But getting your national council or tribal council to where they want to do it, do something with it, the school should also have some authority to do it, and then the state puts in more money. They actually get more money than they do per pupil. They don't get just the prescribed amount of money per student. They get more than that to run the FFA program, so it's a thing that's very, very doable.

I like your attitude, what you're going and where you're headed, and obviously you've experienced it. I would say, ma'am, that my figuring here is this 1,400,000 acres, that's a 40-by-55 mile stretch, we don't think that's a great, big territory, I mean, to get around in. In Southwest Kansas, we drove 55 miles to go check the yearlings running on the grass,

so that agent, if he's not covering 40 by 55, he's lazy. Okay. Just my opinion.

Male Voice: [Indiscernible] go ahead.

Lisa Pino: Thank you. Good morning, everyone. This is Lisa Pino from the Office of Civil Rights at USDA. I have one question, just because we're so interested in youth development, but I think you answered it partially but I'd love to hear more about what in your opinion really attracts youth to the program. I think you mentioned that the market animals at the county fair was -- but what do you find are the most effective ways to attract them and get them excited about ag?

Linda McLean: Making it fun, making it hands on. We had a small animal clinic this last year and we brought in cats and rabbits, chickens and little -- for lack of a better description -- rats. They weren't guinea pigs.

Jerry McPeak: A rodent of some kind?

Linda McLean: Yes. Little, teeny tiny cavy animals. And so, we brought in this judge and some other 4-H'ers to come in and show other reservation youth how to show animals, how to care for these small animals, get them started while they're small. A lot of our members live in HUD housing in their HUD housing units and there's not a lot of place to raise a pig or a sheep, so they have to partner with neighbors. And so, we

thought if we get them started small, they'll start to learn how to care for animals and then want to grow.

They can grow small gardens. We have garden workshops where we're teaching container gardening, raised beds. So, we're teaching them food production, food nutrition, getting more fruits and vegetables into them. So, making it a lot of hands on fun is one of the most important things to get them involved in agriculture, just making it exciting and having a rapport with the youth. And like I said, it's done during non-school hours, out-of-school time, so it's a time when the kids might be running and getting involved in other risky behaviors. So, you really want to keep them involved in healthy activities.

And I don't know if you're aware of a study that was done, but participation in youth activities does help keep kids involved in school, and that's one I know our tribal council has worked hard -- they developed an attendance program to keep our kids in school. So, 4-H does enhance that, because they are learning, as I stated earlier, they're learning math skills, they're learning science skills, they're learning about food and where food comes from through 4-H activities.

Gerald Lunak: Yes, Gerald Lunak. Mike Tatsey on the Blackfeet has a pretty extensive FFA that he just started, I think, in the last few years. He's at this conference with some of the kids. Have you had a chance to visit with him?

Linda McLean: I have not, no.

Gerald Lunak: If you get an opportunity, maybe have Ross or somebody -- if I see, I could sure introduce you. I think he may have some good answers for you, because he's actually -- they've done very well with it, so I think it might be a good opportunity to get some ideas.

Linda McLean: Thank you very much.

Gerald Lunak: His name is Mike Tatsey.

Linda McLean: Mike Tatsey?

Gerald Lunak: Yes.

Linda McLean: And Blackfeet?

Gerald Lunak: Yes.

Linda McLean: Okay. Thank you.

Gerald Lunak: You betcha.

Jerry McPeak: Yes. This is Jerry McPeak. This is just an editorial statement, and it shows lack of effort and initiative on my part. But to tell you sitting here and for you other people who are here, I have a camp for kids in the summertime called Be a Champ Cattle and Lamb Camp, and we get kids from literally all of United States, from New York to Alaska. But, where I'm headed with this -- I will absorb \$100 of the cost for every student you send, myself, not a big deal, but for the Indian kid from anywhere that wants to come. I know it's going to be a cost to get down there and some things like that, but if

any of them want to come, we have cattle and lambs, and we do a lot of the leadership stuff. And nothing would thrill me more than to have so many [indiscernible] a week that we do about a month in the summer. And again, it's my lack of effort that's not gotten the word out to Indian kids. But for all of you guys sitting here, any Indian kid that wants to come to those things, I'll absorb \$100 of it.

Linda McLean: And this is in Oklahoma, sir?

Jerry McPeak: Yes, ma'am.

Linda McLean: Can I get your card?

Jerry McPeak: Yes, ma'am, you could except in Oklahoma if you hand out cards, they think you're a politician. I don't want to be one, so I don't have one -- but all right, yes, I'll write down for you.

Linda McLean: Thank you.

Mark Wadsworth: All right. Thank you, ma'am. We appreciate that.

Linda McLean: Thank you for this opportunity. I do really appreciate it. And as I stated earlier, if I could close out, I grew up on the reservation, I am an enrolled member of the Colville Confederated Tribes. I went through 10 years of 4-H growing up myself. My children have gone through 4-H. They're enrolled members of the Colville Confederated Tribe as well. I firmly believe in the 4-H program. It's a good program for ag

production and helping our youth get involved in agriculture.
Thank you for the opportunity.

Mark Wadsworth: Did we have anybody else who wanted to do public comment? All right. Okay. I guess, we'll get down to our business. I think that was the most appropriate one to end with and start us off with kittens and [indiscernible] that way. The agenda [indiscernible]. I guess -- is Joanna here for the DFO portion of this? Or John [phonetic], were you going to do that?

John: She just stepped outside. I can hit on the tribal information if you want me to.

Mark Wadsworth: Yes.

John: Good morning, everyone. I just wanted to touch base with you on your tribal information just like I did during the first meeting. Remember to keep your hotel receipts so that you can send them in to us because we will reimburse the hotel cost. And also, there was some discussion with a couple of you about doing your own reservations in the future when having the council meeting, and that is fine if you want to. All I was told to tell you is that in the future, if and when you do your own travel, that the government can only reimburse you to the government rate at that time. So, anything over that, you cover your own cost. And I just wanted to touch base on -- Mark asked me to sort of just remind you about the travel and the need to

give me your receipts as soon as possible once this meeting is over with. And you can fax it to me, e-mail it to me, whatever, and we will work together to get you reimbursed quickly.

Mark Wadsworth: And John, you want to mention that you will have to start packing up just [indiscernible].

John: Yes. And just FYI, if we do go long today in the meeting, the UPS shop downstairs closes at seven, so I will need to -- whatever I have to pack in a box and send out, I will need to start packing around six o'clock. So, I do not mean to be disrespectful in any way, in any manner, so do not think I'm rushing you or trying to push you out. Just say, yes, the UPS closes at seven, John has a flight at eight in the morning, and if I don't get the UPS today, then I have to stay longer tomorrow. Which is fine because we're in Vegas. But, that's all, Mark.

Mark Wadsworth: Thank you. Did we want to go through the roll call and scenarios like that?

Joanna Mounce Stancil: And everyone should call their name so it's part of the meeting.

Mark Wadsworth: Okay. How would we like to start? Would you like to start here, Gerry?

Gerald Lunak: Gerry Lunak, council member.

Angela Sandstol: Angela Sandstol, council member, Alaska.

Mary Thompson: Mary Thompson.

Lisa Pino: Lisa Pino.

Janie Hipp: Janie Hipp.

Porter Holder: Porter Holder, vice chairman.

Chris Beyerhelm: Chris Beyerhelm.

Sarah Vogel: Sarah Vogel.

Gilbert Harrison: Good morning. Gilbert Harrison, member.

Juan Garcia: Good morning. Juan Garcia.

Mark Wadsworth: And Mark Wadsworth, chairman.

Sarah Vogel: And I'll sign in Jerry McPeak.

Mark Wadsworth: Joanna, did you have some other things you want to go --?

Joanna Mounce Stancil: Yes, very quickly. As part of the Federal Advisory Committee comments, this is Joanna Mounce Stancil, the DFO. I just want to let everyone know that we have no reports of conflict of interest and no need for any waivers as part of it. And briefing on conducting the meeting, this is an open meeting of the Council for Native American Farming and Ranching. We have received public comment and now we will go into the business of the committee. There are extra copies of the agenda out front for our guests. Meeting materials and records, we are -- to take care of the records part first, we are recording this meeting and the meeting will be transcribed and it will be placed -- each one of you will get a copy of the

transcript if you want it; otherwise, it'll be placed on the council's website for public review.

And most importantly, I'd like to talk to you just briefly about FACA, Federal Advisory Committee rules. We had a chance to have a phone conversation a month or so ago, and I want you to feel free as a council to work together, to talk on the phone, to exchange e-mails, to do whatever you need to do to conduct the business. I do not need to be informed of those informal meetings. The only time I really need to be involved under FACA rules is if you're going to hold a subcommittee and you're going to deliberate on something that's coming back to the council or if something is being brought to the full council for deliberation. Otherwise, I encourage you to go about your business, enjoy each other's companionship, get to know each other, and work as you need to do to move forward and your recommendations to the secretary. So, that is all I had to share this morning.

Mark Wadsworth: We have a request for one more public comment. Is the council agreeable with hearing that? Yes. Okay.

Joseph Naranjo: Good morning. My name is Joseph Naranjo from Santa Clara Pueblo, councilman of that pueblo, representing Santa Clara Pueblo.

There are at least a couple of things, maybe more, depending on how I get rolling here, concerns that we have. One of them is the working together with the different extension agencies in pueblo country. In northern New Mexico along the Rio Grande Corridor, while there are extension agencies up there, we haven't been able to get that rapport built like we feel we should. There's a little bit distance. Right now we're in the process of trying to get that done, but I think maybe perhaps at the higher levels, if something could be done with developing that rapport with the tribes. I'm sure they want to do that, but I think with the mindset that has been around before this, where we're at right now, it's still lingering. So, I think a better message from the top down could be sent to the local agencies to develop that rapport.

We are working with the rural development folks in our area, and we just started doing that. We're developing a ranch in our area to produce hay feed; because of the droughts that are going on, there's real need for that so we figured that's going to be a pretty good niche for income for the tribe. So, they've been really helpful in that area, but the challenge that we've seen is trying to get the USDA office really excited about Indian or Native American projects.

I went into the USDA office about last month trying to get all -- develop network for resources to develop the ranch. And

while USDA was there ready and willing to help, all they were able to do was pretty much just point me to the website and say, "Go to this site and this site," and I had already done that, and so I felt like, "Wow. Is this all that USDA is doing? Just referring to websites? Not getting out in the frontlines and really looking at what we need, and then helping us go through the paperwork that we have to do to get us acquainted with all this." I know for our area, a lot of this is new as far as getting involved with the extension offices and USDA and the rural development.

So, I think that's the biggest challenge right now, is helping us develop those networks, develop helping us as we steady what we need to do to interpret that and coordinate all of those different elements that will get us to the point of either applying for those grants and those types of resources, but also the technical assistance that needs to go on the ground, in the ranches or in the ranch and the projects that we're actually working on. The technical assistance at that point becomes very valuable to us.

While we understand that on the tribal side we need to develop our infrastructure to accommodate the production of this feed that we're talking about, I think on the other side there needs to be more openness and aggressiveness and excitement about just jumping in and really working with the tribes of

north in New Mexico. I can't really speak for the rest of the tribes but I'm just speaking for what I'm experiencing, but I'm pretty sure most of the tribes are experiencing similar situations.

The other is we did get in -- we're starting to get involved with 4-H in our area. We just started -- last month we had a couple of meetings, and that was good. I did not attend. I don't think none of the council members attended that meeting, but as I've gone through that, in my thoughts I was thinking, when I was approached with that, attending the meeting and getting that off the ground and moving forward, I was thinking in the back of my mind, well, with all the economic and financial challenges that we're facing in these economic downturns, that's kind of the least of my worries for cash flow for the tribe. And so, you know, consequently, we understand that our youth are important but I didn't really get involved with that, nor did many of the council members. I came to the meeting -- when was it, this meeting here for the first time. It's a really good conference. I learned a lot. There's a lot of really good ideas in this conference, and it just helped me understand why 4-H is so important.

I went to a meeting by mistake on Monday and it was a good mistake. It was with the -- I guess, it was meeting for the extension service folks. And so, I sat in that, and I wasn't

sure what meeting I was in but I found out later that it was that meeting and I kind of gone after extension folks for not having more tribal leaders in that meeting. But perhaps I was maybe right on. I think there -- as extension folks spoke coming from the tribal side, I was -- there was one guy sitting next to me and I was talking to him, and he asked me a question about our tribe, and I said, "Well, I'd be willing to talk to you about that but I need to find out if you're a friend or a foe." And so, he kind of turned red but we eventually became very good acquaintances in this conference, and that's a good thing.

But as the folks talked in the meeting, it was apparent to me that they were really trying to learn -- these are the Indian extension, I think, services -- they were really interested, and they had that excitement to really move forward and help Indian country. But a lot of the extension services don't have that excitement, and I refer to the folks in my area. There are -- in my area, maybe there's one or two that are really excited about helping, assisting the pueblos in our area, and those are either one of them is a Native American from San Alfonso Pueblo who's in rural development, and another guy that kind of just sits on the board with the USDA from Santa Clara. But I think our involvement somehow with USDA needs to happen at a higher level. There are really some good concerns that I heard in that

meeting that would really bring together and mesh what we are talking about in this conference.

Once again, the mindset is shifting. There's a paradigm shift that's going on with the government right now with the services they're providing through the extension services. As the shift happens, there needs to be better communication and a coming together of tribal leaders and the individuals in the extension services. It was a really good meeting that I happened to just stumble on, and I learned a lot. There was ideas in there that were just like, "Wow, I can use this in this program. I can coordinate all these programs to use this service." And I didn't know about these things in our area. And perhaps it might've just been part of it, my shortcoming, not going out and be more aggressive about it, but anyways, I don't want to blame the extension service folks because they do a good job, but in any event, that rapport needs to be developed, I think. If that's done, we can do a lot more things together with the extension service in Indian country.

Going back to the 4-H comment, with that, when I came to this meeting, they talked about 4-H amongst the extension folks and the things that they were doing with 4-H, the slide presentations and all of these things. Boy, that is really exciting, to see all of that stuff going on across the country, and I'm thinking, "Wow, that's exactly where we're moving

toward in our part of the -- in our area, in pueblo country." And so, one of the things that was brought up in that meeting that I heard was the paperwork that's involved for 4-H at the state level is a large amount of paperwork for 4-H, to get involved with 4-H.

I understand that working with youth does require a lot of paperwork. But if there's some way to streamline that paperwork from either both the fed and the state level coming into the tribes, that would be great. Because I think once again, this paradigm shift we're talking about, I think maybe states and the fed like to do a lot of paperwork, but when we get into pueblo country or Indian country, at least pueblo country anyways, we're not too excited about doing all this thick books or handouts of paperwork.

If we can streamline that down to just the essentials in pueblo country rather than following the model that's in place, develop a different model that will accommodate the tribes so that we're able to get volunteers in, the amount of paperwork for those folks, the amount of paperwork for the individuals applying, the parents just across the board, I think that would help and encourage individuals participate at a greater degree in pueblo country or at least maybe across the country in 4-H. It's a really -- I was pretty sold on that after going to that meeting on Monday.

But those are a few comments that I have. I appreciate your time and allowing me to do this.

Mark Wadsworth: If you'd just hang on one second, Janie would like to --

Janie Hipp: Before -- I actually asked John who was sitting over here to run to the main conference area. I think Steven Bond [phonetic] is your contact person. One of the things that came out of the Keepseagle Settlement was the creation of a technical assistance network. And we've done that through our office, through the Office of the Secretary through our relationship with Intertribal Ag Council. And we have three people out where you area in the Four Corners area, and I think Steven is your contact. And so, John has gone to get him, because I don't want you to leave this room without having a face and a hand. He'll be there.

They've been systematically going around and having meetings with all tribal chairmen in their particular area, and I know he'll come right back and sit down with you and get you in the weeds as quickly as possible. I just wanted to let you know that we know that there's a technical assistance need for sure, and this network of folks can help us meet that need and -
- there he is.

Joseph Naranjo: Okay. Thank you. And we'll get together right after this.

Male Voice: Joseph, could we get your -- is it Joseph?

Joseph Naranjo: Yes, Joseph Naranjo.

Male Voice: [Indiscernible].

Joseph Naranjo: N-A-R-A-N-J-O. Naranjo.

Male Voice: Naranjo?

Joseph Naranjo: Yes. Orange. Yes. There you go. He knows what my last -- Garcia.

Juan Garcia: Yes, I know. Naranjo sounds orange.

Janie Hipp: Steven's going to go back in the area, so you now see him.

Joseph Naranjo: Sure. You bet. I appreciate it. [cross-talking].

Mark Wadsworth: [Cross-talking].

Gerald Lunak: As far as your council, what is your relationship with the USDA at the state level? Have you guys been [cross-talking] like state tactical committee meetings and those types of [indiscernible]?

Joseph Naranjo: Right now, what's happening is there's a school called SIPI in Albuquerque and another school in Santa Fe which is called IAIA, Institute of American Indian Arts, and through these two schools, they are developing an infrastructure to provide these services. They just started. But in the interim, my thoughts are, well, they've just started. I know more than what these folks know right now. I need more advanced

technical help. They're still coming online. I think the IAIA is just this month or last month they started. SIPI is okay but they're like two hours away from where we live, and to go back and forth and to bring them up and get involved on the grounds, up front lines on all of that stuff is a little bit more difficult for them. So, distance plays a factor in that, but, yes, IAIA is closest, they're about 30 minutes away. And the [indiscernible] extension service, they're about 15 minutes away, and so -- and rural development is about 10 minutes. So, those folks are right there, so that's basically how we're functioning right now.

Gerald Lunak: And Joseph, I guess my question was more of a formal basis at the state level with your tribal government and the USDA, heads of USDA within your state, do you guys have a dialogue at this point?

Joseph Naranjo: Right now, there is a dialogue but it's not a lot, and I think that has to do with the tribe really not aggressively getting involved with that. But now that we're moving forward since April, developing these networks and trying to find out who are the key individuals -- and when I say key individuals, I mean in D.C. and the governor's office in the state of New Mexico and then University of New Mexico -- not university -- New Mexico State University -- developing those networks there.

And so, getting in contact with those folks, we haven't really coordinated that network yet. We were kind of holding back because we are -- in April we started developing in the tribe our internal infrastructure. So, we didn't want to really contact these folks until we got our internal infrastructure developed because we felt like it might be a waste of time for them folks because it might be too premature. Now that we've got the infrastructure in the tribal site developed, now we're starting to develop these networks. And that's where I'm finding out some are really excited, some are not too ambitious.

Mark Wadsworth: We have one more question.

Juan Garcia: I'm Juan Garcia, and I'm with USDA, Mr. Chairman. If I can just make a comment. I was kind of concerned a little bit with your comment -- you had some very good comments, by the way. I was kind of concerned a little bit with your comment about going to a USDA office and then referring you to a website. Hopefully maybe I can get with you today later on, I'll try to look you up, and we can talk a little more about that.

Joseph Naranjo: Yes.

Juan Garcia: We're really focused on providing our customers with the proper information, so if you can look me up and I'll try to look you up, we'll make some contact.

Joseph Naranjo: Yes, I will. Okay. That'd be great.

Mark Wadsworth: Okay. Any --

Janie Hipp: I'm going to make it quick. And then we're going to have -- Mark is going to slap me down.

But when I was kind of listening to what you were trying to get at -- and it may have been that you'd gone in the Rural Development door when you should've gone in the FSA door. And I think that there may be critical connections that we need to make to really figure out what your strategic plan is, and then Steven can help you kind of get with all the right players. Because each agency has separate funding authorities and you may have read Rural Development on the door and thought that was the right door to go in. We've got to make it simpler, is what I'm saying. And so, we will get with you and try to make that bridge happen.

Joseph Naranjo: Well, like I said, all the folks there seem to want to do their job. Maybe it's just the shift that's happening in all the different kind -- when that happens, we know all the rules are kind of crazy sometimes and where people get suspended and wondering in the timeframe and wonder, "What are we doing? How do we get there?" So, it might be on both sides. And so anyways, thank you for the time you have given me.

Mark Wadsworth: Thank you. We have a request for another

public comment.

Verna Billedeaux: Good morning, everybody. How are you? My name is Verna Billedeaux, and I'm from the Blackfeet Reservation in Montana. I was born and raised there in a little, tiny town called Babb, Montana, it's like right up on the Canadian border. So, please don't say I speak like a Canadian, because I'm not Canadian.

What I wanted to talk about is Blackfeet Country and agriculture and youth development as it is on Blackfeet. Not only am I an enrolled member on the Blackfeet Reservation but I am also the FRTEP agent there as well. I have had the good fortune to be hired by FRTEP 18 years ago, this January will be 19 years, and it's the best job I ever had in my whole life. It's the most satisfying job I've ever had in my whole life, and I just want to tell you why.

Like I said, I grew up on the far northern edge of the reservation. I had no clue that extension service existed because it didn't extend on to the reservation. We have a county extension program that's off of the reservation for the county. That's about 85 miles from where I grew up. So, I knew nothing about it. I had the opportunity and took the opportunity to go to Montana State University and I graduated from there, and it was amazing to me the young people that were at the college that could speak publicly, that knew how to

judge, that knew people within the state, within the ag college, because they were in 4-H. I wasn't, unfortunately. I would've been great at the horse project, I just know it. But it was really cool to see them flourish in college and use those skills that they acquired in 4-H. So, I set out to be a part of young people's lives then when I was a young person -- that was a long, long time ago.

When I was hired as an extension agent, I realized that a huge part of this was youth development. Now, youth development on Indian reservations is a very different thing, it isn't just 4-H. And it is very different because extension service -- even though in our county offices, extension has been there for many, many years, doesn't necessarily mean that it's been intertwined in the lives of people on the reservation. So, it was a great thing when FRTEP, or EIRP back when I started 18 years ago, extension came on to the Blackfeet 21 years ago. We spent a lot of our time trying to introduce what extension is, what it is, how can our producers on the reservation access anything and benefit from the service. And so, we spent a lot of time when we first started teaching people about what extension is, and it takes up quite a bit of time.

So, over the past 18 years, I've been involved in youth development, been involved in agriculture, working with agricultural producers. We serve as a FRTEP agent on the

Blackfeet; we have a USDA service center that we were involved in -- extension, the tribe. Many folks within our tribal natural resources and ag department developed a USDA service center. And in that USDA service center, we have farm service agency, NRCS, our conservation district, our extension service. We now also house our intertribal ag tech position, and we also house our INCA, Indian Nations Conservation Alliance, outreach specialist.

We work very, very hard -- and I say, "we," I mean, not just me and the extension service, but those of us that are in agriculture trying to keep that going on our reservation. And our whole goal behind this is so that when our producers walk in a door, they are walking into a one-stop shop. They can access everything. They can learn anything that they want to know by accessing extension or any one of the USDA programs. So, we also have over the years provided a leadership role in trying to keep that together there at Blackfeet.

Extension serves as a catalyst for change -- everywhere, generally, I know that -- but on the reservation, it's been very challenging. Agriculture is not necessarily always on the radar screen, and it's unfortunate. But we're about building leaders, is what we're about, and we do that not only by working with our youth but by working with our agricultural producers, our producers that are interested in natural resources, anything,

community development, we do a lot.

I know I only have a few moments -- I could go on forever about what I do because I love what I do. We facilitate processes like organizing grassroots groups like stockgrowers associations, ours have been very instrumental in our conservation district, or water users groups, whatever groups that come out of issues and interests, we're a part of. We're very good at facilitating and we like to do that. So, if you -- that is also another role that we do play.

I wanted to just take the opportunity to come in here as an extension agent, as a member of the Blackfeet Tribe. We're grateful for this council, so that you all can hear what's going on out in Indian Country.

I can't lobby, I'm not lobbying. What I am doing is hoping to tell you -- really, that's a great word isn't it?

My boss went back to D.C., so I'm not lobbying. But what I am doing is I want extension, FRTEP, on your radar screen.

It is a great program for many reasons. And so, if I were to just tell you about one issue, and the one issue is I've been there for coming on 19 years, this is what I've seen, tons of need that's out there in agriculture, natural resources, youth development.

Extension does and can work harder. We've become very resourceful with the money that we do have to have an extension

office on the reservation, but that is decreasing as our salaries increase, and it's not a lot, I'll tell you that. This is increasing somewhat, our expenses are increasing, we're going like this. We're going to disappear. So, that's kind of what I wanted to share with you, and I thank you for the time.

Mark Wadsworth: Verna?

Verna Billedeaux: Yes?

Mark Wadsworth: Before you leave, Jerry McPeak has a --

Jerry McPeak: I didn't really get your name again -- this is Jerry McPeak. Your name?

Verna Billedeaux: My name is Verna Billedeaux.

Jerry McPeak: Verna? V-E-R-N-A?

Verna Billedeaux: Yes.

Jerry McPeak: Last name?

Verna Billedeaux: Billedeaux. Come on, you could spell that.

Jerry McPeak: Not if I can't hear it.

Verna Billedeaux: B-I-L-L-E-D-E-A-U-X.

Jerry McPeak: Oh, yes. Just the way I'd done it.

Verna Billedeaux: Were there any quick questions?

Jerry McPeak: Yes. I've got -- is it -- may I continue, sir?

Mark Wadsworth: Go right ahead.

Jerry McPeak: Is the name 4-H a problem on the

reservation? The fact that you call it 4-H, is that a problem?

Verna Billedeaux: Maybe in some areas where extension has not been for a very long time, it could be, because you say 4-H and it really relates to county programs. And it initially started that way -- it's not a problem. It's just that we have to work it a little bit differently so that people realize that it is a youth program and it is any way that we can get them involved. I think that when people think about 4-H on the reservation, they think about showing a market steer and going to a county fair. But over the years, with time, when there are programs like this in place, we're able to teach them that it is about them and it doesn't matter what it's called, it's about them.

Jerry McPeak: Thank you. Follow-up. Ma'am, I was an extension agent. I think that's a problem regardless where you are, it doesn't matter whether in white world or any world or wherever it is, that's perception so that's what you get with it.

Verna Billedeaux: Right.

Jerry McPeak: You have all those offices you talked about on your reservation. Does the tribe pay for the cost of those offices or half of the cost, part of the cost, any of the cost?

Verna Billedeaux: The tribe provides the office space and the phone service, fax service for all of us -- in kind.

Jerry McPeak: Okay. Did you have any people up there that missed applying for the Keepseagle Settlement?

Verna Billedeaux: I've had a few people come in. There was hesitancy on their part as to what it was really about, and so there were a few folks that kind of missed the boat.

Jerry McPeak: Follow-up. But it wasn't because they didn't know about it? They knew about it but they didn't come in.

Verna Billedeaux: I think it was advertised pretty darn good. But you don't hit everybody with a brochure and an article in the newsletter, so I'm sure there's folks that have been missed.

Jerry McPeak: In the real world, would it ever be possible to reach everyone?

Verna Billedeaux: Nope. I'm in extension. I know that.

Jerry McPeak: You did a nice job, by the way, and you covered your tracks really well, because you'd made the statements we're good at facilitating. So, if you'd told me that they didn't get -- one way or the other, you're going to be wrong, so good at facilitating to that right [sounds like].

Verna Billedeaux: Thank you.

Jerry McPeak: Is the tribe willing at all to put any funds into these programs to keep them going?

Verna Billedeaux: Programs such as the extension or USDA programming?

Jerry McPeak: Yes. Any of those kinds of programs too.

Verna Billedeaux: You know, I can't speak on behalf of the tribe, our Blackfeet Tribe, but they do invest quite a bit into the youth development program every year.

Jerry McPeak: Do they help pay part of your --

Verna Billedeaux: They do not pay my salary, but what they invest in is they invest in the actual physical facility for those kids.

Jerry McPeak: Okay.

Gerald Lunak: Can I Interject? First, I guess I want to commend Verna on her years' work at Blackfeet. I've worked with her pretty much since the mid '80s and she is an excellent -- she does have fun with her job, she works hard and does a lot of things with our kids, so I'd like to publicly commend her.

Verna Billedeaux: Thank you.

Gerald Lunak: And also say that for tribes, I think we had a couple of people interested -- Verna, is an excellent resource as far as developing program. She's basically built this thing from the ground up.

But I would like to comment on the relationship between tribe and USDA. The reason USDA is present on our reservation is because we pretty much pulled them up on their obligation of

serving Indian Country. And so, we've had this discussion with our councils, but in fact it is the agency's obligation to come up there and provide that service. And the negotiation we had with them was, "We'll give you an office and turn some lights on and phone, but you've got work to do here. The same work you would do off reservation." And at Blackfeet, that's been pretty much of a success as Verna has spoken. So, this issue of negotiation where the tribe has to start putting their own resources into that service is kind of unfounded because nobody off the reservation does that. So, I just want to make that point.

Mark Wadsworth: Thank you, Verna.

Verna Billedeaux: Thank you, Gerry. Thank you.

Mark Wadsworth: Our next presenter will be -- is he here?

Joanna Mounce Stancil: I did -- Janie sent the note for you, but Zach will come back if Ross doesn't.

Mark Wadsworth: Rick's ready?

Joanna Mounce Stancil: Rick, are you available? All right.

Mark Wadsworth: We'll have Rick Gibson on the Keepseagle update. We'll take a break after this.

Rick Gibson: Good morning. Thank you, Mr. Chairman, Mr. Vice Chairman, for allowing me the opportunity to speak this morning, especially after these compelling and really valuable

public comment sessions. These have been really great and kind of match what the legal team's vision was for what this council should be doing.

I know that Joe Sellers and Christine Webber from Keepseagle class counsel team covered the chronology of the litigation and certain aspects such as cy pres pretty well yesterday, so I'll only touch on those issues. What I do want to talk about today is USDA's goals for the settlement when we crafted it, the basic structure of the settlement, where we are today on payments to claimants, debt relief to claimants, and the programmatic relief items, and I'll talk briefly about where we're going with cy pres.

As Janie Hipp said yesterday, I think once the administration changed, once she came on, once the secretary came on, there was a shift in the question of not whether we should settle but when we should settle and how we should settle. That said, as class counsel said, it took about a year to negotiate, over 15 to 20 meetings between DOJ, class counsel, and us, and I think the agreement was structured pretty carefully to provide three things from USDA's standpoint.

What we and the secretary wanted was claims process with integrity that would provide payments to producers who are eligible claimants quickly. It was a capped fund of \$680 million, so we didn't know, depending on the number of

claimants, how quickly we'd be able to pay it or what the payment would be. So, the urgency was to process the claims as quickly as possible, process the payments as quickly as possible. USDA wanted to take a very minimal role in the claims process itself, unlike prior settlements where USDA had a more active role in presenting evidence, contesting claims on the Track B side. In this claims process, it was wholly non-adversarial. USDA didn't present any evidence at all to contest or support a claim, and the neutral adjudicator was permitted to decide the claim on the papers as quickly as possible then. So, this claims process put a lot of the burden on the neutral to evaluate the claims, make the correct decisions, make sure all the paperwork was in place without USDA involvement.

The other aspect that was very important to us was debt relief. It was critical for us to get as expansive a provision of debt relief as we could get in there because we knew a lot of these producers were older producers, had a lot of debt and a lot of interest, and we wanted for even the newer producers to be able to be eligible again and to resume farming if they had quit farming. So, out of -- in many ways, the debt relief provision to us was more important than the claims process itself. Because whenever you go into a class action, you're not going to get individualized damages. Some prevailing claimants in this class process probably had over \$50,000 of

damages; some may have had much less. It's -- a formulaic approach, we weren't interested in calculating exactly which damages flow to which person because it wasn't the way this was structured. And to that extent, it was structured very similar to the Pigford process which also provided \$50,000 for Track A and \$250,000 for Track B. And it was very important to the secretary to have a robust programmatic relief within the settlement agreement.

I think it was very important for USDA to build in mechanisms where we can have Indian voices all the way to the ground in this agreement. Because where we are right now and the government is that the agency doesn't have the bodies anymore. We're in the process of closing offices rather than opening offices, reducing employment rather than increasing employment.

So, it was critical to us that this agreement have provisions that would provide, one, this council which provided direct voice to the secretary himself and senior leadership, and two, a technical assistance network that would build all the way to the ground and hopefully grow so that network could support the work of FSA employees at the county level and at the reservation level. We also wanted to make sure that any provisions and programmatic relief provided prevailing claimants the opportunity to farm again, so any debt relief provided as a

result of this process does not count as a prior debt forgiveness under our statute of regulations, so every prevailing claimant in Keepseagle should be able to get new farm lands.

What class counsel didn't touch on, and I think it's really important to mention is that even in 2010, even with the change of administration, the legal risk in this case remained very high. It wasn't a slam dunk that, "oh, this should be settled, so it's going to be settled, and it's not going to be a problem." The court cases on both class actions in Alcoa were trending against class counsel's evidence in some ways. This class was not certified for economic damages at the time we settled this case. The class counsel had filed a motion to get it certified on that point, but it was uncertain whether the judge would certify it for economic damages. So, had it proceeded not been certified for economic damages class counsel [indiscernible], the class would've lost that route to economic damages and suffered a reduced result in this case. The procedural posture where we were in 2010, it was almost certain that any ruling by the court on the motion for certification for economic damages would be appealed to the appellate court which would add years to this case.

Now, as Ms. Webber said yesterday, we knew that a lot of the people we talked to in depositions, a lot of the people that

they were offering up as witnesses were older. I mean, they were in their 70s or 80s, and three of their class reps died during this class action. So, there was a great urgency to try to achieve a settlement as quickly as possible because had this gone on, had it gone to the motions, this case would still be around. So, to the extent that there is dissatisfaction with some aspects of either the amount of damages that the person has received or the way the claims process was carried out, I think it was the best deal that class counsel could possibly get for their clients given the legal environment, given everything else that was going on on the court side.

I've been on the ground level with the way class counsel has provided notice in this case, the way they supervised their zone attorneys, and their efforts have been exemplary. It was a very difficult task to do particularly with the claims deadline being in the winter, the mountain passes freezing over, as remote to some of these areas are, what they did to provide notice, to provide assistance to claimants was as good as it gets.

Now moving on to where we are in payments, as class counsel reported yesterday, all Keepseagle claimants, denied or approved, have been notified at this point. Payments have issued and denial letters have issued. Yes, Mary Thompson?

Mary Thompson: Hi. Thank you. General questions about

the claims process, you've got a list here in the website, indianfarmclass.com, and e-mail and phone number, and I've been giving that out on business cards [indiscernible] this information. So, how are you -- do you have any little business cards with a handout with this information on?

Rick Gibson: I don't work for EPIC systems.

Mary Thompson: For class counsel, [cross-talking].

Rick Gibson: Yes. Well, that's the claims administrator website.

Mary Thompson: Because there were folks that -- well, we've all heard it in here, and they just need to access this information here?

Rick Gibson: Correct.

Mary Thompson: And other than copying it out of this little note. Okay. So, I'll just keep writing on my stickies. Thank you.

Rick Gibson: Yes. And they're still the place to go for any questions about your claim and status there.

Mary Thompson: And then -- oh, you'll get to the cy pres?

Rick Gibson: I'll get to cy pres.

Mary Thompson: That seems to be the big question around here yesterday and today.

Chris Beyerhelm: Mr. Chairman?

Mark Wadsworth: Yes?

Chris Beyerhelm: If I could, I just want to -- a point of clarification. If somebody at this conference contacts any of you about they're a successful claimant and they want to ask about when their debt relief is going to be done and when their names are going to be released, you can contact me and I can answer those questions.

Mary Thompson: Okay.

Chris Beyerhelm: Yes. In fact, I've done that. I've already followed up in about 10 of them this week and found out what's going on with their debt relief and whether it had been done or not, and whether or not their names have been released. So, I can take care of that part. But if it's about of late file claim or anything like that, then you're going to have to contact EPIC on that.

Mary Thompson: Actually a lot of it is about where they're running into the situations with -- where someone has passed on or there's been some splits in that equity there, and realizing that there's a longer timeframe to get those issues resolved, they still have questions about that process. So, that's where I'm getting a lot of questions [cross-talking].

Chris Beyerhelm: And that's going to have to go to either EPIC or an attorney or somebody else.

Rick Gibson: Yes, EPIC will be responsible for that.

Mary Thompson: EPIC council there. Indianfarmclass.com.

Mark Wadsworth: [Cross-talking].

Rick Gibson: Answer the estate claims.

Joanna Mounce Stancil: Please state your names when you're going to talk. Thank you.

Angela Sandstol: Angela Sandstol from Alaska rep. I was asked yesterday, and I don't know if I've seen it and I missed it but, how long is this council set up for? Is this like --

Rick Gibson: This council is set up for five years. The charter is for two years because the statute that provides authority for this council provides for two years with possibility of renewal. But this council is embedded in the Keepseagle Settlement agreement until April 29th, 2016.

Angela Sandstol: 2016? Okay. Thank you.

Rick Gibson: And beyond, hopefully.

Angela Sandstol: Yes. People are just, I think, curious about if this is going to keep going or be a council that they can come to or if it's just going to disappear.

Rick Gibson: No. It'll be here for at least five years and hopefully beyond.

Female Voice: [Indiscernible]

Janie Hipp: Well, and then -- this is Janie Hipp. And then, it's here for five. Our intention was to have it embedded for six. The FACA, Federal Advisory Committee statutes require

a renewal of the charter every two years -- it's a complicated governmental thing. But after that five years, six years -- because if we renew every two years, then you'll renew it in the last waning hours of this second term of the president, right, and it'll lap over and hit a six-year mark, I would think. But the reality is that after that, it will be up to subsequent secretaries of agriculture as to what to do. And if we have hit our top in terms of our FACA Committee statutory authorizations, it may require congressional action. Rick, am I correct?

Rick Gibson: I think that's right.

Janie Hipp: Yes, to actually create the council as a permanent structure of USDA. So, that's kind of where -- the Keepseagle Settlement creates it now along with the secretary's discretion to create FACA bodies, but USDA has so many FACA bodies anyway -- you know, sheep and lamb and hay and everything else. I mean, it's that. We're at our limit, anyway. And so, subsequent secretaries will have to take action along with Congress to permanently embed this within the department.

Rick Gibson: Yes, that's right because -- and that's another recommendation, I think, the council can make to the secretary.

Female Voice: Yes, I was just noting that.

Rick Gibson: It'll take work but we want this embedded.

Picking up on what Chris said about debt relief, FSA is

responsible for debt relief; over 300 claimants received debt relief as a result of the Keepseagle Settlement process. They received their debts that they reported on their claim form, interest and principal accrued up to October 30th, 2012. FSA is in the process of cancelling it in the system right now in their finance office and then will issue 1099-C's to those claimants before January 9, 2013.

Female Voice: I'm sorry --

Female Voice: Say that again?

Female Voice: The date.

Rick Gibson: January 9, 2013. That's cut-off for this calendar year, tax year. So we wanted all the debt forgiven in the current tax year, so you don't have straddling tax years and have to report it twice in two different tax forms.

Female Voice: What was that form, C what?

Rick Gibson: The 1099-C. Cancellation of debt.

Female Voice: All right.

Rick Gibson: And our final goal, I mean honestly out of this settlement agreement, was finality. We want this thing to close. We can't fight 30-year-old claims for the next 10 years. That's why USDA has such a light footprint on the claims process, that's why USDA is writing off the debt all the way up to present day. We need this case to be over. So, that transitions us to cy pres.

Chris Beyerhelm: Mr. Chairman, Rick, could I just interject? I just wanted to clarify that for the successful claimants -- and Rick talked about it -- we call a sweep forward. Even though the period of the claims period was up until 2000, the terms settlement would require that any loan made after 2000 up to December 27, 2011 would be forgiven. But if somebody got a loan after December 27, 2011, even if they were a successful claimant, that debt will not be forgiven. All right? And then there are also certain kinds of debts -- economic emergency called EE loans, youth loans -- I think maybe those are the two. Hold on just --

Sarah Vogel: Class counsel believes that youth loans would also qualify under forgiveness.

Chris Beyerhelm: Okay.

Sarah Vogel: I think that --

Chris Beyerhelm: But my point is they may have some kind of loans that were not covered under the settlement agreement that even though they were successful claimants, would not be written off. There's very few of those kinds of loans out there, there's not very many.

Sarah Vogel: An example would be rural housing loan.

Chris Beyerhelm: Right.

Rick Gibson: Right.

Sarah Vogel: It's not a farm loan. It's covered -- farm and agriculture loans.

Rick Gibson: Right. And we've been in contact with class counsel in some of these issues and resolved them offline.

Chris Beyerhelm: Now, the other thing is anybody that was not successful or only got part of their debt written off, we are going to give them another opportunity to have those debts restructured and rescheduled. So, we're not going to just pick up and start foreclosure. We're going to give another chance to get those loans rescheduled and restructured.

Rick Gibson: Right. I think there are less than 20 claimants in that situation.

Mark Wadsworth: Go ahead, Lisa.

Lisa Pino: Thank you. Lisa Pino from USDA. I just wanted to make an important point here which is that part of the intention of the settlement as well is to literally start a new chapter, a new day, at the department, and how important it is to look at this as an opportunity to build trust, to build strong relationships with communities that have been marginalized including the Native community and other communities such as the African American community, Hispanic community and others. So, from the Office of Civil Rights, it's something that we take very seriously, wholeheartedly, and we were proud to be a part of it. And we hope that, as Rick said,

we can't be sweeping up the past forever. It's really time to start a new chapter and learn from the past and do the right thing for the future so people really take us at our word.

Mark Wadsworth: Yes, Gilbert.

Gilbert Harrison: Good morning, Mark and Rick. I just have a question here. We're talking about debt relief. My wife and I went out on the town last night and we felt the need for debt relief.

Rick Gibson: I think I'm in the same situation as you.

Chris Beyerhelm: Gilbert, I think he forgot his after December 27, 2011 --

Gilbert Harrison: I knew there was a catch. The question I have is we're talking about payments and getting this thing settled, but in the light of the settlement and some of the issues that led up to this case, what has USDA done in terms of making internal changes so that these things don't occur again? I'd like to see something like that. Maybe a one-page bullet from USDA to say, "Sense [sounds like] to settlement. These are some of the changes that we've made internally to prevent further occurrence." I would like -- you know, I think the board should have some information on that. I don't want 20 pages, I don't want 100 pages. Just bullet points. Is that something that we can ask for? Is that something reasonable to request? Thank you.

Female Voice: [Indiscernible].

Janie Hipp: This is Janie, and I'm going to interject before Rick gets a chance at it. I will send you all of our White House reports that we've made for every tribal leaders meeting with the White House in the last four years, because every single -- I can give you 20, 40, -- I can give you a lot of pages, a lot, that have occurred just because of the presence of the Office of Tribal Relations.

For example, the department now across all 17 agencies, we can count the number of consultations per year with all tribal governments at around 2000 per year. So, we've got some tribal governments that are asking us to slack off a little bit. It's not -- there are still going to be holes, there are still -- we're not perfect, but I can point to you massive changes inside some of the programs and inside some of the ways that we just work with tribal governments. I think that's -- that obviously speaks to the tribal government to government relationship, but we always have room to improve how we deal with individual people, and that's really the essence of Keepseagle, is individual people. But you all know as well as I do that tribal governments have a critical role to play in how farming and ranching is done in Indian Country. And so, it's really -- we kind of see it as a multilevel relationship.

Chris Beyerhelm: Mr. Chairman, if I could follow up on that. I just wanted to add to it, Gilbert, that part of the settlement agreement also was that USDA officials met with class counsel for two days to talk about programmatic relief, things that we can change in programs to help delivery. And those meetings have taken place, and Sarah and I have just been talking about the fact that we owe the board a report on that. So, what that's going to look like is all these issues and barriers, impediments to Indian Country to getting to credit or to farm programs or NRCS or whatever else, there'll be this report and then a response saying this is what's been done about that.

We also owe this board a statistical data as part of the settlement agreement on the number of applications received and the success rate in Indian Country. And by next meeting, we will have that for this board.

Gilbert Harrison: Yes. Thank you very much. The reason I asked for that is because one of the charges that we've been given here as the council is to look into these issues that prevent participation. And if we have a report or something that says we've already covered that, then we don't need to re-invent the wheel. And so, I think -- and it will be really nice, just a bulleted point. Because at my age, I have a hard

time reading. I've got another glass set for reading, I've got another glass for scenic viewing, and --

Jerry McPeak: [Indiscernible].

Gilbert Harrison: Anyway, I would appreciate something like that. And I think that would really help the council in determining how do we move forward. Thank you very much, Rick. And Mark, that's it.

Lisa Pino: [Indiscernible] just to respond to him.

Mark Wadsworth: Go ahead, Lisa.

Lisa Pino: It's Lisa Pino again, just to respond. Gilbert, I think it's an excellent question and I was just going to suggest, part of what the council can do is make those recommendations to the department. We've got great information that Janie and Chris mentioned, but I think it's also just -- we need a new culture, we need a new way of thinking. It's not going to happen overnight, so I hope that the council can include recommendations to the department that we can take back as well.

Mark Wadsworth: Thank you. I guess, Rick, you're going to go through the cy pres at this point?

Rick Gibson: Yes, I'm going to the cy pres.

Mark Wadsworth: Okay.

Rick Gibson: I'll give you a brief overview of what's happening with programmatic.

Mark Wadsworth: With programmatic, are you just saying programmatic [cross-talking]?

Rick Gibson: Programmatic relief that's hardwired into the settlement agreement itself. Like Chris said, we've had the two meetings with class counsel. Technical assistance network has been established. All the debt relief provisions for prevailing claimants are kicking in now since we have the final accounting of prevailing claimants. The council has been formed and is active.

The only things left in the programmatic section of the agreement to complete are the naming of the ombudsman, who I anticipate will have a very active role with this council as being your advocate within the department, for keeping things moving when you do make recommendations and moving quickly; and the needs assessment for offices on reservations, and a draft version should be provided to the senior advisor, the administrator for farm loan programs and the administrator for FSA in January.

As I mentioned in August that that document is in the same place that it was due to the budget situation that we're in, whether you call it fiscal cliff or austerity or whatever you want to call it, FSA doesn't have money to open offices or staff offices right now. So, again, this needs assessment will be exploring creative ways to get services in the reservation

including extension services as emphasized over and over again by so many commentators yesterday and today.

Cy pres. USDA doesn't have a role under the agreement in cy pres. We're interested to hear class counsel's views, and we've received an outline of their views and are evaluating it carefully. I think with the amount of money at stake, this is not something that can be rushed before the court. It requires careful consideration by both Department of Justice and USDA as well as class counsel. Most importantly, I think, it requires careful consideration by the class, and an open line of communication between class members so they can obtain some kind of consensus of what they want this to look like.

Mark Wadsworth: Rick, if I could get to that first statement you said, is that USDA is no longer involved with the settlement in the cy press, but then you asked for a recommendation. If we're going to do recommendations, is that basically to the secretary on our behalf or straight to the council?

Rick Gibson: No. Right. I would say, in your capacity as a private citizen or as a class member, in some cases, on this council, I think recommendations will be -- we'll have to go directly to -- it doesn't make sense to make recommendations to the secretary. I think this is a case where you talk to the

middle man because the secretary can't affect where the cy pres money goes under the terms of agreement as written right now.

Male Voice: [Indiscernible]

Jerry McPeak: Jerry McPeak. So, who do we make those to then?

Rick Gibson: You have Porter Holder, you have Sarah Vogel on this council.

Male Voice: Thank you, Rick.

Jerry McPeak: So, -- this needs a follow-up then. So, --

Rick Gibson: I mean, I say --

Male Voice: [Indiscernible] cell phone number --

Rick Gibson: Because this is critical. As Ms. Vogel said, in the agreement languages, class counsel will make recommendations to the court. Not class counsel and USDA, not class counsel and DOJ. While, I mean, it would be an optimal result if we can get consensus between USDA, class counsel, DOJ, and the class; it may not happen. So, I think we need as many class voices as possible. Thinking about this. Making recommendations, carefully thinking about this. I know consensus is forming around the foundation, and my -- again, speaking only for myself, it feels like a good idea when you think about it initially, but I know there are probably some downsides to it, too.

Jerry McPeak: All right. I'm [indiscernible] clarification. I want to --

Rick Gibson: As far as a formal task of what the council does, I think you'll be spinning your wheels if you make recommendations to the secretary.

Jerry McPeak: Okay. So, let's go back for absolute clarification. I do really -- Gilbert and I are on the same page. For you government folks, he asked for one page, not 400 pages -- we're trying to save trees and stuff and airways, whatever. Okay. So, the council makes recommendations to the lawyers who did the work, right?

Rick Gibson: The individuals on the council. You don't have to make recommendations in your capacity as a council.

Jerry McPeak: But if we would like to, we can?

Rick Gibson: I'd say nothing is preventing that. It's not the business of the council as chartered.

Jerry McPeak: Okay. But we're still just getting part of the way through the system. So, that's what I'm trying to find, is this chain. So, we make recommendations to -- or whoever -- makes recommendations to the class counsel, and the class counsel takes those to those judges who are supposed to be making the decisions?

Rick Gibson: That's correct. The class counsel will -

Sarah Vogel: One judge.

Rick Gibson: -- will take one judge, and the judge may react differently from all of us in this room. The judge may have his own ideas. What I will say though, I think the worry that the money will go away is largely unfounded. I mean, the way that this settlement has been structured, the money is already in the account, so the Treasury doesn't have this money anymore. It's in the eight banks. And I'll lay in front of the doors in one of the eight banks and Janie will lay in front of the other eight banks if they try to take the money out of the banks, but --

Janie Hipp: We will physically try to bar the door. But the other thing is, if this council wants to CC, give a courtesy copy to the secretary, that's absolutely okay. But if you do a recommendation to the secretary on cy pres, first of all, I think all of the federal government employees on the council would have to abstain from any kind of vote because that's not appropriate according to the settlement agreement. The secretary and USDA has no role.

So, to me, just speaking as a practical person, if the council wants to make recommendations to the Keepseagle legal team or the judge himself, go for it. CC -- do it in your private capacity or do it amongst yourselves, but -- there's nothing to keep you from sending a courtesy copy to the secretary so he can know what's on your minds, but I agree

with Rick, sending it directly to the secretary and expecting him to hand off is going to put all of USDA in a weird spot because that's not the way the settlement agreement was structured.

Rick Gibson: And right, USDA as the defendant is not a position of acting for the benefit of the class. It's a weird conflict for us.

Mark Wadsworth: Sarah Vogel.

Sarah Vogel: Yes. I agree with everything you've said, Rick. I also -- I guess, we feel that when we go to the court and we ask the court for permission for whatever recommendation we may make, the manner in which the judges behaved in the past has been to ask Department of Justice and the USDA for their opinion, even to our frustration at some points in this litigation, it's like, you don't want -- we would think to the judge -- we don't really want to hear from the USDA or the Department of Justice but that is his -- I think, that's his --

Rick Gibson: The way he operates.

Sarah Vogel: Careful, thoughtful, listening to folks who may have a concern. And during the public comment period, he bent over backwards to listen to recommendations prior to final approval of the settlement. So, I'd just add that to the prior comments made by Janie and Rick.

Rick Gibson: Yes, I think the judge's behavior, both

during the fairness hearing aspect of it and listening to the objections and his treatment of where the money went for the banks is really instructive. I think whatever is offered by class counsel will be aggressively questioned by this judge. And yes, I think, USDA and DOJ will have to answer his questions as well.

Mark Wadsworth: Are we about through? Has everybody got their questions answered? Is there -- did you get -- sorry, about that Mary [indiscernible].

Rick Gibson: Yes, I'm done here.

Mary Thompson: Okay. Mary Thompson. And as I am understanding it, that it's the individual class members that they want to get the main gist of the recommendations from and getting them over to class counsel so that they can get them on over to the judge. But I feel like that this board plays a little role in this in that we need to help educate those individual class members as to the significance of dispersing the cy pres funds. I'm just now figuring out that, as Sarah said yesterday, it's hard to give away a large sum of money like that in a grant form, in however, that that fund is going to be distributed or dispersed or spent once the judge decides on what they're going to spend it on. But it's like the individual farmer, my mom, would not understand how hard it is to do that, the bureaucracy of it all.

And that's where I kind of feel that this board plays a role in, that if we could help educate and get the word out to those individual class members and get them informed so that they can make their recommendations, make more informed recommendations, more realistic when you're talking about \$300 million. I think it's where this board can play a role, and realizing that we've got kind of a short timeframe here as compared to 12 years, maybe, but we've got a little bit of time to do a lot of work here. And some way or another, this board needs to sit down and consider how we can get that done. Thank you.

Mark Wadsworth: Okay, Sarah.

Sarah Vogel: Mark looked at me sort of crosswise. I noticed. I just want to repeat the point I made yesterday and that is class counsel has leaned, is leaning very, very heavily on our class representatives who have guided us throughout this whole process. And I remember one time we had a meeting and it was about at a very significant stage of the settlement, and we called all our folks together, and Porter drove from Oklahoma to North Dakota in a blizzard and then drove back to Oklahoma in an ice storm just to be at that meeting, and that's how important this has been to our lead counsel and we owe them a lot, and so we're also going to be relying on them a great deal.

Mary Thompson: Okay. And I know it's going to prolong, but may I respond back, Chairman?

I guess, as I'm thinking about this though, and maybe it's more than just the individual class members but it's individual farmers and ranchers that are not class members that are coming in here. Because yesterday we sat here and listened to all the FRTEP agents come in here and they were not lobbying for funding, I'll give them that, but they were needing help with their FRTEP program to get this out. And to me, okay, for this money to go back into USDA programs to supplement those programs in those shortfalls in funding, I don't like that. I don't think that this money should be supplementing any of the USDA programs. And I know it's not, but some of the folks out there -- maybe not the individual class members, but some of the other farmers and ranchers out there may be thinking that way.

I mean, that's what I'm getting out of all the comments that we're hearing, and we need to put that to rest pretty quick too. Yes, I feel like it is our job to lobby USDA to get that funding, put back into those budgets, to lobby with the Farm Bill, to get legislation and language in the Farm Bill to adequately fund Indian tribes, but, hey, we know how hard that is because we've been doing that for years, right? And we know how hard that is. But that's where I feel like, I guess, we need to get that education out to the public too so that they

know exactly where to go and lobby. They need to be lobbying our congressmen and senators about getting language in the Farm Bill for USDA programs, not coming in here and trying to make their case for use of some of these cy pres funds. I guess, that's what I'm -- I'm not sure how to eloquently say that, but, hey.

Jerry McPeak: Just say it.

Mary Thompson: That's what we need to be doing though.

Mark Wadsworth: I just have a general question for the council. We have one more request for public comment. Does the board want to hear that now or do they want to hear it after the break? How would you like to go?

Female Voice: Now. Now.

Female Voice: Now.

Male Voice: Now.

Mark Wadsworth: Jerry, before that, did have another question.

Jerry McPeak: It might be -- this is Jerry McPeak. And this discussion we're having now are ones that I felt like we should've had a long time ago. We're just not getting to some kind of meat and potatoes in this thing and not so much fluff and cotton candy because I am absolutely confused. My interpretation of what you guys have said today is that this council has no impact whatsoever on the Keepseagle settlement as

far as how the funds are to be used. That'll be a yes or no answer?

Rick Gibson: I think that'll be a yes. As far as the settlement.

Mary Thompson: Yes, you have no influence?

Rick Gibson: Because this council doesn't -- right. This council doesn't represent the -- this is a litigation matter.

Jerry McPeak: Okay. I find that to be very disturbing.

Rick Gibson: [Cross-talking] the class counsel has clients and --

Jerry McPeak: I find that to be very disturbing as a council member, as a non-council member, but neither here nor there. So then, the people who are on the original lawsuit and the lawyers determine what is taken forward to ask the judge to how this money is spent. Those people. Is that accurate too?

Rick Gibson: Yeah. That's the procedure.

Jerry McPeak: That's a yes also?

Rick Gibson: Yes.

Jerry McPeak: Okay. Thank you.

Female Voice: And now, [indiscernible].

Rick Gibson: I mean, analogy would be that this council doesn't have decision power over the adjudication themselves for claimants.

Jerry McPeak: This, of all the rhetoric that we heard in Washington, D.C., that would've been a really, really, really important thing to tell us, because somehow many of us would've missed that concept and I would've altered perhaps the way we're thinking about some of these surveys and some of these things that we've done.

Mark Wadsworth: Yes, Gilbert?

Gilbert Harrison: Mark, just quickly. I looked at the agenda, and all the topics and the things that we need to talk about. So, I'd like to -- now, this is an interesting conversation, but I'd like to allow maybe one more public comment and then we should get back on the business at hand today. Thank you very much.

Mark Wadsworth: All right.

Rick Gibson: Thank you very much.

Mark Wadsworth: Debora Juarez?

Debora Juarez: First of all, I want to apologize. I have been in the big room since eight o'clock. I misunderstood where I was supposed to be. Let me just tell you who I am and what we're trying to do here. I'm sure some of you know who I am because of my complaints and my concerns about, which I believe, of procedurally process with Keepseagle and getting to Indian Country and getting our people signed up quite frankly was riddled, I think, with not only being riddled with not only with

errors and procedure errors, but I was just flabbergasted at how the system worked. I don't know if you know this: I had written a 14-page letter to Mr. Levy, who I also understand was the arbitrator in Pigsford, and I believe I provided Joanna a copy of that in my bio, and I certainly can have copies made for you, because I pointed out every legal argument.

Again, my name is Debora Juarez. I'm a member of the Blackfeet Nation. I'm also a land owner. My name is Nah Too Yii Misti'Stucki, which means "Holy Mountain Woman." I've been a lawyer for 25 years in Indian Country.

I came home to only, to start helping our people because I got complaints, and I'm just going to be honest because that's how our -- I'm not trying to pull a Kimberly Craven here. I'm not trying to pull a Monday-morning-quarterback session. But what I am really concerned and, quite frankly, angry as an Indian woman who filed 10 claims and only four Track A's, the rest of them were all dismissed, I was very concerned that the way it was handled on our reservation, 1.5 million acres, 18,000 members, we have a long history of ranching and farming. I did have a conversation with Christine. I did have a conversation with Hester Dillon who is assigned -- which I think is absolutely crazy to assign one person, who's been a lawyer for less than five years, to handle Montana State with seven tribes with Blackfeet being the largest land base.

Now, I have a list and I could go on and on and on. I'm not going to do that. I don't want to take up any more of your time, but I will say this, I'm here to not go back into time about the settlement. That's settlement between the parties, I get it. What I'm concerned about is -- and I've read the charter and the responsibilities of this organization, and I had a lot of the questions and concerns that Ms. Thompson raised and, I believe, Mr. McPeak and some other people, that we left a lot of people behind because the notice and the procedures were deeply flawed.

And I don't want to go into the settlement and what all that means but I do and I can say, and I do believe that there should be a Keepseagle II. And I know that you -- I probably should've been here the day before, and it seems like I've been a day late in everything. I did not know that yesterday, all day, that this was going to be an issue. I was told to come here today and then I was told to go sit in the other room and that's where I've been and I apologize.

I just want to briefly make a few points -- and I really was happy to hear what some of the members said. I've been a -- not only have I been a lawyer. I was a state court judge in King County in Seattle. I was legal counsel to two governors. I worked at Morgan Stanley and managed tribal money. Of course, I'm a sister and close to Eloise and where we all come from.

I'm a partner in my firm and I'm chair of the tribal practice group, so I -- without sounding with too much ego, I do know what I'm talking about. Now, when I went home and -- well, I'll just put it this way: I like what the gentleman here said is I don't know how you got 300 farmers in North Carolina when we were getting the numbers and then you had 52 applications out of Montana. I don't know how that happens.

So, this is my concern: In order for me to address and have a real conversation, I've gotten some information from Mr. Ross Racine. I've gotten no information from Kole Fitzpatrick. I've got a lot of information from Gerald who I just met last night but I've been on the phone with him back and forth for the last three weeks, and from a lot of other tribal members who had called me. My tribe, the Blackfeet Tribe, and our council asked me to come and have a resolution, and we are really going to push this issue about that this was one of the most egregious cases of discrimination.

However, what I find the most offensive is the process for Track A and B, because there really wasn't a choice. The Track B people were required to find an agriculture economist. How the hell do you do that? I had to call my co-counsel -- and I won't tell you what colleges said no, but we only had one professor, Dr. McIntosh [phonetic] from Idaho, and the Blackfeet Nation gave me \$20,000 to hire him as an expert just because

they were worried. He looked at our cases, the Track B's, which by the way no other class has had to do this, and of five of them he said three of them were worth over half a million, and he couldn't believe how bad it was. In fact, it was so bad the he only charged us \$2500 and, believe this or not, gave the remainder back to the tribe.

Now, I'm not here to sound like I'm great or anything. I just cared about what happened with my people. I want to thank the BIA, they were wonderful. I think they did a better job than whoever got sent out to Montana. We had a conference room, we had room and we had food and water for the elders. We had all their staff there. We had wheelchairs. We had the BIA picking elders up. We had interpreters. I did all that. My firm did all that and absorbed all the cost which was well over \$200,000 easy. And you want to know how much I got paid for doing all this? Four thousand dollars. And we all know what -- and I'm just going to say it, we all know what the attorneys in D.C. got paid. And we also know in Pigsford what the attorneys got paid.

And I'm really, really tired of this discrimination, how long this case went on and all these people were hurt, and this process was so offensive and so riddled and so -- I truly believe the due process and the procedural due process in this case is so glaring, requiring all these Indian people to my

claims on the 250 Track B. These people don't remember what white farmer got a better deal than them. Three of them are widows; their husbands were the ranchers and did the business. The standards that you set for Track B at evidentiary standard in a non-judicial process by preponderance of the evidence is insane. So, okay, whatever, that's what we're stuck with. But I do know this from reading Pigsford and all the cases, all the USDA reports from the Office of Civil Rights which were atrocious -- I don't know if you guys read them, I read them. Every one of them, all four big notebooks.

I am here to say on behalf of the Blackfeet Nation, and I also spoke to the Yakama's and a few other tribes, that -- and I know you're going to say this and I've been doing this for years -- I don't want to hear about Congress, I don't want to hear about what the climate is. I think that we need to talk about a Keepseagle II and a process that's fair and how it really should happen on the ground in Indian Country. I'm not trying to -- I don't know how a lawyer in Washington D.C. understands what a reservation is like in 1.5 million acres with Blackfeet people and ranchers, where I had to get interpreters. It may look good on paper, but that's not how it is on the ground.

So, I want to apologize again. I've been here since eight but I was in the other room. I do have a lot more to say but I don't want to take up any more of your time. Thank you,

Chairman and Vice Chairman, for allowing me to speak. I did provide the letter that I wrote to Mr. Lester [phonetic], the arbitrator in San Francisco.

Again, I think that there's need to be -- and what I would like to have is what I believe Mr. McPeak was saying or Mr. Harrison, that in order to deal with this is that we need the facts, the balance of the funds, the management of it, the statistics. I'd like to know how many people in total filed claims. I'd like to know the A Tracks and the B Tracks. I'd like to know how many successful A's there were, how many successful B's there were. I want to know what states where each, the numbers were coming from. I want to know who are the 12 people that got Track B awards. But there's 12 people out of \$780 million? Is that true? Am I wrong on that number? Twelve people got --

Sarah Vogel: Thirteen Track B.

Debora Juarez: Thirteen Track B people?

Sarah Vogel: Ninety-two funds.

Debora Juarez: Thirteen people passed the Track B preponderance of the evidence. Is that what you're telling me?

Sarah Vogel: Yes.

Debora Juarez: That's insane. That's unconstitutional. I'll be really honest with you, I think it's racist and silly.

You can shake your head all you want, but I'm not letting this go. Thank you. I'm done.

Mark Wadsworth: Ms. Juarez - [cross talking]

Female Voice: Break time. [Indiscernible]

[End of transcript]

**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 transcript]

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

[Start of file 0:01:09: 1003]

Mark Wadsworth: All right. Reconvene here. Got a few minutes before Mr. Ware will show up and explain to us how he's been the chairman of the USDA Advisory Committee for Minority Farmers. And then we can go into discussion council of the topics on the list of the chair. Basically we'll start building more of a better roadmap, getting things accomplished.

I guess, right now, we had a brief discussion with Gilbert Harrison, and Gilbert would like to show you guys a form before Mr. Ware comes here, and we can get this over quite quickly.

Gilbert Harrison: Thank you very much, Mark.

[Indiscernible]. I think -- Thank you, Mark.

I just wanted to take a brief -- a few minutes ago, what I

thought or what I had in mind when I was fiddling with this, I felt that each and every comment that's made should get some sort of response, deserves a response, one way or another. There needs to be some formality also of how we get information that we are expected to work on. And right now, we have public comment period, we've got word of mouth, stuff like that, of things that are happening out on Indian Country and I thought that maybe something very simple like this -- I understand there's a bunch of stuff that government has in terms of forms,

but this is very, very simple, and I'm going to go ahead and base it on a project that my community is doing.

There's a sample here. The name here would basically be like my name or my community name. We have an address, we have a phone number, we have an e-mail address. And the problem we have with an NRCS project we have right now is that we have been given a grant of \$300,000 to do a certain amount of work which we're very grateful for a small community, but the prices and the contract was entered into two years ago. It takes that long for other things to get approved, the design approved by NRCS, everything else, and the way the contracts are written and the amount. So, we are vastly underfunded for this project. So, that would be -- my comment will be for additional dollars to fulfill this.

We were told that it can't happen because there's funding issues, which is not a problem, okay? Again, like I said, we had \$300,000 but we're vastly underfunded. The true value of the project to get it done is going to cost us \$400,000. So, now the community has to scramble around, I have to scramble around, try to round up an additional \$100,000 just to get the project done.

Now, if that takes another year, guess what, it's no longer a \$400,000 project, it's probably going to be about \$425,000.

It's a perpetual problem. So, that would go into Item number seven as what are we trying to do.

Eight will be a very brief recommendation by somebody, whoever's filling out this form, and in this case our recommendation will be instead of doing -- the \$400,000 says you have to do this length of pipe work. Instead of holding our feet to that, we should be allowed to reduce that to fit the budget. That would be my recommendation. Or if the NRCS had additional funds, they could supplement it. So, there is one of two ways. That would [indiscernible] in this recommendation.

And number nine would be Navajo reservation signature and date. Now, this should be either for USDA or somebody to review. And I would like to have a copy maybe sent to our committee here, says "one is received." Who received it and what office? Because you have to have shared information, okay? And then the agency, whether it's the NRCS or extension program or something.

And then number three is very important because USDA has been given the first chance to review the problem. And this is where Lisa was saying, maybe it can be done administratively, maybe there is a misinterpretation of the regulation or something. That's the first shot that USDA has a chance. And if it can't be done for whatever reason, then it's for our group to see if we can do some tweaks in the regulations or some

tweaks or whatever to try to resolve this issue. Because where I'm coming from is that our charge is to try to overcome these policies and other things that prevent access, and I think something very similar, simple like this, is a good starting method.

I wanted to share with you some very simple methods -- I use a -- what's that thing they call it? The KISS principle, keep it simple? And people can easily -- but this is a chance to start actually a solution to a problem. And so, I think -- I wanted to share some -- this is just my tweaking, and I'm not the world's greatest expert on forms or how to format stuff, but this is just something that I wanted to put before the council as maybe a means.

The last couple of days, we've had a lot of comments, a lot of information. I think if we had something like this, you could sort of focus in what they were trying to do instead of us second guessing what was wanted. And I think the important thing is way down here, once we get it, everybody that has a concern or something deserves an answer, because maybe we can say, "Yes, we agree with you. We'll try to work on a solution." Or if USDA solves it, then they have little things that we -- the problem has been resolved, we'll do it by policy or something.

But I think somehow I'd like to -- I guess there -- I'd like to see some formality of this, because otherwise we'd end up just talking about issues. And I think here and, of course, USDA, that really comes into where we're talking about an analysis by USDA -- give the departments or whoever a first shot at making an analysis of that problem. Is that a true problem? Is there something we can do something about it? Then it comes before us. So, this gives us some technical background that we can then act on. Anyway, this is just something that I wanted to share and just put it out on the floor. We don't have to act on it. But again, some sort of formality in dealing with issues and resolutions and go from there.

Again, one of my -- I've always said before the council, I'm for the little guy because I have a 10-acre farm, and I don't make \$1 million, and I've got more of this debt situation on that 10 acres than I can afford to shake a stick at. But there are a lot of people in my shoes, a lot of individuals that's trying to do something, and he comes upon this issue or policy or regulation or whatever, and he's saying, "Hey, help. I need help." This is where he starts. We can help him find, the USDA can help him find, but somehow we have to have a formal resolution. That way -- like that little girl said, they come and they never come back. And now we have something that we can

respond to that person because we have his name, address. Somebody can respond and say, "Thank you for this certain information. Here's what we'll do [sounds like]."

Anyway, I just wanted to -- before we get started with this other next speaker, I wanted to share with you some of the thoughts I have in terms of how do we tackle this problem. Thank you very much.

Mark Wadsworth: I guess, Mr. Ware has not showed up yet so --

Angela Sandstol: I have a question.

Mark Wadsworth: Yes. Go right ahead, Angela.

Angela Sandstol: Angela Sandstol with Alaska. I noticed that right along with Gilbert's discussion that there is a summary on written public comments. Is there a -- do we ever see that -- does the summary of the public comments that are spoken, is that -- do we ever see that or they're just spoken?

Joanna Mounce Stancil: Well, we don't have any pre -- in the federal register, it also says that you can submit public comment written. In the first meeting, we had one; this time, we didn't have any. But we have -- this is all being taped, so when I get back, I'll send it for transcription so it'll be available. All the public comment will be available.

Angela Sandstol: Okay. Thank you.

Mark Wadsworth: Yes, Sarah.

Sarah Vogel: I like the idea of Gilbert's form very much. I think it'd be helpful to us in terms of having some short synopsis of issues as we go around our daily lives and in between meetings and so on, not just at meetings. So, I know there's something called the Paperwork Reduction Act, and I know there are restrictions on creations of new forms, and maybe the council can just have a bunch of these and go home and copy them and -- I don't know. But I think we need a little guidance on creation of forms, but I love the idea.

Janie Hipp: This is Janie. There is the Paperwork Reduction Act. Every form used in an office of the federal government has to be approved by OMB, and there's an elaborate process to get those forms actually approved. We have all sorts of requirements that we have to jump through, which means that even if we were all to love this form, it would probably be three years before OMB would actually rule in it one way or the other. But having said that, based on what you said, Sarah, there is nothing to prevent this body from using this as a way to gather information in your -- in the meetings as they happen and just in your daily lives, because people -- the more the council is out there, the more people are going to come up to you and just kind of keep a flowing record. But if it's used by the federal government and put in our offices, we cannot get

around that at all. We have absolutely no flexibility. We have to go through OMB. Unless I've got that wrong, Chris.

Chris Beyerhelm: No, no. You're absolutely right on that. I was just going to suggest to Gilbert that perhaps there's another alternative. Currently, as part of the 2008 Farm Bill, USDA has implemented what's called a Receipt for Service. And the way that works, if somebody comes in to the county office and is denied something, they can ask for a receipt, which basically would be kind of close to this already. It's going to say who it was, what they asked for, and why they were turned down. And that becomes part of the permanent record.

And then so maybe it should be just an educational piece to telling natives and others that ask for a receipt if you're turned down, and then that'll be their document and then that information, it all gets fed up to Washington and will create exactly what you're, I think, wanting to do, is that there's a listing of why people are turned down. It won't have this about what do you think needs to be done fix it, but there at least will be the reasons people are being turned down.

Janie Hipp: And then, Chris, the bridge over to this council is to figure out how to get that as that information comes up into Washington, how to -- we've got to take the bridge and create it into this council so that you can see it and have

it as a part of your thought process and deliberation ongoing, and I think that's the bridge to create, isn't it?

Mark Wadsworth: Yes, Lisa?

Lisa Pino: Yes. This is Lisa. I was just going to make a suggestion or two that I don't know if it's appropriate because it would be more work for the Office of Tribal Relations. But I worked with a team that was with one of the White House initiatives, Department of Ed, and what we did is whenever we'd go out in the field, we'd have meetings all over the country, we'd invite members of the public, didn't cost a dime to register; we had anywhere from like 100 to 250 people attend.

And one thing that we did is we set up a couple of laptops, sometimes we set up as many as a dozen so that while folks were providing comments, we just gave them a very informal way that they could actually tell their story themselves and enter their -- you know, whatever they were comfortable with, their name, their e-mail, their address, why they were here, what they wanted to share, and then we collected all that info and then we made a big fancy schmancy report. But what we also did on quarterly basis is we just sort of summarized what people were sharing. And ideally, if we were able to provide a quick answer, a quick solution right then and there at the meeting, so we actually had a result that we could share back. And then for

ongoing issues that were more complex, we would just highlight it as a recurring theme.

And then we had a -- accompanying that, we held a -- what was it called, like an open dialogue session, I forgot the -- there was an actual term for the way we did it. So, it was a really nice way to let people know that their stories were being heard. It was an easy way for us to collect the information without having to get an OMB form. And then, it was a really good way of cataloguing what we were hearing all over the country. And so, when you start hearing the same thing on the West Coast as you do in the Deep South, I mean, you know, like there are certain patterns that would emerge. So, I just would offer that to the council as something to think about since we're going to try to meet quarterly, we're going to try to meet regionally, not in D.C., and it might be a way that we can actually begin to chronicle the public comments without making it too formal going down the OMB path.

Mark Wadsworth: Yes.

Gilbert Harrison: Excuse me.

Mark Wadsworth: Yes, Gilbert?

Gilbert Harrison: Mark, again I think there are some public comments that are general in nature, you know things like this issue we talked about, a title in the Farm Bill, that's a bigger issue, but there are a lot of small, personal things that

come up, and I say most of it can probably be done through administrative interpretation or something. But anything like this comes up, it deserves some answer. The government is obligated to tell a taxpayer, "This is why we can't do this." Not to say, "Here's a policy, and our policy is not to do this."

And that's the only thing we're saying, is that if I fill this out or somebody fills it up, they know that somebody knows something, that they have their name and they have their address and their telephone, and hopefully, hopefully they'll get some response personally. And I think, to me, that makes a very big impression on whoever it is, John Doe or John Begue [phonetic] or whatever who wants to make this. We've heard enough to say that there's a big picture, and then there're the little guy issues, and that's what I'm trying to say. And how do we get something consistent that we can -- way of addressing these issues. Thank you very much.

Mark Wadsworth: Okay. Moving on with our further agenda, I have worked for the government but it's a tribal government. I'm very familiar on how I have to get things done within the tribal government. I'm the person that goes out there, basically writes up my resolution, and then I go in with all my supporting data and in essence give them the good, the bad, and the ugly, and then they make their decision or tweak whatever I do as my recommendation. I feel, and as I talked a little bit

with Janie, is that -- and you guys were kind of brainstorming, which is, I think, what we need to do know to make this council work a whole lot better -- is how in the future or next meetings we'll have those sorts of council-related actions that we have presented to us, we've got the supporting data, we tweak it and try to make some good recommendations to whatever issue that comes up. And I'll open that sort of discussion up, and if you would want to kind of give us an example of how USDA government does this so that we can accomplish and meld the two that we're all familiar with.

Janie Hipp: Thank you, Mr. Chairman. We had a sort of caucus at the break right before lunch, and so we offered to the council, the full council, our thoughts -- "our" meaning Lisa, Mary, myself, and Sarah -- all kind of got our heads together and came up with some ideas about how we could function. So, if you'll bear with me just a minute, I kind of want to walk you through it, and it's not going to be that complicated. But what we've already heard from you all is that quarterly meetings are preferable. Quarterly meetings are going to be dependent on how successful Lisa, Chris, Juan, and I are getting into other people's pockets back at the department because that literally is going to be money driven, okay. We do have money set aside for the two meetings per year, which is in the settlement agreement, but to do quarterly, we're going to have to put some

legs underneath the recommendation that you've already taken action on. And so, that's our job and we will carry that ball, okay?

But regardless of whether we meet quarterly or every six months, our proposal to you all is that before we leave the building today, we identify two issues for next meeting, be that a quarterly meeting or six months from now. Our initial recommendations to you are that we choose these two topics.

One of them should be lending and loans in Indian Country specifically farm loans, because that's what got us here anyway, is farm loan program issues. And so, if we want to expand that to lending in the rural development side of the house, we could do that, but lending, okay?

The other issue that we've heard a lot of throughout this meeting, as well as in public comment last night as well as again this morning, is extension. So, we propose to you that our second topic is extension.

What we then do is we go back and have -- the chairman directs -- well, strongly requests and we're going to have to -- the federal people here are going to have to use our best persuasions -- but we direct the right people within the department to issue an analysis of that issue in Indian Country. And 30 days prior to the next meeting, they deliver a written document to you, which is their analysis. For farm loans,

obviously Chris and his folks would kind of undertake that. If you want to add rural development lending, then we would have it be a two-pronged sort of report. The extension people, I know exactly who to go to at NIFA to ask for that report to be put together. It would have, "here's the history of the program, here's our sort of statistics on this and that and the other," but it'd be a comprehensive report of what's going on in Indian Country around those general topics. You get that 30 days ahead of time, 30 days you have to actually read and digest that report.

And then, when you come into your meeting, then what we have is a lead person on lending and a lead person on extension. They stay with us the whole time we're meeting, and we actually set aside a half day and that's all we deliberate about, is lending. You get to ask questions about the written report you receive, you get to go down every rabbit hole you want go down and get a deeper understanding. And then, before you leave, as a council you can emerge -- and I'd be shocked if you didn't have multiple recommendations to the secretary on that topic -- you emerge from that meeting having had a thorough discussion with the department as well as seen a written report and really -- and you could fashion the public comment around those topics, I don't know. I mean, that's another way to take it another level. But that allows you to be like a laser beam on those

issues for that meeting. You don't try to cover the whole waterfront at every meeting. You really [indiscernible], and then emerge from that meeting with recommendations to the secretary.

That makes your recommendations be fluid and happening every quarter, every six -- however often we meet. That doesn't mean that they remain cemented in. If we hear something a year later that we need to go back and amend that previous recommendation, then so be it. It doesn't matter. And I think that Mark had circulated, I think, this resolution format. That's a great format, but that to me is how you then take that resolution format and drop in what you need to say to the secretary after you've really gone deep into the issues for that particular meeting. So, if I missed anything, ladies, gentlemen, but it seems like that's the way to herd cats and actually be effective.

Mary Thompson: The facilitator.

Janie Hipp: Yes.

Mary Thompson: The meeting will be facilitated by facilitators so that we stay on point and we actually get something accomplished, the bottom line there.

Mark Wadsworth: Angela?

Angela Sandstol: Yes, Angela from Alaska.

Janie Hipp: [Indiscernible] the woman on the council.

Angela Sandstol: Oh, that's okay. I was [indiscernible] here at 12:30 waiting for the starting [indiscernible].

I just have a question, I don't know if I missed it or what. So, where -- will somebody be gathering that analysis for Alaska and bringing it back or is that me?

Janie Hipp: It would just be a part of Alaska. No, no. It would be -- if the extension -- it would not --. You don't have to do the heavy lifting.

Angela Sandstol: Okay. That's what I was just [indiscernible].

Janie Hipp: This is -- the department is going to do the heavy lifting and throw out to you everything we know. And it's not just going to be Indian Country in the lower 48. Obviously we're going to make sure our folks in the department know that whatever they report back to us as the council on extension has got to include Alaska.

Angela Sandstol: Okay. That's just what I was wondering, if I had to come back with anything.

Janie Hipp: No.

Angela Sandstol: Thank you.

Mary Thompson: Those programs or departments would give us the information we need 30 days in advance, give us time to read over it, do our homework, ask our questions, mull it around for a little while, and then whenever we'd go in there and able to

talk to them directly and ask a question to them directly. And I just think it would work great. The quarterly meetings and where we meet, that's something that you all can decide, but I think this is just a good way to get things started.

Janie Hipp: Well, and -- this is Janie again. And as you were saying that, Mary, I was thinking, how do we communicate to tribal leadership. Maybe what we do is the Office of Tribal Relations just does a letter or an e-mail blast to all the tribal headquarters saying, "For the next meeting of the council, we will accept public comments about anything, but we're going to focus very heavily on extension and lending." And so, then you've got teed up the tribal governments and individual Indian people to really get their comments in, be looking for where you're meeting and just be ready. So, just a thought.

Mark Wadsworth: Yes, Angela.

Angela Sandstol: I really like -- I know we have to have one meeting in D.C.

Janie Hipp: No [sounds like].

Angela Sandstol: Oh, I thought that was -- or the D.C. area?

Sarah Vogel: No.

Angela Sandstol: No?

Sarah Vogel: We can meet anywhere --

Angela Sandstol: Where did I get the --

Janie Hipp: We won't ever have to darken the door of D.C. again.

Angela Sandstol: Oh. Okay.

Chris Beyerhelm: That's all right for some of you.

Janie Hipp: The reason why the first meeting was in D.C. is because it was the inaugural meeting, it was that.

Angela Sandstol: Yes. I just thought --

Janie Hipp: You never have to be there again.

Angela Sandstol: Okay. But I really like the idea of being at IAC. I think that we have very, very few chances to get as much representation as we did at this meeting. And so, that's just what I wanted to say. Thanks.

Joanna Mounce Stancil: And we've already -- I'm sorry, it's Joanna. We've already been in dialogue with them, and we're welcome to return.

Jerry McPeak: Thank you, Mr. Chairman. Angela, I was struck yesterday. As you know, our first meeting about no fishing [indiscernible] River, I still can't get past that. But I was also struck yesterday by -- I really can't ---I can't imagine them telling me I can't go fishing in that river.

Anyhow, I was struck yesterday by the subsistence point that several of the Alaska Natives made that that is not included in the census, in the agriculture census. And I know

that those are the two things you want to approach, but to me this doesn't have a whole lot of time for you guys, and to me that sounds extraordinarily important and just one of those things that just has absolutely no common sense to it. As my wife says, we pick blackberries at home because we like to have blackberry pie but not because we have to. But can you guys afford to wait for that not to be in a very important part of something we discuss? Because that ag -- does that ag census -- isn't that right now?

Juan Garcia: It's not out yet. It'll be really soon.

Chris Beyerhelm: Yes. They're going to start collecting the data soon.

Jerry McPeak: So, I don't think you have much time for that. I'm not sure our impact or how we do that, but I'm not sure -- I'm thinking if I were you, I'm thinking I'm carrying that flag pretty high, and I'm on the wagon with you if you get on there, but you're going to have to get on there for it to be a wagon. But I don't think those folks have much time. And 55 or 60 percent of how they live comes from --

Mary Thompson: Subsistence. No. It's more like 80 to 90 percent.

Jerry McPeak: Ecosystem.

Mary Thompson: I mean, I live in the village, I live in -- well, I told you guys this before -- I live a subsistence

lifestyle without electricity, water. That's how my people [indiscernible].

Jerry McPeak: So, my point is, how much time do you have to try to correct that with agricultural?

Joanna Mounce Stancil: Well, this is Joanna. We'll go back and check on that for you. But if it's anything like any other census, they may be too far into the process to make any changes at this point.

Jerry McPeak: Then we'd need to raise all kinds of Billy Hell.

Joanna Mounce Stancil: Yes.

Gilbert Harrison: What I might suggest, I guess -- Janie left the room, but maybe we need to separate the issues that need half the attention and some that don't. Because this one, I talked to the NAS people that were here this week, and it's basically just a policy they have, that you have to generate \$1000 of revenue to be considered a farmer. It has nothing to do whether you're subsistence or not but that's the end result. But if they could just change whatever that threshold is -- and so, I think we could easily, without a lot of research, make a recommendation that they do that.

The other one is in the WHIP program; again, it's just been a policy that they're going to set priorities for funding of those WHIP programs. So, again, an easier recommendation could

be is you provide subsistence some sort of priority on dispersing WHIP proceeds because right now they're competing equally against the frogs and the turtles and everything else. But if we would make a recommendation as a council without a lot of research, I think you could do that and just say, "We think subsistence farming ought to be given a priority if that's what we think when you're designating WHIP funds." So, there might be some low-hanging fruit we can do without a lot of --

Jerry McPeak: And maybe not -- but my point is this, my point is for you Angela and all of us -- because this is -- I was under the impression that this doesn't have a lot of time. Whether it's an act -- I mean, like the rest of you folks like me, I don't give a flip whether my name is on it or not. If you guys can fix it without us doing it, well, fix it for God's sake. We don't need our name on it. Is that a fixable thing with you guys or not?

Mary Thompson: Do you need a formal recommendation from this council?

Chris Beyerhelm: Well, it's -- I think there are different issues here. I don't think the USDA is saying that you're not eligible for the program if you're subsistence. What NAS is saying they're not going to count you as a farmer or a rancher. It's two different things. There's nothing in our loan program that would say we're not going to make a loan to somebody

who's subsistence. Now, we're obviously interested in getting repayment, but if you have some other source of repayment to provide the repayment, we don't really care if you're selling that commodity to make the repayments as long as you've got some source of payment.

Mary Thompson: It's either that or a waiver that subsistence be -- get a waiver and not be competing for those WHIP funds. Either way, it would work, it would fix them there, fix that. And that's something that maybe it would be better if this board came out with a recommendation. And maybe you two should put your heads together and write it out there. Because I was -- and that would be a quick way to get it worked out. But then -- then, I want to go back to this proposal and the meeting that we could, if we're all in agreement, would strike this off the agenda as completed before we get too far off on --

Angela Sandstol: Can I go after?

Mark Wadsworth: Yes. Gilbert.

Gilbert Harrison: Thank you, Mark and members. I like the proposal or the concept that was presented by Janie and some of the ladies here, but concentrating on issues or categories of issues that are being limited to maybe two, and I think that's a great -- to me, that's a great idea and I think it's workable, that we don't just jump around here, here, and here. And I

think -- I support that and I think that's a good idea. Thank you.

Mark Wadsworth: Yes. Angela?

Angela Sandstol: I've decided not to wait. I agree that I really like that idea but I think that we need to prioritize somewhat the things that need to happen today and can wait and can wait maybe a little longer. I don't know. Because we just jumped into Alaska, and we all know that that's priority, and if we wait until next year, it's not going to matter. So, that's my two cents. Thank you.

Mark Wadsworth: Yes, Lisa?

Lisa Pino: Is there a way to do both? I don't know -- do we usually meet a full day or a day and a half or do we have a set amount of time? But I think the intention of the proposal is to allow for enough time -- it's sort of like a crash course in a certain agency area where the programs become a reoccurring theme for the Indian community, and then that gives the council enough time to answer questions -- to get their questions answer, rather, so that you can make specific recommendations. And that the more specific their recommendations can be, then the more that we can get focused with actually instituting change.

So, I don't think we were trying to exclude any other

dialogue from happening. I think it was just a way of carving out some time to get some specific checklist off, so that each quarter we can say, "Look, we're moving on this piece and this piece." And then, whether it's a newsletter, an e-mail blast, whatever, but share it back. So, is there enough time to do both? Is it a day? A day and a half? I don't even know. What do you think, Mr. Chairman?

Mark Wadsworth: I was under the impression she wanted a two-day meeting.

Mary Thompson: Mary Thompson. What we had discussed was like maybe even a two-and-a-half-day meeting, because if you're going to have public comments, you're going to need a little extra time. And so, without trying to put off Alaska or the issue that you have there, because I would make a move that we bring this up at the end of the agenda and have a recommendation to send on over on the Alaska issue, but in the meantime, staying on track with the discussion about appointments of subcommittees in the next meeting. And I like it too and I think we can get more accomplished in that this time other than setting a place for the meeting which can be discussed and different folks, different tribes can host the meeting -- I mean, I'd be willing to say, "Hey, come to Cherokee North Carolina, and we'll treat you good and we'll take care of you." I make a move that we go with this plan in lieu of setting up

subcommittees and appointing chairs and let the whole council get these issues. And I know that we still want to go back --

Jerry McPeak: [Indiscernible] I'm sorry, I missed that set again.

Mary Thompson: I would make a move that we accept the plan discussed in that we would -- the departments would find some money to hold quarterly meetings, that we would set topics, and at this time, the two topics, because of the public comment we got over the last couple of days, that the two topics be lending of farm loans and the second topic would be extension, and both of those programs would get their analysis, their report, their data together from the program.

Jerry McPeak: That could be a different motion. But what was the -- in lieu of, that's the part [indiscernible] one motion. You're going to have four meetings in lieu of?

Mary Thompson: In lieu of the subcommittees.

Jerry McPeak: Okay. That had to be one motion and the other thing has to be another motion.

Male Voice: [Indiscernible] fix that and move to the next problem.

Mary Thompson: Okay. So, in lieu of subcommittees, that we host quarterly meetings with the full council.

Jerry McPeak: That's it.

Angela Sandstol: That's it. Second.

Mark Wadsworth: There's a motion on the floor for in lieu of having the plan, we will negate having subcommittees. Is there any discussion?

Chris Beyerhelm: Request to - Mary's question to amend it a little bit subject to funding availability. Okay.

Mark Wadsworth: Yes?

Angela Sandstol: If funding is available.

Sarah Vogel: Yes. And this might be just a unique circumstance based on the work that the class council did with the FSA and a whole bunch of folks from lending branch, but it wouldn't be a committee per se, but I'd hope to work with Chris on the report back in terms of accomplishments. And that could also include the statistical piece. So, I'm fine with that, but I think anybody on the committee who wants to be of assistance to those folks at USDA who are working on these pieces, like extension or whatever, if you have a particular expertise or interest, we should be letting them know we want to help.

Jerry McPeak: [Indiscernible].

Sarah Vogel: I didn't say we were having committees. I said that doesn't rule us out from volunteering to help on these projects to bring in the material that we want the council to look at. I've already talked with Chris.

Mark Wadsworth: Any further discussion?

Female Voice: Second.

Mark Wadsworth: Okay.

Juan Garcia: Could you repeat the motion again, please?

Mark Wadsworth: You know what, on this, we're going to have these written up by you through the notes that you're taking right now. That'll be transcribed. What I'd like to have happen is that it's e-mailed or faxed, or whatever we need to do within the whole committee so we've got the correct language, as everybody wants, and we can basically go from there. But it's hard for me to repeat everything that you guys want to say to --

Juan Garcia: That's what I -- I asked it for a reason because [sounds like] --

Mary Thompson: I guess, basically it was that in lieu of subcommittees, that we have quarterly meetings with the full council if funding is available, in a nutshell.

Male Voice: And pick two topics, work on those topics in that meeting and move on [indiscernible] next topic.

Jerry McPeak: Let her do that [indiscernible] she said one motion at a time, if I may say so, to rule or whether to do that, [indiscernible]. And if you want to do the next, [indiscernible] motion.

Mark Wadsworth: Mary's motion has been made and seconded. All those in favor?

All: Aye.

Mark Wadsworth: Anybody opposed?

Michael Jandreau: Against. I don't think -- and I'd like to explain my position. I don't think that if we're to fulfill the requirements that our own constituency demands, that it shouldn't be about whether or not funding is available; it should be based on making funding available. And for that reason I agree with the quarterly meetings, I think they're important, and I think they should be done, and I think the funding should be found to do that.

We're not talking about a massive expense. We're talking about insignificant dollars. Even falling off the cliff, we're still talking about insignificant dollars to meet the crucial needs of agriculture in Indian Country. And with that understanding, I accept it and agree that I would come forward and try to obtain the position on this, but it's only if I can truly represent the people I serve. And we're not talking -- we're talking about maybe a total of \$100,000.

As far as that goes, you don't need to reimburse me, I'll come on my own, you don't have to give me anything. Because I believe that agriculture is such a sorely underfunded, underutilized program by the people on the reservation and we have to find a way to escalate their opportunities to access something that every other American has the opportunity to participate in. That's the end of my statement.

Mark Wadsworth: Juan, did you want to -- [indiscernible]?

Juan Garcia: And Michael, I totally understand your position, funding should be made available. And this is why I mentioned earlier that funding should be made available from all USDA agencies involved. I cannot commit, I'm just telling you all straight out. I cannot commit --

Michael Jandreau: I realize that.

Juan Garcia: And I understand. I cannot commit from FSA that we can fund four meetings a year. I'm just -- and I know it's \$100,000, and it may seem like insignificant funding but right now, with the budget situation, \$100,000 is a lot for one agency. And I'll do whatever I can to propose or to try to sell to the other agency heads within USDA, and there's a lot of them, that this is an important project here, an important goal that we have as a council. If we can talk to extension, to NIFA, and we can talk to rural development -- rural development is in a tough situation right now, also just like all the other agencies are. But I totally agree that we should meet more than twice a year, because otherwise, we won't get anything done. So, you have my commitment to do whatever I can. I hope that the Office of Tribal Relations over there needs some help, Dr. Leonard's help, to try to obtain funding for this.

Mark Wadsworth: Yes, ma'am?

Mary Thompson: Thank you. Mary Thompson. But with the next meeting in three or four months -- or three months, would be in the next fiscal year, so that we may be able to get that one done which will give more time for maybe some of the programs to find a funding. So, this next one, it might work out okay. If we need to hold the meeting an extra day or so to get the public comment, to get all the -- get the best bang for the buck, I guess, we could do that. And the time or the place, we can agree on. We've got a little time to work that out. So, I don't think that this move is unrealistic simply because we're at the end of this fiscal year, and so the fund set aside out of this settlement will take care of the next meeting.

Juan Garcia: Well, and if I can -- excuse me. If I can clarify, we're already in fiscal year 2013, beginning October 1st, so this funding came from this fiscal year's allocation.

Mary Thompson: We have [indiscernible] some savings from last year to put back over.

Juan Garcia: Yes. And, well, the situation that all the agencies are under right now -- and I know you all understand this, I don't have to repeat this, but we're under the fiscal cliff cloud, see what happens, we're under a continuing resolution right now until March 27. All indications are from Congress that will continue on a continued resolution for the full budget year. So, it all depends what happens for the

second continuing resolution. We could get the same funding we did in FY '12, we could get less funding. We're also under the cloud of the fiscal cliff, that we don't know what's going to happen here, what Congress is going to do. So, it's just a tough situation.

Janie Hipp: And we don't have a Farm Bill.

Juan Garcia: And we don't have a Farm Bill. They are working on the Farm Bill. There're a lot of negotiations right now [indiscernible].

Jerry McPeak: [Cross-talking] if you want some of it.

Juan Garcia: We'll do whatever we can to obtain the funding. And as I mentioned earlier -- and it's good, because we need some results. And going down to a couple of main issues, I think it's a step in the right direction here for us.

Mark Wadsworth: Now, did we need to finish this with a second?

Mary Thompson: Do we need to actually put it in a motion as to how we're going to conduct the next meeting? We discussed it. We'll just leave it at that? The meeting's set and you know it. And the place and the time will be figured out later? Good deal. We can strike something off the agenda there. Thank you, ladies and gentlemen.

Mark Wadsworth: We have Zach Ducheneaux from IAC, wanting

to give us kind of an update on the network system, I believe.

Jerry McPeak: Who is this?

Mark Wadsworth: Zach Ducheneaux.

Zach Ducheneaux: Good afternoon, everybody.

Female Voice: Good afternoon.

Zach Ducheneaux: I'm fighting the bug so forgive me if I cough or sniffle around while I'm up here. Thank you very much for the opportunity to address the Council for Native American Farming and Ranching. It's an honor to be here amongst the folks who have the task in their hands of making recommendations to make this world better for our Indian producers so that we don't have to be here in 20 more years fighting the same battles. We've always said at the IAC that one of the things that was most important about our settlement as Indian people was we got programmatic relief. We got the opportunity to have this meeting and make those recommended changes.

I've been able to slip in and out of the meeting a few times this afternoon and a little bit yesterday, and there's a lot of -- the discussion is pretty scattered, which is what you're going to get whenever you bring people from all across the country anyway, but I just want to kind of try to bring up a finer point to it.

There are some things that this committee could recommend tomorrow that would improve Indian Country agriculture access to

USDA programs the next day. One of those would be to change the way we do an operating loan. If anybody in here has ever operated a cattle herd, you know they make you a loan to buy cows and then they send you out the door to go find an annual operating loan. So, the first thing you do when you sell your calves is you pay back that entire operating loan, and if there's anything left, you serve as a term debt [sounds like].

If we would term the first year as operating, treat this as supervised credit which is what it's supposed to be. Help that producer get better at planning with the working capital reserve. We're going to have people that are ready to graduate, not people that we're trying to force out the door to graduate. That's one thing that could help in FSA -- and I need to visit with my friend, Chris, over there about that because I've got a couple of different scenarios laid out, and it makes a lot of sense.

The next thing, there is a sector of people in Indian Country that are going unserved by the FSA, and it's because of the credit history requirements that are in the regulations and in the manuals. I think those restrictions need to be loosened a little to take into account all of the circumstances that Indian Country encounters that isn't the same just to cross that imaginary line where the reservation boundary ends.

For example, we had a gentleman work with us at the network

trying to refinance a pickup loan and an operating loan through an FSA loan. He had bad credit, but he would've saved enough in interest had he got the FSA loan to make a plan to take care of all of that. We could help prop that guy up. We were the last place he had to come to, and we sent him a letter that says, "No, you don't have the credit worthiness to play in this game."

That's something that we could do. Because those people need service, and they're not getting served. So, we need to try to meet those producers partway. We can't just say, "This is the program we're going to operate. This is how it's been forever. You guys fit this mold." We've got to reach out to them, they'll reach to us and we'll find somewhere in the middle.

Another concrete impact we could have in Indian Country is with the conservation programs. The state of South Dakota does a great job in Indian Country in conservation programs but there are still problems that occur. When the funding is divvied up into the pools, if you're an Indian producer, they throw you over into the Indian pool whether you could compete in that general pool or not. And what I think should happen is that there should be a screening process, and if it looks like this Indian producer could compete with a non-Indian counterpart, put him in the general pool, let him get at some of that money. Don't just put him over here because he's an Indian producer.

This is supposed to be set aside for those that can't get into that pool. So, if you do that, then you've got Indians who wouldn't have never had a chance over here competing for set-aside dollars, which I think is what the intent was. That's a concrete change that could be made and would really make impact just next year.

And last but not least, the FRTEP agents provide a vital service that has been missing in Indian Country since time immemorial. The other counties have all had it. We've scratched and clawed to maintain some level of FRTEP funding, but it's dwindling. And I saw my good friend, Verna Billedeaux, up here visiting with you folks about it. And short of cloning her and putting her on every Indian reservation, we need to get someone like her around there. And one of the recommendations that the council could make is that find a way to fund FRTEP agents and don't open the door for the tribal colleges to get in there and raid that pot of money because that's going to kill our FRTEP program. Yes. It doesn't make sense, does it, Jerry?

Jerry McPeak: That's not what we heard yesterday [indiscernible].

Zach Ducheneaux: Just to give you a little update on what the network has been up to lately, we visited 300 tribes in the last two years, physically put our feet on the ground on 300 reservations. That's not quite as many as Mr. Davis [phonetic]

did on his rap tour -- he took 20 years -- but in that time we have sat at producer's tables, heard their woes, heard their dreams, helped try to bring some of those dreams to reality with the assistance of the USDA programs that are available.

We have helped intertribal organizations to coalesce around a cause in the Northwest and the Rocky Mountain region. Our little network of technical assistance specialists is directly responsible for about \$6.5 million worth of FSA direct loans to Indian producers that would not have been there had we not been out there helping them. We're responsible for about \$3 million in conservation contracts in Indian country that would not have been there had we not been out there to help them. And we all love what we do. One of the things that you can't build in someone is passion, and our folks are all passionate about it.

But I just wanted to try to bring a point across that there are some things that could be done pretty short order, some recommendations that could come -- I understand it's a lengthy process, and I hope this council exists for about 10 years and then is not needed anymore because we fixed everything. But there are some things that could be done in the short term that could impact next year.

Mark Wadsworth: Would you like to take questions?

Zach Ducheneaux: Yes, I would love to take questions if this guy will let me.

Juan Garcia: Yes. This is Juan Garcia.

Mark Wadsworth: You need to go?

Zach Ducheneaux: No, I'm fine.

Juan Garcia: You mentioned about the conservation, the different conservation pools.

Zach Ducheneaux: Yes.

Juan Garcia: Are these pools that the state technical committee sets, like for example, EQIP is a different pool -- I'm unfamiliar how the way that works but --

Zach Ducheneaux: Yes.

Juan Garcia: So, if you're in Indian Country, you're automatically under that one pool and you can't compete with the other pool?

Zach Ducheneaux: Yes, in South Dakota.

Juan Garcia: How about other states like North Dakota?

Zach Ducheneaux: There are other states that I have heard do it different but I've never been physically there to see it happen so I couldn't say with any degree of expertise.

Juan Garcia: So, is this something that can be worked out through the state technical committee? Because they do have membership of all different organizations in that state technical committee, they should.

Zach Ducheneaux: Yes.

Juan Garcia: So, I think -- because the state technical

committee is the entity that recommends to the state conservationists how those EQIP funds should be allocated out for the particular practices and so forth. And so, I was just wondering if it's an issue in South Dakota with the state technical committee, it needs to be brought up.

Mark Wadsworth: We'll have Gilbert and then Mary and then Mike.

Gerald Lunak: Can I respond real quick? It's Gerald Lunak. I think the head of state technical committee is the one that needs to facilitate that discussion, and it varies state to state. I know in South Dakota, they've done that where Indians fight for their own money and everybody else gets -- In Montana, I believe we fought to do what Zach said is, we want to compete with everybody else, and then the people that need the tribal money can go after that, after those people are qualified. So, I think state conservation is probably in Indian Country need to step up and say what are they doing in their state, and that would be a good starting point to create this discussion.

Juan Garcia: Yes.

Mark Wadsworth: Gilbert.

Gilbert Harrison: Thank you. This is Gilbert Harrison. You know, you made some recommendations on some of the issues and recommendations. Do you have it in a format where you could submit it as a written recommendation to the council?

Zach Ducheneaux: I absolutely will.

Gilbert Harrison: I think that would be a good starting place, because we're just saying that's something that we really need, something concrete that we can focus on. So, if you have those and your board has that, that would be a very good first stepping point.

Zach Ducheneaux: Absolutely.

Mark Wadsworth: Mary Thompson.

Mary Thompson: Thank you. Excuse me. I thought I was ready to talk.

Sometimes I think that there's a lack of communication between -- well, if I start at the bottom, the state cons coming up to the regional area folks. Because whenever the funding comes down and gets dispersed out to the state -- I'm thinking this is how it works -- and then the state allocates that fund over to the state conservationist which then divvies up the pool of money, and yes, there's a little set aside for Indians, but I think that just making sure that from national to area or regional, or whatever, down to the state cons, that they're all getting that same bit of information and communicated to them and designate and delegate to them their responsibility to work with these tribes.

And you know, with the funds being divvied up -- I mean, the general pool of funds, there's usually a lot more money in

there, you could do a lot more projects. Yes, you've got a lot more people competing for it, but in comparison to the set-aside funds for Indian tribes, like everything else, it's too low. So, I agree with Zach there, that if those projects or programs can compete with non-Indian conservation projects, then they should be allowed to compete. Is there a policy that prohibits Indian, Indian project from accessing the general pool of funds?

Zach Ducheneaux: Mr. Chairman, if I may? I don't think that there is enough leniency given that that doesn't have to happen in every state. And what we're suggesting with those recommendations is that we take away a little of that leniency and say, "If you've got a percentage of Indian Country in your state, you're going to do it like this." They apply for the general pool first; if those Indian producers that don't make the general pool then compete against each other for the Indian pool of money. That's --

Mary Thompson: Well, you see what I'm thinking is -- and on the other side of the country and in a different state, that's how it works.

Juan Garcia: It's targeted money, apparently.

Mary Thompson: I guess what I'm saying is that each state operates it a little bit different and nobody's playing under the same set of rules. Thank you.

Gerald Lunak: Just a comment. I think what's happened in

my experience in the West is that the state technical committee takes the acres of Indian land within that state and tries to match it up with the number of dollars. Because they feel like if -- for the full amount of acreage within that state, they would allocate X number of dollars to the tribes and non-members, depending on the number of acres within that state. So, that's been the justification.

Early on, when there wasn't any Indian allocation of EQIP, that was our argument for that. We said, "Look, we've got X millions of acres in the state and our EQIP dollars are miniscule. So, here are our acres that was our bargaining chip at the early state technical committee meetings to justify those dollars. And many states like Zach's, we've outgrown that type of policy. We're saying, "No, we're good enough now and big enough and aggressive enough that we should be able to compete for the other dollars. It's at the discretion of that state technical committee and that chairman to basically make that discussion.

Juan Garcia: They were trying to do a good thing. We target funding. It's what they were trying to do.

Mark Wadsworth: Yes. And if I may, Michael Jandreau?

Michael Jandreau: I agree with what Zach is saying. I mean, a typical example is being a rancher myself, you watched in all of the projects, even on the reservation, went on to

deeded land that was owned by non-Indians in that community or in that vicinity, and the dollars that are being made available utilizing the formula that you're talking about are totally -- there's not a real measure of need that those general dollars being utilized not by Indian but another area are in excess of what bringing the reservation lands up to standard would be. The standard of development has suffered so long that it needs to be brought up to a level where they can compete. And if you utilize only those set-aside dollars, we're never going to reach that, because as Zach has pointed out, there are some in the industry that are capable of meeting and in some cases exceeding the capacity, but they are still pushed back into those tribal dollars that are set aside. The other part of it is if they happen to work in the NRCS office, they always get the first shot, which has happened.

Mark Wadsworth: Sarah Vogel, please.

Sarah Vogel: This is -- my comment has to do with an analogy that occurred for quite some time in the lending field, where there was a set-aside for socially disadvantaged farmers, which was a good idea, but misconstrued, it served to exile Native Americans and other minorities from roughly 95 percent of the money and limit them to five percent of the money. And when it went to farm loans or something -- like in North Dakota, there was enough money for one farm loan per annum for a

minority. So, I think that's one of the problems in the vast evidentiary, blah, blah, blah, blah, that -- and I think instead of it being a floor, it became a ceiling. And you certainly don't want this conservation money, the set-aside to be a ceiling. You want it to be at least this much, and then move on from there. So, I think your point is very well taken and it should not ever be construed to be a ceiling, and access to the entire pie for Native Americans and other minorities is essential.

Mark Wadsworth: Janie Hipp.

Janie Hipp: This is Janie. I don't -- there are a couple of things going on in NRCS that I think we should be mindful of, and it's happened in a couple of places and it really speaks right to the heart of the technical standards utilized by the technical committees.

In Wisconsin, all the tribes got together with the state conservationist in Wisconsin and came up with their own traditional ecological knowledge-based technical standards that allow the tribes in that state to basically use that -- not Western science-based technical scientific standards, but traditional ecological based standards to actually deploy NRCS programming. That then got adopted in Alaska. So, I think it's a very -- and I know it's being worked on in Washington State and it's also being worked on in Arizona in terms of just

getting with tribes across that entire area and seeing how the traditional knowledge can be incorporated into how programs are deployed on the land. And I totally get what the conversation is here.

I think threading the needle is really important because if you then say, competing in the big pool, then you're going to be competing in the Western science-based technical standard pool. Do you see what I'm saying? And I don't know how to get where you're going, but preserve the ability for tribes to incorporate their own traditional knowledge within the deployment of practices on the land. And I think if we try to -- I don't want to -- I want to preserve that because I think it's really important and it's shown to be very effective. And so, how do we -- and I don't think it can be answered right now. I'd just kind of throw it out on the table as an issue that it would be really great if trying to figure out some recommendations around NRCS programs so we can figure out how you do both. How do you have equity in the pools or access -- whatever, however you want to term that, what you brought up, Zach, but then also preserve the ability to utilize on trust lands those traditional knowledge-based deployment. And I don't want to lose that.

So, I don't know how the answer is but I think what it does call for, Mr. Chairman, is that after we deal with loans and extension at the next meeting, I think the next meeting should

be about conservation programs quite frankly, and maybe the whole meeting be about that, because by then we probably will have a new Farm Bill, there's talk about fundamentally kind of renaming -- there's this -- conservation programs are critical in any country, period. I don't care where you are. And I think it really kind of warrants its own conversation. I don't think we need to have a motion or anything. I'm just kind of throwing all that out.

Zach Ducheneaux: Mr. Chairman, if I may. I will submit some maps to the council for the record that illustrate what Chairman Jandreau is getting at, how Indian Country is behind so they should have a double shot at that. You know, you can fly over my reservation and you can about draw the fee and trust boundaries by the watershed development, because on the fee land, there's a stock pond here and there's one at that corner, there's one over there all the way up that watershed, and on the tribal land or trust land, you've got a big washed out gully running right down to the river. So, we've got to do some catching up before we're on that same plain.

Mark Wadsworth: Thanks, Zach. But I just have one question and concern here too because I had not heard this before, that there is a confusion in my mind, have they this year folded or going to fold WHIP in to EQIP? Have you heard anything in that?

Zach Ducheneaux: That's what we are hearing, that they're going to all be put into the two conservation programs.

Mark Wadsworth: Which is?

Zach Ducheneaux: WHIP will be rolled in with EQIP.

Mark Wadsworth: Okay. So, they'll be one --

Zach Ducheneaux: They'll just become practices on that docket.

Mark Wadsworth: Okay. When we did that, did we allow for the ability for wildlife or concerns, did it merit going to the EQIP? Because what I'm getting at here is we have a speaker lady that was talking about their moose population, and their only avenue was to go through WHIP for their funding. Now, if there's the same criteria within WHIP into now EQIP -- it sounds like I'm rhyming here -- I think, in a way it'll be a better thing because there's more money. WHIP was not funded as much as EQIP is. But if we could get into our notes, Joanna, in that lady, you know -- and I know you have outreach workers throughout the United States and in Alaska, and if we could get one of your people to explain that WHIP-EQIP possibilities for them, I think we'd do a service. And she's right back here.

Zach Ducheneaux: Okay. Very good.

Joanna Mounce Stancil: The half a moose?

Janie Hipp: And one follow-up comment. This issue got pushed up, I think at the last AFN meeting, and the head of NCAI

is meeting with the head of NRCS next week about this issue. So, it is at the highest level of -- I think, I think -- I don't know, I think you may be right that there's a bigger pot so it may end up being okay. But at the end of the day, this is probably going to just be the beginning of what we might end up wanting out of the Farm Bill.

And so, if everybody's talking about collapsing down to four -- I mean, that's what was on the Hill, is collapsing down to like four conservation programs or something like that, then what it warrants us doing is keeping a very laser eye focus on impact in Indian Country, and how we're going to deal with that in the short, mid, and long term.

Mark Wadsworth: Any more questions? Thank you, Zach.

Zach Ducheneaux: Again, I want to thank you all. You all got my card. We've got people out there, if you need eyes and ears on the ground that can help you identify these barriers. Please don't hesitate to call us.

Sarah Vogel: We're going to do that.

Janie Hipp: And Zach, one more other thing I wanted to let the whole council know, Zach and I had been working to pull up all of the networks' quarterly reports to the Office of Tribal Relations. We've got those. They haven't been redacted for taking out personal people's names which we have to do, but we will get those out to you all ASAP once we kind of darken out

individual people's names. But there're a lot of files. I mean, you've got the first taste of that last time we met, but

what we're going to send to you between now and the next meeting is the entirety of all of their quarterly reports for the whole couple of years that they've been going out there. So, thank you, Zach, for everything you all are doing.

Zach Ducheneaux: Thank you, folks.

Mark Wadsworth: Go ahead, Gilbert.

Gilbert Harrison: Mark and members and Zach, you know, I really appreciate Joan and Zach, you guys working together to have this joint conference. I think it's really, really informative. And the council here has been talking about maybe having a quarterly meeting to address some of these issues. And on behalf of the council, maybe your office could join us to participate, not as a council member, but at the meetings to be a resource to us. Thank you.

Zach Ducheneaux: Absolutely. We would absolutely love to do that. Thank you very much for your time.

Mark Wadsworth: All right. Do we really need a resolution that we're going to address lending and the FRTEP for next meeting? Do we want a formal resolution on that?

Angela Sandstol: A motion will do, so it's on the record.

Mark Wadsworth: Okay.

Angela Sandstol: I'll move.

Mary Thompson: What is it?

Angela Sandstol: Lending and extension. I'll make a motion that lending and extension be two of the main topics of our next meeting.

Gerald Lunak: Seconded.

Mark Wadsworth: And moved and seconded. Any discussion?

Chris Beyerhelm: Mr. Chairman, if I could again, with Angela's permission -- I don't know exactly what Janie was thinking or the group was thinking about lending, I have no objection to it, but I think we should extend it to commercial lenders also. It's not just FSA lending that when we talk about credit -- because what we've been talking about is having a credit summit, a farm credit, AVA and Indian bankers [sounds like], and everybody at the table. So, I just want to make sure that the record reflects that if we're going to have this conservation, it's about the full measure of lending in Indian countries.

Angela Sandstol: So, amend to include financial --

Sarah Vogel: I don't think it [cross-talking].

Mark Wadsworth: It's just credit [cross-talking].

Chris Beyerhelm: As long as we agree that it's not just going to be FSA, I think that's fine. I think the motion's fine. I just wanted to make sure the council [cross-talking].

Mark Wadsworth: Rural development to [indiscernible] lending.

Janie Hipp: [Indiscernible].

Mark Wadsworth: All right.

Mary Thompson: Chairman, I guess the only discussion is, for the record, that those programs have the analysis, the reports, the data, the information that we need to do a little homework on, 30 days prior to the meeting once it's been set.

Mark Wadsworth: Okay.

Michael Jandreau: I just have one issue, I guess, I want to throw out. Zach kind of reminded and I guess just for discussion, is there going to be a need in our future or would it be to our best interest to form any kind of official relationship with IAC, NCAI? Should we be doing MOUs between our two groups? Something along that line.

Mark Wadsworth: Yes. We have a motion on the floor right now, and then we can address that one after we clear that.

Michael Jandreau: Okay. Sure.

Mark Wadsworth: It's been moved and seconded. All those in favor?

All: Aye.

Mark Wadsworth: Anybody opposed? Motion passed. Now, the MOU [cross talking].

Gerald Lunak: Now, the reason I say that is because I don't think we need to duplicate. We've got Zach's people out there working. I know NCI has got their natural resource committee. We've got all these -- there's an army of Indian organizations that are trying and a lot of our concerns and issues mirror theirs, and I think we need to make sure we don't spend undue time rehashing stuff that those folks are working on or vice versa. If we're working on something that's kind of out of their wheelhouse, and we can share that information. We need to have that interaction, and I don't know if that's to be official or if we just kind of recognize it and move forward with it.

Mark Wadsworth: As the --

Mary Thompson: Was that -- are you talking about like with the extension?

Gerald Lunak: I'm talking about NCIA and then Intertribal Agricultural Council.

Mary Thompson: Oh, so we're not talking about --

Gerald Lunak: Or you know, it could be any Indian -- natural resources for other organizations. What's our relationship with these groups can be and how will it be -- or do we just invite these guys in when we think we need them?

Janie Hipp: Can I speak to part of that?

Gerald Lunak: Sure.

Janie Hipp: First of all, Intertribal Ag Council for the technical assistance network has a cooperative partnership agreement with the USDA to just deliver that. So, I think that whoever made the comment about embodying them to be with us all the time, that makes a whole lot of sense because we're already in agreement with them to deliver the technical assistance piece anyway, and my personal opinion has always been that this council needs to hear from them every time we meet about what they're hearing on the ground because they can be some eyes and ears that we are going to get hard pressed to do personally. So, that's one thing. So, we kind of already have an agreement. Who knows whether -- I'm not sure we need to replicate that.

I think if we just invite IAC to every meeting to have a report from the network, then that kind of does that. I don't know where we go with agreements with other organizations. I don't know one between USDA and NCAI. But I can tell you, I talk to them every single day, multiple times, so, I don't know how we do that. INCA has other agreements. Office of Tribal Relations is at agreements with INCA. So, those kinds of relationships are kind of already embedded in various places around USDA. And I'm not sure --

Gerald Lunak: I guess the only thing I'm looking at is when you have the meeting -- it's similar with what Zach did here. When you have NCAI -- NCAI is one of our -- our folks can

be sitting at their natural resource committee meetings, or we don't know there's a million other opportunities for us to plug into other people's reality so that we're not sitting here hashing over stuff and they're 600 miles away, we're talking about the same thing, and it's a bit of a -- So, I think we need to have visibility and interaction, just like we're seeing right here. I mean, really, his list included our list. So, that's kind of what struck me about that.

Mark Wadsworth: What we'd like to do is -- can we take a 15-minute break here? And then we'll -- I think we don't have to worry about the committee portion of the agenda, and I guess we just kind of have to come together and decide where we want the next meeting at.

Angela Sandstol: And the last issue.

[End of file: 1003]

[End of transcript]

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

[Start of file 0:01:09: 1003]

Mark Wadsworth: All right. Reconvene here. Got a few minutes before Mr. Ware will show up and explain to us how he's been the chairman of the USDA Advisory Committee for Minority Farmers. And then we can go into discussion council of the topics on the list of the chair. Basically we'll start building

more of a better roadmap, getting things accomplished.

I guess, right now, we had a brief discussion with Gilbert Harrison, and Gilbert would like to show you guys a form before Mr. Ware comes here, and we can get this over quite quickly.

Gilbert Harrison: Thank you very much, Mark.

[Indiscernible]. I think -- Thank you, Mark.

I just wanted to take a brief -- a few minutes ago, what I thought or what I had in mind when I was fiddling with this, I felt that each and every comment that's made should get some sort of response, deserves a response, one way or another. There needs to be some formality also of how we get information that we are expected to work on. And right now, we have public comment period, we've got word of mouth, stuff like that, of things that are happening out on Indian Country and I thought that maybe something very simple like this -- I understand there's a bunch of stuff that government has in terms of forms,

but this is very, very simple, and I'm going to go ahead and base it on a project that my community is doing.

There's a sample here. The name here would basically be like my name or my community name. We have an address, we have a phone number, we have an e-mail address. And the problem we have with an NRCS project we have right now is that we have been given a grant of \$300,000 to do a certain amount of work which we're very grateful for a small community, but the prices and the contract was entered into two years ago. It takes that long for other things to get approved, the design approved by NRCS, everything else, and the way the contracts are written and the amount. So, we are vastly underfunded for this project. So, that would be -- my comment will be for additional dollars to fulfill this.

We were told that it can't happen because there's funding issues, which is not a problem, okay? Again, like I said, we had \$300,000 but we're vastly underfunded. The true value of the project to get it done is going to cost us \$400,000. So, now the community has to scramble around, I have to scramble around, try to round up an additional \$100,000 just to get the project done.

Now, if that takes another year, guess what, it's no longer a \$400,000 project, it's probably going to be about \$425,000.

It's a perpetual problem. So, that would go into Item number seven as what are we trying to do.

Eight will be a very brief recommendation by somebody, whoever's filling out this form, and in this case our recommendation will be instead of doing -- the \$400,000 says you have to do this length of pipe work. Instead of holding our feet to that, we should be allowed to reduce that to fit the budget. That would be my recommendation. Or if the NRCS had additional funds, they could supplement it. So, there is one of two ways. That would [indiscernible] in this recommendation.

And number nine would be Navajo reservation signature and date. Now, this should be either for USDA or somebody to review. And I would like to have a copy maybe sent to our committee here, says "one is received." Who received it and what office? Because you have to have shared information, okay? And then the agency, whether it's the NRCS or extension program or something.

And then number three is very important because USDA has been given the first chance to review the problem. And this is where Lisa was saying, maybe it can be done administratively, maybe there is a misinterpretation of the regulation or something. That's the first shot that USDA has a chance. And if it can't be done for whatever reason, then it's for our group to see if we can do some tweaks in the regulations or some

tweaks or whatever to try to resolve this issue. Because where I'm coming from is that our charge is to try to overcome these policies and other things that prevent access, and I think something very similar, simple like this, is a good starting method.

I wanted to share with you some very simple methods -- I use a -- what's that thing they call it? The KISS principle, keep it simple? And people can easily -- but this is a chance to start actually a solution to a problem. And so, I think -- I wanted to share some -- this is just my tweaking, and I'm not the world's greatest expert on forms or how to format stuff, but this is just something that I wanted to put before the council as maybe a means.

The last couple of days, we've had a lot of comments, a lot of information. I think if we had something like this, you could sort of focus in what they were trying to do instead of us second guessing what was wanted. And I think the important thing is way down here, once we get it, everybody that has a concern or something deserves an answer, because maybe we can say, "Yes, we agree with you. We'll try to work on a solution." Or if USDA solves it, then they have little things that we -- the problem has been resolved, we'll do it by policy or something.

But I think somehow I'd like to -- I guess there -- I'd like to see some formality of this, because otherwise we'd end up just talking about issues. And I think here and, of course, USDA, that really comes into where we're talking about an analysis by USDA -- give the departments or whoever a first shot at making an analysis of that problem. Is that a true problem? Is there something we can do something about it? Then it comes before us. So, this gives us some technical background that we can then act on. Anyway, this is just something that I wanted to share and just put it out on the floor. We don't have to act on it. But again, some sort of formality in dealing with issues and resolutions and go from there.

Again, one of my -- I've always said before the council, I'm for the little guy because I have a 10-acre farm, and I don't make \$1 million, and I've got more of this debt situation on that 10 acres than I can afford to shake a stick at. But there are a lot of people in my shoes, a lot of individuals that's trying to do something, and he comes upon this issue or policy or regulation or whatever, and he's saying, "Hey, help. I need help." This is where he starts. We can help him find, the USDA can help him find, but somehow we have to have a formal resolution. That way -- like that little girl said, they come and they never come back. And now we have something that we can

respond to that person because we have his name, address. Somebody can respond and say, "Thank you for this certain information. Here's what we'll do [sounds like]."

Anyway, I just wanted to -- before we get started with this other next speaker, I wanted to share with you some of the thoughts I have in terms of how do we tackle this problem. Thank you very much.

Mark Wadsworth: I guess, Mr. Ware has not showed up yet so --

Angela Sandstol: I have a question.

Mark Wadsworth: Yes. Go right ahead, Angela.

Angela Sandstol: Angela Sandstol with Alaska. I noticed that right along with Gilbert's discussion that there is a summary on written public comments. Is there a -- do we ever see that -- does the summary of the public comments that are spoken, is that -- do we ever see that or they're just spoken?

Joanna Mounce Stancil: Well, we don't have any pre -- in the federal register, it also says that you can submit public comment written. In the first meeting, we had one; this time, we didn't have any. But we have -- this is all being taped, so when I get back, I'll send it for transcription so it'll be available. All the public comment will be available.

Angela Sandstol: Okay. Thank you.

Mark Wadsworth: Yes, Sarah.

Sarah Vogel: I like the idea of Gilbert's form very much. I think it'd be helpful to us in terms of having some short synopsis of issues as we go around our daily lives and in between meetings and so on, not just at meetings. So, I know there's something called the Paperwork Reduction Act, and I know there are restrictions on creations of new forms, and maybe the council can just have a bunch of these and go home and copy them and -- I don't know. But I think we need a little guidance on creation of forms, but I love the idea.

Janie Hipp: This is Janie. There is the Paperwork Reduction Act. Every form used in an office of the federal government has to be approved by OMB, and there's an elaborate process to get those forms actually approved. We have all sorts of requirements that we have to jump through, which means that even if we were all to love this form, it would probably be three years before OMB would actually rule in it one way or the other. But having said that, based on what you said, Sarah, there is nothing to prevent this body from using this as a way to gather information in your -- in the meetings as they happen and just in your daily lives, because people -- the more the council is out there, the more people are going to come up to you and just kind of keep a flowing record. But if it's used by the federal government and put in our offices, we cannot get

around that at all. We have absolutely no flexibility. We have to go through OMB. Unless I've got that wrong, Chris.

Chris Beyerhelm: No, no. You're absolutely right on that. I was just going to suggest to Gilbert that perhaps there's another alternative. Currently, as part of the 2008 Farm Bill, USDA has implemented what's called a Receipt for Service. And the way that works, if somebody comes in to the county office and is denied something, they can ask for a receipt, which basically would be kind of close to this already. It's going to say who it was, what they asked for, and why they were turned down. And that becomes part of the permanent record.

And then so maybe it should be just an educational piece to telling natives and others that ask for a receipt if you're turned down, and then that'll be their document and then that information, it all gets fed up to Washington and will create exactly what you're, I think, wanting to do, is that there's a listing of why people are turned down. It won't have this about what do you think needs to be done fix it, but there at least will be the reasons people are being turned down.

Janie Hipp: And then, Chris, the bridge over to this council is to figure out how to get that as that information comes up into Washington, how to -- we've got to take the bridge and create it into this council so that you can see it and have

it as a part of your thought process and deliberation ongoing, and I think that's the bridge to create, isn't it?

Mark Wadsworth: Yes, Lisa?

Lisa Pino: Yes. This is Lisa. I was just going to make a suggestion or two that I don't know if it's appropriate because it would be more work for the Office of Tribal Relations. But I worked with a team that was with one of the White House initiatives, Department of Ed, and what we did is whenever we'd go out in the field, we'd have meetings all over the country, we'd invite members of the public, didn't cost a dime to register; we had anywhere from like 100 to 250 people attend.

And one thing that we did is we set up a couple of laptops, sometimes we set up as many as a dozen so that while folks were providing comments, we just gave them a very informal way that they could actually tell their story themselves and enter their -- you know, whatever they were comfortable with, their name, their e-mail, their address, why they were here, what they wanted to share, and then we collected all that info and then we made a big fancy schmancy report. But what we also did on quarterly basis is we just sort of summarized what people were sharing. And ideally, if we were able to provide a quick answer, a quick solution right then and there at the meeting, so we actually had a result that we could share back. And then for

ongoing issues that were more complex, we would just highlight it as a recurring theme.

And then we had a -- accompanying that, we held a -- what was it called, like an open dialogue session, I forgot the -- there was an actual term for the way we did it. So, it was a really nice way to let people know that their stories were being heard. It was an easy way for us to collect the information without having to get an OMB form. And then, it was a really good way of cataloguing what we were hearing all over the country. And so, when you start hearing the same thing on the West Coast as you do in the Deep South, I mean, you know, like there are certain patterns that would emerge. So, I just would offer that to the council as something to think about since we're going to try to meet quarterly, we're going to try to meet regionally, not in D.C., and it might be a way that we can actually begin to chronicle the public comments without making it too formal going down the OMB path.

Mark Wadsworth: Yes.

Gilbert Harrison: Excuse me.

Mark Wadsworth: Yes, Gilbert?

Gilbert Harrison: Mark, again I think there are some public comments that are general in nature, you know things like this issue we talked about, a title in the Farm Bill, that's a bigger issue, but there are a lot of small, personal things that

come up, and I say most of it can probably be done through administrative interpretation or something. But anything like this comes up, it deserves some answer. The government is obligated to tell a taxpayer, "This is why we can't do this." Not to say, "Here's a policy, and our policy is not to do this."

And that's the only thing we're saying, is that if I fill this out or somebody fills it up, they know that somebody knows something, that they have their name and they have their address and their telephone, and hopefully, hopefully they'll get some response personally. And I think, to me, that makes a very big impression on whoever it is, John Doe or John Begue [phonetic] or whatever who wants to make this. We've heard enough to say that there's a big picture, and then there're the little guy issues, and that's what I'm trying to say. And how do we get something consistent that we can -- way of addressing these issues. Thank you very much.

Mark Wadsworth: Okay. Moving on with our further agenda, I have worked for the government but it's a tribal government. I'm very familiar on how I have to get things done within the tribal government. I'm the person that goes out there, basically writes up my resolution, and then I go in with all my supporting data and in essence give them the good, the bad, and the ugly, and then they make their decision or tweak whatever I do as my recommendation. I feel, and as I talked a little bit

with Janie, is that -- and you guys were kind of brainstorming, which is, I think, what we need to do know to make this council work a whole lot better -- is how in the future or next meetings we'll have those sorts of council-related actions that we have presented to us, we've got the supporting data, we tweak it and try to make some good recommendations to whatever issue that comes up. And I'll open that sort of discussion up, and if you would want to kind of give us an example of how USDA government does this so that we can accomplish and meld the two that we're all familiar with.

Janie Hipp: Thank you, Mr. Chairman. We had a sort of caucus at the break right before lunch, and so we offered to the council, the full council, our thoughts -- "our" meaning Lisa, Mary, myself, and Sarah -- all kind of got our heads together and came up with some ideas about how we could function. So, if you'll bear with me just a minute, I kind of want to walk you through it, and it's not going to be that complicated. But what we've already heard from you all is that quarterly meetings are preferable. Quarterly meetings are going to be dependent on how successful Lisa, Chris, Juan, and I are getting into other people's pockets back at the department because that literally is going to be money driven, okay. We do have money set aside for the two meetings per year, which is in the settlement agreement, but to do quarterly, we're going to have to put some

legs underneath the recommendation that you've already taken action on. And so, that's our job and we will carry that ball, okay?

But regardless of whether we meet quarterly or every six months, our proposal to you all is that before we leave the building today, we identify two issues for next meeting, be that a quarterly meeting or six months from now. Our initial recommendations to you are that we choose these two topics.

One of them should be lending and loans in Indian Country specifically farm loans, because that's what got us here anyway, is farm loan program issues. And so, if we want to expand that to lending in the rural development side of the house, we could do that, but lending, okay?

The other issue that we've heard a lot of throughout this meeting, as well as in public comment last night as well as again this morning, is extension. So, we propose to you that our second topic is extension.

What we then do is we go back and have -- the chairman directs -- well, strongly requests and we're going to have to -- the federal people here are going to have to use our best persuasions -- but we direct the right people within the department to issue an analysis of that issue in Indian Country. And 30 days prior to the next meeting, they deliver a written document to you, which is their analysis. For farm loans,

obviously Chris and his folks would kind of undertake that. If you want to add rural development lending, then we would have it be a two-pronged sort of report. The extension people, I know exactly who to go to at NIFA to ask for that report to be put together. It would have, "here's the history of the program, here's our sort of statistics on this and that and the other," but it'd be a comprehensive report of what's going on in Indian Country around those general topics. You get that 30 days ahead of time, 30 days you have to actually read and digest that report.

And then, when you come into your meeting, then what we have is a lead person on lending and a lead person on extension. They stay with us the whole time we're meeting, and we actually set aside a half day and that's all we deliberate about, is lending. You get to ask questions about the written report you receive, you get to go down every rabbit hole you want go down and get a deeper understanding. And then, before you leave, as a council you can emerge -- and I'd be shocked if you didn't have multiple recommendations to the secretary on that topic -- you emerge from that meeting having had a thorough discussion with the department as well as seen a written report and really -- and you could fashion the public comment around those topics, I don't know. I mean, that's another way to take it another level. But that allows you to be like a laser beam on those

issues for that meeting. You don't try to cover the whole waterfront at every meeting. You really [indiscernible], and then emerge from that meeting with recommendations to the secretary.

That makes your recommendations be fluid and happening every quarter, every six -- however often we meet. That doesn't mean that they remain cemented in. If we hear something a year later that we need to go back and amend that previous recommendation, then so be it. It doesn't matter. And I think that Mark had circulated, I think, this resolution format. That's a great format, but that to me is how you then take that resolution format and drop in what you need to say to the secretary after you've really gone deep into the issues for that particular meeting. So, if I missed anything, ladies, gentlemen, but it seems like that's the way to herd cats and actually be effective.

Mary Thompson: The facilitator.

Janie Hipp: Yes.

Mary Thompson: The meeting will be facilitated by facilitators so that we stay on point and we actually get something accomplished, the bottom line there.

Mark Wadsworth: Angela?

Angela Sandstol: Yes, Angela from Alaska.

Janie Hipp: [Indiscernible] the woman on the council.

Angela Sandstol: Oh, that's okay. I was [indiscernible] here at 12:30 waiting for the starting [indiscernible].

I just have a question, I don't know if I missed it or what. So, where -- will somebody be gathering that analysis for Alaska and bringing it back or is that me?

Janie Hipp: It would just be a part of Alaska. No, no. It would be -- if the extension -- it would not --. You don't have to do the heavy lifting.

Angela Sandstol: Okay. That's what I was just [indiscernible].

Janie Hipp: This is -- the department is going to do the heavy lifting and throw out to you everything we know. And it's not just going to be Indian Country in the lower 48. Obviously we're going to make sure our folks in the department know that whatever they report back to us as the council on extension has got to include Alaska.

Angela Sandstol: Okay. That's just what I was wondering, if I had to come back with anything.

Janie Hipp: No.

Angela Sandstol: Thank you.

Mary Thompson: Those programs or departments would give us the information we need 30 days in advance, give us time to read over it, do our homework, ask our questions, mull it around for a little while, and then whenever we'd go in there and able to

talk to them directly and ask a question to them directly. And I just think it would work great. The quarterly meetings and where we meet, that's something that you all can decide, but I think this is just a good way to get things started.

Janie Hipp: Well, and -- this is Janie again. And as you were saying that, Mary, I was thinking, how do we communicate to tribal leadership. Maybe what we do is the Office of Tribal Relations just does a letter or an e-mail blast to all the tribal headquarters saying, "For the next meeting of the council, we will accept public comments about anything, but we're going to focus very heavily on extension and lending." And so, then you've got teed up the tribal governments and individual Indian people to really get their comments in, be looking for where you're meeting and just be ready. So, just a thought.

Mark Wadsworth: Yes, Angela.

Angela Sandstol: I really like -- I know we have to have one meeting in D.C.

Janie Hipp: No [sounds like].

Angela Sandstol: Oh, I thought that was -- or the D.C. area?

Sarah Vogel: No.

Angela Sandstol: No?

Sarah Vogel: We can meet anywhere --

Angela Sandstol: Where did I get the --

Janie Hipp: We won't ever have to darken the door of D.C. again.

Angela Sandstol: Oh. Okay.

Chris Beyerhelm: That's all right for some of you.

Janie Hipp: The reason why the first meeting was in D.C. is because it was the inaugural meeting, it was that.

Angela Sandstol: Yes. I just thought --

Janie Hipp: You never have to be there again.

Angela Sandstol: Okay. But I really like the idea of being at IAC. I think that we have very, very few chances to get as much representation as we did at this meeting. And so, that's just what I wanted to say. Thanks.

Joanna Mounce Stancil: And we've already -- I'm sorry, it's Joanna. We've already been in dialogue with them, and we're welcome to return.

Jerry McPeak: Thank you, Mr. Chairman. Angela, I was struck yesterday. As you know, our first meeting about no fishing [indiscernible] River, I still can't get past that. But I was also struck yesterday by -- I really can't ---I can't imagine them telling me I can't go fishing in that river.

Anyhow, I was struck yesterday by the subsistence point that several of the Alaska Natives made that that is not included in the census, in the agriculture census. And I know

that those are the two things you want to approach, but to me this doesn't have a whole lot of time for you guys, and to me that sounds extraordinarily important and just one of those things that just has absolutely no common sense to it. As my wife says, we pick blackberries at home because we like to have blackberry pie but not because we have to. But can you guys afford to wait for that not to be in a very important part of something we discuss? Because that ag -- does that ag census -- isn't that right now?

Juan Garcia: It's not out yet. It'll be really soon.

Chris Beyerhelm: Yes. They're going to start collecting the data soon.

Jerry McPeak: So, I don't think you have much time for that. I'm not sure our impact or how we do that, but I'm not sure -- I'm thinking if I were you, I'm thinking I'm carrying that flag pretty high, and I'm on the wagon with you if you get on there, but you're going to have to get on there for it to be a wagon. But I don't think those folks have much time. And 55 or 60 percent of how they live comes from --

Mary Thompson: Subsistence. No. It's more like 80 to 90 percent.

Jerry McPeak: Ecosystem.

Mary Thompson: I mean, I live in the village, I live in -- well, I told you guys this before -- I live a subsistence

lifestyle without electricity, water. That's how my people [indiscernible].

Jerry McPeak: So, my point is, how much time do you have to try to correct that with agricultural?

Joanna Mounce Stancil: Well, this is Joanna. We'll go back and check on that for you. But if it's anything like any other census, they may be too far into the process to make any changes at this point.

Jerry McPeak: Then we'd need to raise all kinds of Billy Hell.

Joanna Mounce Stancil: Yes.

Gilbert Harrison: What I might suggest, I guess -- Janie left the room, but maybe we need to separate the issues that need half the attention and some that don't. Because this one, I talked to the NAS people that were here this week, and it's basically just a policy they have, that you have to generate \$1000 of revenue to be considered a farmer. It has nothing to do whether you're subsistence or not but that's the end result. But if they could just change whatever that threshold is -- and so, I think we could easily, without a lot of research, make a recommendation that they do that.

The other one is in the WHIP program; again, it's just been a policy that they're going to set priorities for funding of those WHIP programs. So, again, an easier recommendation could

be is you provide subsistence some sort of priority on dispersing WHIP proceeds because right now they're competing equally against the frogs and the turtles and everything else. But if we would make a recommendation as a council without a lot of research, I think you could do that and just say, "We think subsistence farming ought to be given a priority if that's what we think when you're designating WHIP funds." So, there might be some low-hanging fruit we can do without a lot of --

Jerry McPeak: And maybe not -- but my point is this, my point is for you Angela and all of us -- because this is -- I was under the impression that this doesn't have a lot of time. Whether it's an act -- I mean, like the rest of you folks like me, I don't give a flip whether my name is on it or not. If you guys can fix it without us doing it, well, fix it for God's sake. We don't need our name on it. Is that a fixable thing with you guys or not?

Mary Thompson: Do you need a formal recommendation from this council?

Chris Beyerhelm: Well, it's -- I think there are different issues here. I don't think the USDA is saying that you're not eligible for the program if you're subsistence. What NAS is saying they're not going to count you as a farmer or a rancher. It's two different things. There's nothing in our loan program that would say we're not going to make a loan to somebody

who's subsistence. Now, we're obviously interested in getting repayment, but if you have some other source of repayment to provide the repayment, we don't really care if you're selling that commodity to make the repayments as long as you've got some source of payment.

Mary Thompson: It's either that or a waiver that subsistence be -- get a waiver and not be competing for those WHIP funds. Either way, it would work, it would fix them there, fix that. And that's something that maybe it would be better if this board came out with a recommendation. And maybe you two should put your heads together and write it out there. Because I was -- and that would be a quick way to get it worked out. But then -- then, I want to go back to this proposal and the meeting that we could, if we're all in agreement, would strike this off the agenda as completed before we get too far off on --

Angela Sandstol: Can I go after?

Mark Wadsworth: Yes. Gilbert.

Gilbert Harrison: Thank you, Mark and members. I like the proposal or the concept that was presented by Janie and some of the ladies here, but concentrating on issues or categories of issues that are being limited to maybe two, and I think that's a great -- to me, that's a great idea and I think it's workable, that we don't just jump around here, here, and here. And I

think -- I support that and I think that's a good idea. Thank you.

Mark Wadsworth: Yes. Angela?

Angela Sandstol: I've decided not to wait. I agree that I really like that idea but I think that we need to prioritize somewhat the things that need to happen today and can wait and can wait maybe a little longer. I don't know. Because we just jumped into Alaska, and we all know that that's priority, and if we wait until next year, it's not going to matter. So, that's my two cents. Thank you.

Mark Wadsworth: Yes, Lisa?

Lisa Pino: Is there a way to do both? I don't know -- do we usually meet a full day or a day and a half or do we have a set amount of time? But I think the intention of the proposal is to allow for enough time -- it's sort of like a crash course in a certain agency area where the programs become a reoccurring theme for the Indian community, and then that gives the council enough time to answer questions -- to get their questions answer, rather, so that you can make specific recommendations. And that the more specific their recommendations can be, then the more that we can get focused with actually instituting change.

So, I don't think we were trying to exclude any other

dialogue from happening. I think it was just a way of carving out some time to get some specific checklist off, so that each quarter we can say, "Look, we're moving on this piece and this piece." And then, whether it's a newsletter, an e-mail blast, whatever, but share it back. So, is there enough time to do both? Is it a day? A day and a half? I don't even know. What do you think, Mr. Chairman?

Mark Wadsworth: I was under the impression she wanted a two-day meeting.

Mary Thompson: Mary Thompson. What we had discussed was like maybe even a two-and-a-half-day meeting, because if you're going to have public comments, you're going to need a little extra time. And so, without trying to put off Alaska or the issue that you have there, because I would make a move that we bring this up at the end of the agenda and have a recommendation to send on over on the Alaska issue, but in the meantime, staying on track with the discussion about appointments of subcommittees in the next meeting. And I like it too and I think we can get more accomplished in that this time other than setting a place for the meeting which can be discussed and different folks, different tribes can host the meeting -- I mean, I'd be willing to say, "Hey, come to Cherokee North Carolina, and we'll treat you good and we'll take care of you." I make a move that we go with this plan in lieu of setting up

subcommittees and appointing chairs and let the whole council get these issues. And I know that we still want to go back --

Jerry McPeak: [Indiscernible] I'm sorry, I missed that set again.

Mary Thompson: I would make a move that we accept the plan discussed in that we would -- the departments would find some money to hold quarterly meetings, that we would set topics, and at this time, the two topics, because of the public comment we got over the last couple of days, that the two topics be lending of farm loans and the second topic would be extension, and both of those programs would get their analysis, their report, their data together from the program.

Jerry McPeak: That could be a different motion. But what was the -- in lieu of, that's the part [indiscernible] one motion. You're going to have four meetings in lieu of?

Mary Thompson: In lieu of the subcommittees.

Jerry McPeak: Okay. That had to be one motion and the other thing has to be another motion.

Male Voice: [Indiscernible] fix that and move to the next problem.

Mary Thompson: Okay. So, in lieu of subcommittees, that we host quarterly meetings with the full council.

Jerry McPeak: That's it.

Angela Sandstol: That's it. Second.

Mark Wadsworth: There's a motion on the floor for in lieu of having the plan, we will negate having subcommittees. Is there any discussion?

Chris Beyerhelm: Request to - Mary's question to amend it a little bit subject to funding availability. Okay.

Mark Wadsworth: Yes?

Angela Sandstol: If funding is available.

Sarah Vogel: Yes. And this might be just a unique circumstance based on the work that the class council did with the FSA and a whole bunch of folks from lending branch, but it wouldn't be a committee per se, but I'd hope to work with Chris on the report back in terms of accomplishments. And that could also include the statistical piece. So, I'm fine with that, but I think anybody on the committee who wants to be of assistance to those folks at USDA who are working on these pieces, like extension or whatever, if you have a particular expertise or interest, we should be letting them know we want to help.

Jerry McPeak: [Indiscernible].

Sarah Vogel: I didn't say we were having committees. I said that doesn't rule us out from volunteering to help on these projects to bring in the material that we want the council to look at. I've already talked with Chris.

Mark Wadsworth: Any further discussion?

Female Voice: Second.

Mark Wadsworth: Okay.

Juan Garcia: Could you repeat the motion again, please?

Mark Wadsworth: You know what, on this, we're going to have these written up by you through the notes that you're taking right now. That'll be transcribed. What I'd like to have happen is that it's e-mailed or faxed, or whatever we need to do within the whole committee so we've got the correct language, as everybody wants, and we can basically go from there. But it's hard for me to repeat everything that you guys want to say to --

Juan Garcia: That's what I -- I asked it for a reason because [sounds like] --

Mary Thompson: I guess, basically it was that in lieu of subcommittees, that we have quarterly meetings with the full council if funding is available, in a nutshell.

Male Voice: And pick two topics, work on those topics in that meeting and move on [indiscernible] next topic.

Jerry McPeak: Let her do that [indiscernible] she said one motion at a time, if I may say so, to rule or whether to do that, [indiscernible]. And if you want to do the next, [indiscernible] motion.

Mark Wadsworth: Mary's motion has been made and seconded. All those in favor?

All: Aye.

Mark Wadsworth: Anybody opposed?

Michael Jandreau: Against. I don't think -- and I'd like to explain my position. I don't think that if we're to fulfill the requirements that our own constituency demands, that it shouldn't be about whether or not funding is available; it should be based on making funding available. And for that reason I agree with the quarterly meetings, I think they're important, and I think they should be done, and I think the funding should be found to do that.

We're not talking about a massive expense. We're talking about insignificant dollars. Even falling off the cliff, we're still talking about insignificant dollars to meet the crucial needs of agriculture in Indian Country. And with that understanding, I accept it and agree that I would come forward and try to obtain the position on this, but it's only if I can truly represent the people I serve. And we're not talking -- we're talking about maybe a total of \$100,000.

As far as that goes, you don't need to reimburse me, I'll come on my own, you don't have to give me anything. Because I believe that agriculture is such a sorely underfunded, underutilized program by the people on the reservation and we have to find a way to escalate their opportunities to access something that every other American has the opportunity to participate in. That's the end of my statement.

Mark Wadsworth: Juan, did you want to -- [indiscernible]?

Juan Garcia: And Michael, I totally understand your position, funding should be made available. And this is why I mentioned earlier that funding should be made available from all USDA agencies involved. I cannot commit, I'm just telling you all straight out. I cannot commit --

Michael Jandreau: I realize that.

Juan Garcia: And I understand. I cannot commit from FSA that we can fund four meetings a year. I'm just -- and I know it's \$100,000, and it may seem like insignificant funding but right now, with the budget situation, \$100,000 is a lot for one agency. And I'll do whatever I can to propose or to try to sell to the other agency heads within USDA, and there's a lot of them, that this is an important project here, an important goal that we have as a council. If we can talk to extension, to NIFA, and we can talk to rural development -- rural development is in a tough situation right now, also just like all the other agencies are. But I totally agree that we should meet more than twice a year, because otherwise, we won't get anything done. So, you have my commitment to do whatever I can. I hope that the Office of Tribal Relations over there needs some help, Dr. Leonard's help, to try to obtain funding for this.

Mark Wadsworth: Yes, ma'am?

Mary Thompson: Thank you. Mary Thompson. But with the next meeting in three or four months -- or three months, would be in the next fiscal year, so that we may be able to get that one done which will give more time for maybe some of the programs to find a funding. So, this next one, it might work out okay. If we need to hold the meeting an extra day or so to get the public comment, to get all the -- get the best bang for the buck, I guess, we could do that. And the time or the place, we can agree on. We've got a little time to work that out. So, I don't think that this move is unrealistic simply because we're at the end of this fiscal year, and so the fund set aside out of this settlement will take care of the next meeting.

Juan Garcia: Well, and if I can -- excuse me. If I can clarify, we're already in fiscal year 2013, beginning October 1st, so this funding came from this fiscal year's allocation.

Mary Thompson: We have [indiscernible] some savings from last year to put back over.

Juan Garcia: Yes. And, well, the situation that all the agencies are under right now -- and I know you all understand this, I don't have to repeat this, but we're under the fiscal cliff cloud, see what happens, we're under a continuing resolution right now until March 27. All indications are from Congress that will continue on a continued resolution for the full budget year. So, it all depends what happens for the

second continuing resolution. We could get the same funding we did in FY '12, we could get less funding. We're also under the cloud of the fiscal cliff, that we don't know what's going to happen here, what Congress is going to do. So, it's just a tough situation.

Janie Hipp: And we don't have a Farm Bill.

Juan Garcia: And we don't have a Farm Bill. They are working on the Farm Bill. There're a lot of negotiations right now [indiscernible].

Jerry McPeak: [Cross-talking] if you want some of it.

Juan Garcia: We'll do whatever we can to obtain the funding. And as I mentioned earlier -- and it's good, because we need some results. And going down to a couple of main issues, I think it's a step in the right direction here for us.

Mark Wadsworth: Now, did we need to finish this with a second?

Mary Thompson: Do we need to actually put it in a motion as to how we're going to conduct the next meeting? We discussed it. We'll just leave it at that? The meeting's set and you know it. And the place and the time will be figured out later? Good deal. We can strike something off the agenda there. Thank you, ladies and gentlemen.

Mark Wadsworth: We have Zach Ducheneaux from IAC, wanting

to give us kind of an update on the network system, I believe.

Jerry McPeak: Who is this?

Mark Wadsworth: Zach Ducheneaux.

Zach Ducheneaux: Good afternoon, everybody.

Female Voice: Good afternoon.

Zach Ducheneaux: I'm fighting the bug so forgive me if I cough or sniffle around while I'm up here. Thank you very much for the opportunity to address the Council for Native American Farming and Ranching. It's an honor to be here amongst the folks who have the task in their hands of making recommendations to make this world better for our Indian producers so that we don't have to be here in 20 more years fighting the same battles. We've always said at the IAC that one of the things that was most important about our settlement as Indian people was we got programmatic relief. We got the opportunity to have this meeting and make those recommended changes.

I've been able to slip in and out of the meeting a few times this afternoon and a little bit yesterday, and there's a lot of -- the discussion is pretty scattered, which is what you're going to get whenever you bring people from all across the country anyway, but I just want to kind of try to bring up a finer point to it.

There are some things that this committee could recommend tomorrow that would improve Indian Country agriculture access to

USDA programs the next day. One of those would be to change the way we do an operating loan. If anybody in here has ever operated a cattle herd, you know they make you a loan to buy cows and then they send you out the door to go find an annual operating loan. So, the first thing you do when you sell your calves is you pay back that entire operating loan, and if there's anything left, you serve as a term debt [sounds like].

If we would term the first year as operating, treat this as supervised credit which is what it's supposed to be. Help that producer get better at planning with the working capital reserve. We're going to have people that are ready to graduate, not people that we're trying to force out the door to graduate. That's one thing that could help in FSA -- and I need to visit with my friend, Chris, over there about that because I've got a couple of different scenarios laid out, and it makes a lot of sense.

The next thing, there is a sector of people in Indian Country that are going unserved by the FSA, and it's because of the credit history requirements that are in the regulations and in the manuals. I think those restrictions need to be loosened a little to take into account all of the circumstances that Indian Country encounters that isn't the same just to cross that imaginary line where the reservation boundary ends.

For example, we had a gentleman work with us at the network

trying to refinance a pickup loan and an operating loan through an FSA loan. He had bad credit, but he would've saved enough in interest had he got the FSA loan to make a plan to take care of all of that. We could help prop that guy up. We were the last place he had to come to, and we sent him a letter that says, "No, you don't have the credit worthiness to play in this game."

That's something that we could do. Because those people need service, and they're not getting served. So, we need to try to meet those producers partway. We can't just say, "This is the program we're going to operate. This is how it's been forever. You guys fit this mold." We've got to reach out to them, they'll reach to us and we'll find somewhere in the middle.

Another concrete impact we could have in Indian Country is with the conservation programs. The state of South Dakota does a great job in Indian Country in conservation programs but there are still problems that occur. When the funding is divvied up into the pools, if you're an Indian producer, they throw you over into the Indian pool whether you could compete in that general pool or not. And what I think should happen is that there should be a screening process, and if it looks like this Indian producer could compete with a non-Indian counterpart, put him in the general pool, let him get at some of that money. Don't just put him over here because he's an Indian producer.

This is supposed to be set aside for those that can't get into that pool. So, if you do that, then you've got Indians who wouldn't have never had a chance over here competing for set-aside dollars, which I think is what the intent was. That's a concrete change that could be made and would really make impact just next year.

And last but not least, the FRTEP agents provide a vital service that has been missing in Indian Country since time immemorial. The other counties have all had it. We've scratched and clawed to maintain some level of FRTEP funding, but it's dwindling. And I saw my good friend, Verna Billedeaux, up here visiting with you folks about it. And short of cloning her and putting her on every Indian reservation, we need to get someone like her around there. And one of the recommendations that the council could make is that find a way to fund FRTEP agents and don't open the door for the tribal colleges to get in there and raid that pot of money because that's going to kill our FRTEP program. Yes. It doesn't make sense, does it, Jerry?

Jerry McPeak: That's not what we heard yesterday
[indiscernible].

Zach Ducheneaux: Just to give you a little update on what the network has been up to lately, we visited 300 tribes in the last two years, physically put our feet on the ground on 300 reservations. That's not quite as many as Mr. Davis [phonetic]

did on his rap tour -- he took 20 years -- but in that time we have sat at producer's tables, heard their woes, heard their dreams, helped try to bring some of those dreams to reality with the assistance of the USDA programs that are available.

We have helped intertribal organizations to coalesce around a cause in the Northwest and the Rocky Mountain region. Our little network of technical assistance specialists is directly responsible for about \$6.5 million worth of FSA direct loans to Indian producers that would not have been there had we not been out there helping them. We're responsible for about \$3 million in conservation contracts in Indian country that would not have been there had we not been out there to help them. And we all love what we do. One of the things that you can't build in someone is passion, and our folks are all passionate about it.

But I just wanted to try to bring a point across that there are some things that could be done pretty short order, some recommendations that could come -- I understand it's a lengthy process, and I hope this council exists for about 10 years and then is not needed anymore because we fixed everything. But there are some things that could be done in the short term that could impact next year.

Mark Wadsworth: Would you like to take questions?

Zach Ducheneaux: Yes, I would love to take questions if this guy will let me.

Juan Garcia: Yes. This is Juan Garcia.

Mark Wadsworth: You need to go?

Zach Ducheneaux: No, I'm fine.

Juan Garcia: You mentioned about the conservation, the different conservation pools.

Zach Ducheneaux: Yes.

Juan Garcia: Are these pools that the state technical committee sets, like for example, EQIP is a different pool -- I'm unfamiliar how the way that works but --

Zach Ducheneaux: Yes.

Juan Garcia: So, if you're in Indian Country, you're automatically under that one pool and you can't compete with the other pool?

Zach Ducheneaux: Yes, in South Dakota.

Juan Garcia: How about other states like North Dakota?

Zach Ducheneaux: There are other states that I have heard do it different but I've never been physically there to see it happen so I couldn't say with any degree of expertise.

Juan Garcia: So, is this something that can be worked out through the state technical committee? Because they do have membership of all different organizations in that state technical committee, they should.

Zach Ducheneaux: Yes.

Juan Garcia: So, I think -- because the state technical

committee is the entity that recommends to the state conservationists how those EQIP funds should be allocated out for the particular practices and so forth. And so, I was just wondering if it's an issue in South Dakota with the state technical committee, it needs to be brought up.

Mark Wadsworth: We'll have Gilbert and then Mary and then Mike.

Gerald Lunak: Can I respond real quick? It's Gerald Lunak. I think the head of state technical committee is the one that needs to facilitate that discussion, and it varies state to state. I know in South Dakota, they've done that where Indians fight for their own money and everybody else gets -- In Montana, I believe we fought to do what Zach said is, we want to compete with everybody else, and then the people that need the tribal money can go after that, after those people are qualified. So, I think state conservation is probably in Indian Country need to step up and say what are they doing in their state, and that would be a good starting point to create this discussion.

Juan Garcia: Yes.

Mark Wadsworth: Gilbert.

Gilbert Harrison: Thank you. This is Gilbert Harrison. You know, you made some recommendations on some of the issues and recommendations. Do you have it in a format where you could submit it as a written recommendation to the council?

Zach Ducheneaux: I absolutely will.

Gilbert Harrison: I think that would be a good starting place, because we're just saying that's something that we really need, something concrete that we can focus on. So, if you have those and your board has that, that would be a very good first stepping point.

Zach Ducheneaux: Absolutely.

Mark Wadsworth: Mary Thompson.

Mary Thompson: Thank you. Excuse me. I thought I was ready to talk.

Sometimes I think that there's a lack of communication between -- well, if I start at the bottom, the state cons coming up to the regional area folks. Because whenever the funding comes down and gets dispersed out to the state -- I'm thinking this is how it works -- and then the state allocates that fund over to the state conservationist which then divvies up the pool of money, and yes, there's a little set aside for Indians, but I think that just making sure that from national to area or regional, or whatever, down to the state cons, that they're all getting that same bit of information and communicated to them and designate and delegate to them their responsibility to work with these tribes.

And you know, with the funds being divvied up -- I mean, the general pool of funds, there's usually a lot more money in

there, you could do a lot more projects. Yes, you've got a lot more people competing for it, but in comparison to the set-aside funds for Indian tribes, like everything else, it's too low. So, I agree with Zach there, that if those projects or programs can compete with non-Indian conservation projects, then they should be allowed to compete. Is there a policy that prohibits Indian, Indian project from accessing the general pool of funds?

Zach Ducheneaux: Mr. Chairman, if I may? I don't think that there is enough leniency given that that doesn't have to happen in every state. And what we're suggesting with those recommendations is that we take away a little of that leniency and say, "If you've got a percentage of Indian Country in your state, you're going to do it like this." They apply for the general pool first; if those Indian producers that don't make the general pool then compete against each other for the Indian pool of money. That's --

Mary Thompson: Well, you see what I'm thinking is -- and on the other side of the country and in a different state, that's how it works.

Juan Garcia: It's targeted money, apparently.

Mary Thompson: I guess what I'm saying is that each state operates it a little bit different and nobody's playing under the same set of rules. Thank you.

Gerald Lunak: Just a comment. I think what's happened in

my experience in the West is that the state technical committee takes the acres of Indian land within that state and tries to match it up with the number of dollars. Because they feel like if -- for the full amount of acreage within that state, they would allocate X number of dollars to the tribes and non-members, depending on the number of acres within that state. So, that's been the justification.

Early on, when there wasn't any Indian allocation of EQIP, that was our argument for that. We said, "Look, we've got X millions of acres in the state and our EQIP dollars are miniscule. So, here are our acres that was our bargaining chip at the early state technical committee meetings to justify those dollars. And many states like Zach's, we've outgrown that type of policy. We're saying, "No, we're good enough now and big enough and aggressive enough that we should be able to compete for the other dollars. It's at the discretion of that state technical committee and that chairman to basically make that discussion.

Juan Garcia: They were trying to do a good thing. We target funding. It's what they were trying to do.

Mark Wadsworth: Yes. And if I may, Michael Jandreau?

Michael Jandreau: I agree with what Zach is saying. I mean, a typical example is being a rancher myself, you watched in all of the projects, even on the reservation, went on to

deeded land that was owned by non-Indians in that community or in that vicinity, and the dollars that are being made available utilizing the formula that you're talking about are totally -- there's not a real measure of need that those general dollars being utilized not by Indian but another area are in excess of what bringing the reservation lands up to standard would be. The standard of development has suffered so long that it needs to be brought up to a level where they can compete. And if you utilize only those set-aside dollars, we're never going to reach that, because as Zach has pointed out, there are some in the industry that are capable of meeting and in some cases exceeding the capacity, but they are still pushed back into those tribal dollars that are set aside. The other part of it is if they happen to work in the NRCS office, they always get the first shot, which has happened.

Mark Wadsworth: Sarah Vogel, please.

Sarah Vogel: This is -- my comment has to do with an analogy that occurred for quite some time in the lending field, where there was a set-aside for socially disadvantaged farmers, which was a good idea, but misconstrued, it served to exile Native Americans and other minorities from roughly 95 percent of the money and limit them to five percent of the money. And when it went to farm loans or something -- like in North Dakota, there was enough money for one farm loan per annum for a

minority. So, I think that's one of the problems in the vast evidentiary, blah, blah, blah, blah, that -- and I think instead of it being a floor, it became a ceiling. And you certainly don't want this conservation money, the set-aside to be a ceiling. You want it to be at least this much, and then move on from there. So, I think your point is very well taken and it should not ever be construed to be a ceiling, and access to the entire pie for Native Americans and other minorities is essential.

Mark Wadsworth: Janie Hipp.

Janie Hipp: This is Janie. I don't -- there are a couple of things going on in NRCS that I think we should be mindful of, and it's happened in a couple of places and it really speaks right to the heart of the technical standards utilized by the technical committees.

In Wisconsin, all the tribes got together with the state conservationist in Wisconsin and came up with their own traditional ecological knowledge-based technical standards that allow the tribes in that state to basically use that -- not Western science-based technical scientific standards, but traditional ecological based standards to actually deploy NRCS programming. That then got adopted in Alaska. So, I think it's a very -- and I know it's being worked on in Washington State and it's also being worked on in Arizona in terms of just

getting with tribes across that entire area and seeing how the traditional knowledge can be incorporated into how programs are deployed on the land. And I totally get what the conversation is here.

I think threading the needle is really important because if you then say, competing in the big pool, then you're going to be competing in the Western science-based technical standard pool. Do you see what I'm saying? And I don't know how to get where you're going, but preserve the ability for tribes to incorporate their own traditional knowledge within the deployment of practices on the land. And I think if we try to -- I don't want to -- I want to preserve that because I think it's really important and it's shown to be very effective. And so, how do we -- and I don't think it can be answered right now. I'd just kind of throw it out on the table as an issue that it would be really great if trying to figure out some recommendations around NRCS programs so we can figure out how you do both. How do you have equity in the pools or access -- whatever, however you want to term that, what you brought up, Zach, but then also preserve the ability to utilize on trust lands those traditional knowledge-based deployment. And I don't want to lose that.

So, I don't know how the answer is but I think what it does call for, Mr. Chairman, is that after we deal with loans and extension at the next meeting, I think the next meeting should

be about conservation programs quite frankly, and maybe the whole meeting be about that, because by then we probably will have a new Farm Bill, there's talk about fundamentally kind of renaming -- there's this -- conservation programs are critical in any country, period. I don't care where you are. And I think it really kind of warrants its own conversation. I don't think we need to have a motion or anything. I'm just kind of throwing all that out.

Zach Ducheneaux: Mr. Chairman, if I may. I will submit some maps to the council for the record that illustrate what Chairman Jandreau is getting at, how Indian Country is behind so they should have a double shot at that. You know, you can fly over my reservation and you can about draw the fee and trust boundaries by the watershed development, because on the fee land, there's a stock pond here and there's one at that corner, there's one over there all the way up that watershed, and on the tribal land or trust land, you've got a big washed out gully running right down to the river. So, we've got to do some catching up before we're on that same plain.

Mark Wadsworth: Thanks, Zach. But I just have one question and concern here too because I had not heard this before, that there is a confusion in my mind, have they this year folded or going to fold WHIP in to EQIP? Have you heard anything in that?

Zach Ducheneaux: That's what we are hearing, that they're going to all be put into the two conservation programs.

Mark Wadsworth: Which is?

Zach Ducheneaux: WHIP will be rolled in with EQIP.

Mark Wadsworth: Okay. So, they'll be one --

Zach Ducheneaux: They'll just become practices on that docket.

Mark Wadsworth: Okay. When we did that, did we allow for the ability for wildlife or concerns, did it merit going to the EQIP? Because what I'm getting at here is we have a speaker lady that was talking about their moose population, and their only avenue was to go through WHIP for their funding. Now, if there's the same criteria within WHIP into now EQIP -- it sounds like I'm rhyming here -- I think, in a way it'll be a better thing because there's more money. WHIP was not funded as much as EQIP is. But if we could get into our notes, Joanna, in that lady, you know -- and I know you have outreach workers throughout the United States and in Alaska, and if we could get one of your people to explain that WHIP-EQIP possibilities for them, I think we'd do a service. And she's right back here.

Zach Ducheneaux: Okay. Very good.

Joanna Mounce Stancil: The half a moose?

Janie Hipp: And one follow-up comment. This issue got pushed up, I think at the last AFN meeting, and the head of NCAI

is meeting with the head of NRCS next week about this issue. So, it is at the highest level of -- I think, I think -- I don't know, I think you may be right that there's a bigger pot so it may end up being okay. But at the end of the day, this is probably going to just be the beginning of what we might end up wanting out of the Farm Bill.

And so, if everybody's talking about collapsing down to four -- I mean, that's what was on the Hill, is collapsing down to like four conservation programs or something like that, then what it warrants us doing is keeping a very laser eye focus on impact in Indian Country, and how we're going to deal with that in the short, mid, and long term.

Mark Wadsworth: Any more questions? Thank you, Zach.

Zach Ducheneaux: Again, I want to thank you all. You all got my card. We've got people out there, if you need eyes and ears on the ground that can help you identify these barriers. Please don't hesitate to call us.

Sarah Vogel: We're going to do that.

Janie Hipp: And Zach, one more other thing I wanted to let the whole council know, Zach and I had been working to pull up all of the networks' quarterly reports to the Office of Tribal Relations. We've got those. They haven't been redacted for taking out personal people's names which we have to do, but we will get those out to you all ASAP once we kind of darken out

individual people's names. But there're a lot of files. I mean, you've got the first taste of that last time we met, but

what we're going to send to you between now and the next meeting is the entirety of all of their quarterly reports for the whole couple of years that they've been going out there. So, thank you, Zach, for everything you all are doing.

Zach Ducheneaux: Thank you, folks.

Mark Wadsworth: Go ahead, Gilbert.

Gilbert Harrison: Mark and members and Zach, you know, I really appreciate Joan and Zach, you guys working together to have this joint conference. I think it's really, really informative. And the council here has been talking about maybe having a quarterly meeting to address some of these issues. And on behalf of the council, maybe your office could join us to participate, not as a council member, but at the meetings to be a resource to us. Thank you.

Zach Ducheneaux: Absolutely. We would absolutely love to do that. Thank you very much for your time.

Mark Wadsworth: All right. Do we really need a resolution that we're going to address lending and the FRTEP for next meeting? Do we want a formal resolution on that?

Angela Sandstol: A motion will do, so it's on the record.

Mark Wadsworth: Okay.

Angela Sandstol: I'll move.

Mary Thompson: What is it?

Angela Sandstol: Lending and extension. I'll make a motion that lending and extension be two of the main topics of our next meeting.

Gerald Lunak: Seconded.

Mark Wadsworth: And moved and seconded. Any discussion?

Chris Beyerhelm: Mr. Chairman, if I could again, with Angela's permission -- I don't know exactly what Janie was thinking or the group was thinking about lending, I have no objection to it, but I think we should extend it to commercial lenders also. It's not just FSA lending that when we talk about credit -- because what we've been talking about is having a credit summit, a farm credit, AVA and Indian bankers [sounds like], and everybody at the table. So, I just want to make sure that the record reflects that if we're going to have this conservation, it's about the full measure of lending in Indian countries.

Angela Sandstol: So, amend to include financial --

Sarah Vogel: I don't think it [cross-talking].

Mark Wadsworth: It's just credit [cross-talking].

Chris Beyerhelm: As long as we agree that it's not just going to be FSA, I think that's fine. I think the motion's fine. I just wanted to make sure the council [cross-talking].

Mark Wadsworth: Rural development to [indiscernible] lending.

Janie Hipp: [Indiscernible].

Mark Wadsworth: All right.

Mary Thompson: Chairman, I guess the only discussion is, for the record, that those programs have the analysis, the reports, the data, the information that we need to do a little homework on, 30 days prior to the meeting once it's been set.

Mark Wadsworth: Okay.

Michael Jandreau: I just have one issue, I guess, I want to throw out. Zach kind of reminded and I guess just for discussion, is there going to be a need in our future or would it be to our best interest to form any kind of official relationship with IAC, NCAI? Should we be doing MOUs between our two groups? Something along that line.

Mark Wadsworth: Yes. We have a motion on the floor right now, and then we can address that one after we clear that.

Michael Jandreau: Okay. Sure.

Mark Wadsworth: It's been moved and seconded. All those in favor?

All: Aye.

Mark Wadsworth: Anybody opposed? Motion passed. Now, the MOU [cross talking].

Gerald Lunak: Now, the reason I say that is because I don't think we need to duplicate. We've got Zach's people out there working. I know NCI has got their natural resource committee. We've got all these -- there's an army of Indian organizations that are trying and a lot of our concerns and issues mirror theirs, and I think we need to make sure we don't spend undue time rehashing stuff that those folks are working on or vice versa. If we're working on something that's kind of out of their wheelhouse, and we can share that information. We need to have that interaction, and I don't know if that's to be official or if we just kind of recognize it and move forward with it.

Mark Wadsworth: As the --

Mary Thompson: Was that -- are you talking about like with the extension?

Gerald Lunak: I'm talking about NCIA and then Intertribal Agricultural Council.

Mary Thompson: Oh, so we're not talking about --

Gerald Lunak: Or you know, it could be any Indian -- natural resources for other organizations. What's our relationship with these groups can be and how will it be -- or do we just invite these guys in when we think we need them?

Janie Hipp: Can I speak to part of that?

Gerald Lunak: Sure.

Janie Hipp: First of all, Intertribal Ag Council for the technical assistance network has a cooperative partnership agreement with the USDA to just deliver that. So, I think that whoever made the comment about embodying them to be with us all the time, that makes a whole lot of sense because we're already in agreement with them to deliver the technical assistance piece anyway, and my personal opinion has always been that this council needs to hear from them every time we meet about what they're hearing on the ground because they can be some eyes and ears that we are going to get hard pressed to do personally. So, that's one thing. So, we kind of already have an agreement. Who knows whether -- I'm not sure we need to replicate that.

I think if we just invite IAC to every meeting to have a report from the network, then that kind of does that. I don't know where we go with agreements with other organizations. I don't know one between USDA and NCAI. But I can tell you, I talk to them every single day, multiple times, so, I don't know how we do that. INCA has other agreements. Office of Tribal Relations is at agreements with INCA. So, those kinds of relationships are kind of already embedded in various places around USDA. And I'm not sure --

Gerald Lunak: I guess the only thing I'm looking at is when you have the meeting -- it's similar with what Zach did here. When you have NCAI -- NCAI is one of our -- our folks can

be sitting at their natural resource committee meetings, or we don't know there's a million other opportunities for us to plug into other people's reality so that we're not sitting here hashing over stuff and they're 600 miles away, we're talking about the same thing, and it's a bit of a -- So, I think we need to have visibility and interaction, just like we're seeing right here. I mean, really, his list included our list. So, that's kind of what struck me about that.

Mark Wadsworth: What we'd like to do is -- can we take a 15-minute break here? And then we'll -- I think we don't have to worry about the committee portion of the agenda, and I guess we just kind of have to come together and decide where we want the next meeting at.

Angela Sandstol: And the last issue.

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