



**United States Department of Agriculture**

**Council for Native American Farming and Ranching  
Tuesday, September 10, 2013 – Morning Session  
Washington, DC**

Mark Wadsworth: All right, it's approximately 8:15 in the morning, September 10. I guess we'll reconvene our meeting.

Call to order again and go through roll call. Porter Holder?

Porter Holder: Here. Everybody got to be somewhere.

Mark Wadsworth: Gilbert Harrison?

Gilbert Harrison: Here.

Mark Wadsworth: Michael Jandreau?

Michael Jandreau: Here.

Mark Wadsworth: Gerald Lunak? Gerald Lunak is not here.

Jerry McPeak?

Jerry McPeak: Here.

Mark Wadsworth: Lance Morgan? Lance Morgan is not here.

Angela Sandstol? Angela Sandstol is not here. Edward Soza?

Edward Soza: Here.

Mark Wadsworth: Mary Thompson?

Mary Thompson: Here.

Mark Wadsworth: Sarah Vogel?

Sarah Vogel: Here.

Mark Wadsworth: Juan Garcia? Juan Garcia is not here.

Dr. Joe Leonard? Dr. Joe Leonard is not here. Leslie Wheelock?

Leslie Wheelock: Here.

Mark Wadsworth: Chris Beyerhelm?

Chris Beyerhelm: Here.

Mark Wadsworth: It looks like we do have a quorum. We'll be able to start the meeting in here. We'll first start off with a blessing. Gilbert Harrison, if you please, sir.

Gilbert Harrison: Lord, we come before you on this beautiful day for another meeting. We pray that we have good mind and make clear decisions and make the recommendations that are in the best interest of Native American farmers and ranchers. We pray this in your name. [Native language] Amen.

Mark Wadsworth: John Lowery would like a few minutes to address the Council before we go on to the next subject.

John Lowery: Thank you. I forgot to say this yesterday, but as you guys came in, you found a bag in your chair. That bag was provided by Agricultural Marketing Service. Also, inside there was a couple of items. We also included a couple of native foods for you. We provide the tanka bar for you, and also we provided American Indian made candy. But IAC hopes to promote native food, and we just thought that it would be a great idea to provide it to you guys as council members. As you go on back home and as you partake of the food, you can let others within your community know about it.

Also, I wanted to let you know someone asked about Angela earlier. Angela was coming, and then on Friday she sent me a message saying that she has sickness in the family so that's the reason she is not here. And then Joe Leonard also told me early on that he would not be able to attend.

Also, remember your receipts, receipts for your hotel room, receipts for any type of travel to and from the airport, and we would definitely look into providing the reimbursements for you guys. I hope everybody has had a good time here at the L'Enfant Plaza Hotel. We had a number of places as we were searching and trying to find a place. We were hoping to go back to the Indian Museum, but they were booked the whole month of September and most of August so we were able to come over here. This has been a fine facility here so I'm very pleased. I think this is a place that we can easily come back again and do it again. Anyway, I just wanted to let you know about the bags and also remind you of your receipts and also about your fellow council members. Thank you.

Mark Wadsworth: John, will you have that form for us to fill out for reimbursement or are you going to email that out?

John Lowery: I will email that to you. One more thing, also on your desk I put today's agenda just so you guys would have a copy. But I haven't flipped through everything else from yesterday. Also, we had a young lady speak during the comment

period and she asked me to make sure that everyone had a copy of the Choctaw proposal. It's a big document. It's about 60 pages so I would just email that to you instead of printing out an individual copy for everyone. Thank you.

Male Voice: How many pages did you say?

John Lowery: About 60. I thought I was just going to print it out to and bring them here.

Female Voice: These lawyers, they bill by the word.

Mark Wadsworth: All right. We'll go on to the next subject, changes to the bylaws. Leslie.

Leslie Wheelock: Thank you, Mr. Chairman. As a result of a lot of the review that's been going on, we've noticed that there were some updates that we needed to do to the bylaws. I think we'll also, at the next meeting, be bringing you updates to the charter because we've had some changes of titles within the USDA and some recognition that there are some rules that help this committee council operate. Those rules caused us to make the change that we'll see. Today I'm looking at Tab 4. In Tab 4, you'll see the bylaws as amended. There is one change in these bylaws. It's on page 9. It's redlined in your binders. With regard to the designated federal official, because of the fact that the director of the Office of Tribal Relations sits on the council, that director cannot also be the designated federal official. So what we've done is to change this, recognizing

that the designated federal official is a person that the director of the Office of Tribal Relations appoints for the purpose of working with the council and managing the council activities. That's the only change that we're recommending be made to the bylaws.

Male Voice: That's on page what?

Leslie Wheelock: It's on page 9, on Tab 4.

Female Voice: You're trying to make John legal?

Leslie Wheelock: Absolutely, every chance we get. He's not listening.

Mark Wadsworth: Are there any comments?

Sarah Vogel: I'll move approval.

Mark Wadsworth: Is there a second?

Leslie Wheelock: Sarah moved approval. Who's second?  
Chris is second.

Mark Wadsworth: Then I move to change Section D-Designated Federal Official to read the Designated Federal Official, DFO, is a designate of the director of the Office of Tribal Relations for all council activities. Any further discussion? If none, we'll put it to a vote. All those in favor say aye.

All: Aye.

Mark Wadsworth: Anyone opposed say nay. The motion passes.

Jerry McPeak: While we're still on that subject, I do have some other questions about bylaws. It says that this DFO must develop and approve agendas. That sounds to me that if we want something on the agenda and the DFO doesn't approve it's on the agenda, it doesn't get on the agenda. That sounds like we're talking about the thing being frontloaded. It sounds kind of frontloaded. Does that give a lot of power to one person? I love the develop part. I'm not sure that that one person -- well, I'm sure in my mind that if 15 of us wants something on the agenda and it doesn't show up, I'll be pretty upset. That has absolutely nothing to do with things up with wording. It's not the person. I like the person. I trust him.

And then this dude can also adjourn meetings when such adjournment is in the public interest. He's just going to blow up and adjourn a meeting because he wants to adjourn the meeting. Just because it gets uncomfortable? Because the next time we'll bring it up, I guarantee you there are going to be some things that would get uncomfortable if he did a very good job. Considering it's not a yes all the time, it's pretty easy. But I don't think most of us are in that mode.

Mark Wadsworth: What section are the adjournments?

Jerry McPeak: It's on the same page 9 right where you were, Page 9, Section D, right below the red part.

Leslie Wheelock: I wanted to respond to Mr. McPeak. This is language out of the FACA law. The FACA is another acronym, and it controls this council and other councils. It's the power that's given to the designated federal official.

Jerry McPeak: Who's FACA?

Male Voice: The Federal Advisory Committee Act.

Leslie Wheelock: Legislation, Advisory Committee Act.

John Lowery: Jerry, your concern is very well meted. The reason it is written the way it is is because it is the way it is pulled from the Federal Advisory Committee Act. The main reason that that language is in there is to make sure that at any time the FACA committees - and as you guys know, there are hundreds and hundreds of FACA committees - to make sure that they never go off into another realm and being able to pretty much solve on the agenda and pretty much being able to stop a meeting if you go off to another realm at this point of having a designated federal officer. It's nothing against you guys. It's nothing that we just came up with to put it in there. That's an actual language pulled from the FACA Act which goes at each and every federal advisory committee. But I guess if there was an issue where the FACA -- where the designated federal officer would just go crazy --

Mark Wadsworth: Has that ever happened?

John Lowery: Yes. I think that sitting here with individuals who are just like Chris, Juan, Joe and Leslie, they could easily go back to headquarters and see that I was promptly removed for doing anything that was not becoming of a federal official. So please do not delegate it as me being some authoritative figure who is going to tell you guys what to do. Just delegate it as making sure that -- I make sure that you guys do not go off in areas that you are not supposed to.

Male Voice: John, if I may, just for my clarification too, is our council actually chartered under the USDA FACA law?

John Lowery: Yes. In the Keepseagle settlement, this committee was created, and the wording also in council says that committee will be governed by FACA laws, by the Federal Advisory Committee laws. Yes, it was created to be in Keepseagle, but everything that's created has to follow something. This committee follows the Federal Advisory Committee Act laws.

Jerry McPeak: In response to that, I hope -- I don't think you did. Don't take it personal because it was -- it's just like when I read this stuff to the capital of Oklahoma, I don't read anyone into it. I just read what it says. I found that to be somewhat onerous in that that is a lot of power to give to one person. But anyhow, I understand and I accept that answer. A follow-up question on the same lines, I guess I'm going to have to bring this out in public. The question was executive

session. I've never seen any public committee or board that couldn't go into executive session. I don't find anything here that says we can't, but then again, I haven't read Mr. FACA and I'm not sure what Mr. FACA says. But I sure think you need that as a tool to perhaps avoid embarrassment or public view of something that you may be -- help avoid libel for the committee members. But I don't know Mr. FACA.

Leslie Wheelock: On page 4 if you look under (A) open meetings, there is language in here that talks about closing meetings, how to close a meeting and scheduling them. It's not called executive session. But the next to last bullet or look at the last bullet I guess, it says the DFO will close and open meeting if personal, sensitive, or otherwise confidential information is discussed. The one before that, allows the DFO to stop a discussion and schedule or reschedule a meeting for close session if it's determined that that's necessary. So you do have that. It may not occur at the same time, but it's in here.

Jerry McPeak: Somehow when I got this far, I got the thought I wasn't -- I only got to this part. Thank you.

Leslie Wheelock: You're welcome.

Jerry McPeak: On page 4, so we can have closed session if the DFO -- but only if.

Mark Wadsworth: Sarah Vogel.

Sarah Vogel: When we first got the draft of the agenda, the Keepseagle legal team looked it over, and one of the things that stuck out was the agenda issue. We did research it and we saw no way around it because of the law. But if you look at (B) agendas, there's a bunch of stuff that we got built in as amendments to the draft bylaws whereby that the chair's input has to be solicited. Council members can provide proposed agenda items, which they've done. At the conclusion of every meeting, we can propose agenda items. Should the DFO decide not to place a proposed agenda item, he must respond to us in writing. So there are some protections built in there, but we've got to live with the law that says ultimately the DFO sets the agenda. But I think if we are real active and involved and submit agenda items, we should be able to deal with that pretty well. The written explanation has to be provided if something we want on the agenda isn't.

Jerry McPeak: In response to that, I think that as you go through meetings, they are like an organism. They transform, and grow, and change as the need progresses. So sometimes, I don't know what the problem with this here where it says if there is a way of getting in to a close session. I just think that's extraordinarily important to be able to get into a close session. And you are obviously going back to the other part.

If that's the law, that's the law. But the other thing is tell them what the rules are and stretch them as far as they can.

Sarah Vogel: I don't have a comment on the open-close session. I just wanted to talk about that agenda issue.

Male Voice: I believe I'm still confused. At this particular meeting, then we cannot go into an executive session today if we so choose.

Jerry McPeak: That's not what this says. Basically it boils down to if we can talk him into it, we can have one. It says if during the course of an open meeting or such a discussion exists, we will schedule it for a close session.

Male Voice: Is that your interpretation, John?

John Lowery: You guys, I have a baby at home. Let me say this. This group has only been in a close session one time, and that was when we first met. We did a day of training of what we expect of you at ethics training, travel, and items related to that. When we first got into this, I had a lady over us at USDA who was very attuned. I guess what I want to say is that I personally, being the DFO, will not feel comfortable leading or allowing us to go into close session at this time without prior notification to the public. I would not have no problem with us moving forward saying that there are certain items that we want to discuss due to point A, point B, and point C and make sure that that is in the Federal Register notice that we will have a

period of close session when the public is not there because the Federal Register notice went out and it said that we would meet from 8:00 to 5:00 for both days and that this is an open session.

So if we get to closing this session at any time today and it's in the Federal Register notice that this meeting will be open to public from 8:00 to 5:00, then I run the risk of being in serious trouble because I've told the public through the Federal Register notice that we would be open from 8:00 to 5:00. But like I said, I have no problem in the future and no problem scheduling something in the future and just having a point of time on there where we say that this council will be in close session from point A to point B and the reason is blah, blah, blah. I say that as a designated federal officer who wants to make sure that I'm doing things right so that I have a job tomorrow.

Jerry McPeak: Now there is a problem with interpretation. It doesn't say again four months ahead of time, or three months ahead of time, or 10 minutes ahead of time. I'm not a lawyer. Just kind of like I told them about there's no reason why we're on a special session right now. I told them four years ago I'm not a lawyer, but you and I know that's a log rolling. They were surprised when the Supreme Court instructed them. This said if during the course of an open meeting. It doesn't say if

four months ahead of time, John, or three months ahead of time or two months ahead of time. It said if during the course of an open meeting. Anyone that's dealt with this kind of thing knows that these things have a lot of their own and they transform. If you're not able to make those adjustments, then you're concerned about it right along. You're talking about embarrassing some folks. If we do a very good job, there are going to be some things said and some things discussed that you're not going to want out in the public. I promise you. And I will avoid saying that. If that's your fear about it, I'm going to ask for legal or someone else to interpret that because I can't get there with that, John. It said if during the course of an open meeting. During the course of an open meaning, I mean what is happening?

Leslie Wheelock: I hate to admit it, but Lance and I are both lawyers.

Jerry McPeak: I knew he was.

Leslie Wheelock: In the case of the language that's in here, the term of the open meeting has been announced in the Federal Register and so John can't just automatically close that session. However, if during a meeting you all say we want to talk about Jerry and we need to take this offline, then that meeting begins at a close session anytime when the open session has not been announced. So it could happen at 6:00. It could

happen at 2:00 in the morning. It could happen before the meeting that's open to the public. It could happen after the meeting that's open to the public. You all can talk about it at lunch if you want to, but the part of the meeting that's open to the public can't be closed.

Jerry McPeak: Again, I'm really slow, but I'm not slow as some folks because this says if during the course of an open meeting.

Leslie Wheelock: DFO will order such discussion to cease and we'll schedule it for closed session. That means that you've got to block it in a piece of time.

Jerry McPeak: I see. All right, I'm with you. So you have to schedule it months ahead?

Leslie Wheelock: No, you don't. You can actually have an issue that arises during the course of a meeting and somebody says, "I think we need to discuss this in closed session," and you all can decide while you're in town or while you're attending the meeting or on a conference call when you want to talk about it.

John Lowery: Let me say this, Jerry. If such an issue would arise and we would need to go into close session and we would need to schedule that, that could be something that we could do via teleconference as far as having enough time to put it in the Federal Register notice which is 15 days ahead. We

could schedule something within a month. Let's say on October 8 we will have a call. Part of it will be open session; part of it will be close session block. So like I said, as a federal officer I just have to follow the rules. You've been a state legislator; you get to write the rules.

Jerry McPeak: So in a special session, they change all the rules. I have to take law here. It was Mickey Mouse.

John Lowery: And that sounds good until I'm on the front page of the *Washington Post*.

Mark Wadsworth: Thank you, John. Thank you, Jerry. Yes, Porter?

Porter Holder: Is there any way that at every meeting, that we can schedule like say the last hour of the meeting to be a close session?

John Lowery: Only if we have reason to. I mean, we need to be able to tell the public why we are going in to close session based on the fact of law. What I can do is tomorrow I can send you guys the fact of law. I can highlight the areas that discuss close session and then going forward we can say we're going to close session because we are dealing with somebody's privacy rights.

Porter Holder: But we can't allow the agenda, like every meeting we have, we can't put on the agenda like say the last date from 4:00 to 5:00 in close sessions.

John Lowery: We would need to be able to explain why.

Sarah Vogel: I concur with everything said thus far, but I did have a question about the last item which says the DFO will close an open meeting - meaning it was open now it's going to be closed - if personal or sensitive or otherwise confidential information is discussed. When we were in Las Vegas, several people came in and testified and really bared their souls and talked about their problems in a way that I wonder whether they felt that this is going to go on record. Anybody in the world is going to be able to look at it and listen to it. It looks to me like this last sentence is intended to deal with a situation. If somebody said I want you to know for example about how I was mistreated by the food and agriculture service, foreign ag service, I'm not going to pick on FAC.

John Lowery: That's all right. He deserves it.

Sarah Vogel: But it could happen. And we could say, stop; before you tell us, give us your financial information and all these things that happened to you and so on, stop, we can close this. And you can go forward and it won't be blasted all over the Internet in perpetuity. So the way I look at this under that rare circumstance that personal, sensitive, or otherwise confidential information is discussed, you could close it, but that would be only as needed.

Jerry McPeak: But you can't do it until you notify ahead of time.

Sarah Vogel: I don't think that says that.

Leslie Wheelock: No, it doesn't say that.

Jerry McPeak: We just have to do it outside the time span that you scheduled a regular meeting, right?

Leslie Wheelock: I don't know. That last sentence is the one that we're going to look at.

Jerry McPeak: That's exactly where I was headed because if you just continue with the discussion --

Sarah Vogel: You want to be able to warn a person off that this --

Male Voice: Mr. Chairman, I'd like to make a recommendation that we ask Leslie to follow up with attorneys on this and then get back to the council and clarify perhaps.

Jerry McPeak: I guess it's not because anything that's important or relevant today that might have to do with that because we can't close the session. Kind of like writing notes in the back of each other.

Mark Wadsworth: Mary Thompson.

Mary Thompson: Jerry, the way I interpret or see this is that in case of an emergency situation where I'm going to reveal confidential information, then the designated federal officer would have to shut that down. Otherwise, a planned closed

session for training is what we think would be in the Federal Register and announced earlier.

John Lowery: I think that maybe going the route that Porter suggested, we've been able to have time every meeting to go to close session. But like I said, being able for us to say if personal, sensitive, or otherwise confidential information shall arise during the open session then from 4:00 to 5:00 we will discuss. We will go into close session. I think that that's something that we can definitely look into, and that is probably something that once I get feedback from my lawyers at OGC that we could probably incorporate into the bylaws to help clarify this for the future, for whoever the DFO is, for whoever the council members are.

Male Voice: Jerry, you heard that drone flying around?

Jerry McPeak: Flying on my house. Sarah's right on target. I'm sure we need to move on. We've taken too much time on this, but Sarah's right on target. That was a part I'm concerned about, is you get somebody in here and you start talking about someone or something, that's their information. Sarah's absolutely on target and that was my concern exactly, is that we can't have that discussion. I suggest that --

Mark Wadsworth: We'll have Leslie and John research this and get this back to us as soon as possible. If need be, Jerry, I think we could probably do a conference call if we have that

need possibly in the future. But we'll discuss that in the future. The next subject matter will be the StrikeForce and Cultural Transformation and Youth by Max Finberg of USDA. Max, I have not met you before, but I met you on the phone and it's nice to meet you.

Max Finberg: Likewise.

Mark Wadsworth: Max was the internal for -- after Janie Hipp and before Leslie was hired on. And Max, if you could step up here.

Max Finberg: A hearty good morning. A treat to actually see you in the flesh is right. Thank you, Mr. Chairman. Thanks to Leslie and John for allowing me to come and meet many of you in person for the first time. Going out to South Dakota, I met Chairman Jandreau. Going out to New Mexico, I got to meet Gil as well. But I am honored that I got a chance to meet you all as well. I think I started my very first call with you during that brief interim time when I had the pleasure of warming a seat between Janie Hipp and Leslie Wheelock, I shared, I'm from the Catskill Mountains of Upstate New York right in between the Iroquois and the Lenni Lenape. As a kid, I learned a little about what that meant and whose land it was and some of those traditions. Just this weekend, I was again home in Upstate New York and learned a little more about the Iroquois Confederacy and some of what their customs and traditions in life was.

I feel compelled, as I did during my time as acting director of tribal relations, to apologize on behalf of my ancestors for what we did. That is not just ancient history but something that I feel even today. I bring that to the work that I get to do with the Department of Agriculture, of seeking very much to make right what was wrong. It was an honor and a privilege to serve in that capacity. It served me well, one, in helping Leslie get oriented in where she was. But now as the secretary has asked me to help coordinate two of his priority initiatives, the impact in Indian country is still great. I'm very excited because the work gets to continue in a big way.

All of you know very intimately about the Keepseagle process and settlement. Thank you, Sarah, for helping make sure that that was concluded and finished. The secretary, recognizing that and a number of other elements of our civil rights history that's less than stellar, said reactively we're taking care of that case and all of the other ones. Chris can attest that his agency has truly turned a corner, as has USDA. The number of civil rights complaints coming in to FSA - thanks to his team, to Latrice, their director of outreach and others - is at historic lows. But the secretary said, "What can we do proactively. What can we do even more to reach out to those who have been historically underserved by the Department of Agriculture over the years?"

With that, four years ago exactly, launched the Cultural Transformation Initiative. How do we transform USDA to a 21st century workforce and workplace, reaching out, serving our customers in an even better way? And then the other initiative that I get to coordinate is our StrikeForce Initiative for Rural Growth and Opportunity. Again, it was how can we reach a little deeper into rural America to make sure that we're doing the job we need to do? So the intersection of both of those came with our customer service and outreach.

It was great to hear, as Kim Duncan who's doing the detail with Leslie in the Office of Tribal Relations came from the Ag Marketing Service, one of the things they realized is they hadn't done as good a job in their outreach and customer service. They made a concerted effort to work with tribal producers, to work with native enterprises to get them certified according to their standards so that they could do business with USDA and with others who require the good agricultural practices or the safe food handling certifications. So just a couple of months ago, they were able to certify a few native enterprises to sell beef rounds, to sell bison to USDA and others that overcame some of the hurdles that had existed according to our regulations and otherwise.

The same thing happened. Janie, John, and Toni [phonetic] worked a great deal with Tedd Buelow with Rural Development to

address some of the other regulatory concerns of how we might work with businesses and tribal corporations in Indian country. One of those rural development programs is the Value-Added Producer Grant. For a number of years, because of interpretations in those regulations, tribal entities weren't able to compete. They worked and they changed that. Just a couple of months ago, Chairman Jandreau and Lakota Foods was one of three tribal entities successful in getting one of those rural development grants so Lakota Foods is now able to use some of that grant money to help market their fabulous popcorn. My kids don't know any other popcorn. All they eat is Lakota Popcorn. Thanks to the good work of the Lower Brule Sioux Tribe and what they were able to do.

Those were a couple of examples of how cultural transformation and the desire to do better on the customer service and outreach side led into some of what we've been able to do in the StrikeForce Initiative. So StrikeForce was a pilot project for a number of years. And then just six months ago, Secretary Vilsack said, "I want this to go even broader, even bigger," and it is now in 16 states around the country. So it started in the deep south, moved out to the southwest, which took us to the four corners where we did a couple of sessions there in Durango, Colorado as well as down in Shiprock with Diné College. That effort is really targeted at how can we do better

as one USDA. Because you know this very well, FSA has one little slice and NRCS has another slice. Well, those rural development folks I don't deal them too much but I know they have a piece. So our efforts are bringing together USDA as one USDA, and so that has had a market difference in how we're relating with tribes, with pueblos in New Mexico.

A great example we got to work on recently is the Secretary went out to New Mexico just a couple months ago, and thanks to Leslie picking up the phone and calling one of the governors, was able to go to Santo Domingo Pueblo - one of the more traditional ones - to see some of what USDA had been able to accomplish through a little more directed and targeted outreach. So with money from NRCS, they have a brand new irrigation system. Instead of the above-ground acequia communal irrigation ditches, they are piping in to conserve water and expand their irrigated fields; all thanks to work with NRCS that took a little time understanding things but has now come to pass. They were able to do through rural development one of the first housing loans. All of the difficulties with understanding tribal lands, with getting a mortgage, we were able to work through that so the head of the senior center in Santo Domingo got the first USDA rural housing loan to get his house up. The Secretary goes in and his big comment was this is a nice kitchen.

Those are some of the examples we get to see of where our efforts at reaching out, at doing a better job, at customer service, really are starting to have an impact. So we're seeing that in those StrikeForce states, both in the four corners, in Nevada - Leslie was just there and got to go to Pyramid Lake Paiute where we, as USDA, have come alongside of some of our federal sister agencies to help build a community center and fund some of the community kitchen, the commercial kitchen equipment that will allow for some of the meals to be served to our elders there, to really get engaged in a way that USDA hadn't been before. We're seeing that in the Dakotas. Our colleague, Butch Blazer, was there last week both in the Black Hills working on some of the sacred site stuff that is very familiar to the Office of Tribal Relations and this council but also to meet with tribal leaders from the Great Plains Tribal Chairman's Association up in North Dakota, at the United Tribes Technical College to find more and more ways of making sure that USDA is doing right in Indian country.

So I'm very pleased to be able to continue to work with the Office of Tribal Relations to see more and more of how we can do a better job in Indian country, in making sure that not just our farm loan program, the microloan program is doing great things in the StrikeForce initiative to make sure that we heard some of the feedback both from the council initially, but, otherwise,

some of the paperwork is a little too much, and so Chris and his colleagues got together and said how can we adjust that? So our microloan program, that's now all of nine months old so still in its infancy, is going gangbusters helping farmers get access to up to 35 grand with reduced paperwork to make sure they can buy a piece of equipment, do something they need in terms of marketing or whatever it might be. That's been a welcome shift in how we've looked at our customer service, our outreach. It all comes back to some of the feedback that the Secretary got early on, some of the listening sessions, some of the input from councils, and not just this one but others like it that said we got to do things a little differently.

So my job now is to make sure to continue to tell the story. A little later when we -- I thought I had a copy, but we'll get a copy of StrikeForce in Indian countries starring Leslie Wheelock and her academy award nominated role as spokesperson for some of the great stuff that is happening because of the feedback, because of the work, because of the input that you and others have. So thank you. Thank you very much for sticking with us, for not having just written off USDA. That was an instructive time sitting across the table from President Shelly of the Navajo Nation with Butch Blazer and Jodi Gillette, the senior advisor to President Obama at the White House, having a conversation and he said, "I know BIA, but do we

do anything with USDA? I don't know what you guys do." Sure enough, Navajo Nation has a huge EQIP contract and we have projects going on all the time. We just did a radio program in Navajo for the Navajo community radio station. President Shelly didn't know about USDA and what we were doing, as much as our job is to make sure that that changes.

So my thanks for John making sure I didn't step in anything too serious during my time, to Leslie for coming in and doing an even better job at making sure that USDA responds to the needs in Indian country in a huge, huge way. I am grateful for all the work that each of you do and we continue looking forward to ways to collaborate, to partner, to leverage what we're already doing in a bigger way to serve Indian country. So my thanks. Thank you, Mr. Chairman.

Male Voice: I guess you mentioned your work with Navajo and working with the Diné College. One of the comments we got from that particular organization I think would work well with what you're talking about is that they're looking for traditional methods of food production and food preparation that are deemed unsafe in the way that they prepare their food to be able to market locally and to sell to their schools and situations like that. To me, I think that's something that you're working on to meet all that criteria that you've been talking about. Are you aware of that this time?

Max Finberg: Very much so. A large effort is around farm-to-school or farm-to-institutions. IHS Hospital is another one in addition to the BIE schools and other schools on reservations of how we can again adjust our regulations where we can or find ways around. One of the ways that we've been working with tribes and others on that is state certification has a way of not requiring USDA certification that might allow for sale of some native foods and products, bison among them, into some of the schools. That's something that we continue to push very closely. We've been able to see some successes in other StrikeForce areas where we pushed a little more and making that happen with our tribal colleges, working with our 1994 Tribal Colleges Program to make sure that they're tapping into some of those resources across USDA in a number of ways.

We just saw that with our summer feeding program as well. The Boys and Girls Club at Southern Ute was able to take advantage of a USDA program through our food and nutrition service, the summer feeding program, providing a school meal over the summer to those kids. They started to explore how we could get in some of the foods that they were producing locally to do just that. That continues to be one of the things that we focus on and target and have seen some initial successes but still have some more work to do.

Mark Wadsworth: Mary.

Mary Thompson: Thank you, Max. I'm wondering about a website or a place that I could go to get more information on the StrikeForce Initiative.

Max Finberg: Yes, ma'am. So it's [usda.gov/strikeforce](http://usda.gov/strikeforce). So we try and keep it easy. Government doesn't always do a good job with that, but in this case [usda.gov/strikeforce](http://usda.gov/strikeforce). Very soon we'll have a new video up there just on what we're doing in Indian country to give even more of a picture of some of what I talked about this morning.

Mary Thompson: And so StrikeForce is an initiative targeted directly toward underserved populations of Indian tribes?

Max Finberg: Yes, ma'am. So in many cases, that's our tribal communities in the Dakotas, in the southwest, up in southeastern Alaska, in the southeastern states not as much but some as well. So, yes, it's very much looking at how can we provide intensive care to some of those historically underserved communities especially in rural America.

Mary Thompson: Thank you.

Mark Wadsworth: Sarah.

Sarah Vogel: Could you give an illustration of the kinds of folks who'd be involved in the StrikeForce? By the way, this is neither here nor there, but the word StrikeForce carries bad

connotations for some folks who have dealt with clients who dealt with strike forces before.

Max Finberg: I understand.

Sarah Vogel: But anyway, be that as it may, you are the benign StrikeForce. You are the good guys.

Max Finberg: The initiative for rural growth and opportunity, yes.

Sarah Vogel: But, like say in New Mexico, who are the types of folks that would be involved?

Max Finberg: Great point. So in New Mexico, we have organized USDA in a way through our food and agriculture committees that are national as well as in the state to be the field-based agencies. Right now that state committee is chaired by our Natural Resources Conservation Service leader, our state conservationist. In New Mexico, Xavier Montoya chairs the StrikeForce group in New Mexico; but he has Lawrence Real, the FSA state executive director; and Terry Brunner, the state director for rural development and their teams together. NRCS has designated a fulltime coordinator, so Rey Adame is the guy who would make sure that he's working across agencies, and then we can bring in some of the other ones. So the Ag Marketing Service, for example, doesn't have a field presence like the other three, but we bring them in, or Food Safety and Inspection

Service or it might be the Food and Nutrition Service. So that's the core of the team.

Collectively they're reaching out to existing partners and new partners, so Diné College; the Santa Fe Tribal College as well just hosted a gathering that Leslie attended. They would bring some of their constituents and folks together working with community-based organizations. Later this afternoon, I'm meeting with the Northern New Mexico Cattlemen's Association. They're one. The Acequia Association, those communal irrigation ditches I was talking about on Santo Domingo Pueblo, their group has been very engaged in working with USDA for the first time. It would involve some of the faith-based and nonprofit organizations that are able to reach out into communities as trusted intermediaries. "Hi, I'm from the government. I'm here to help you, as you noted with our name" doesn't always go over in many of these constituencies so well.

It's working with those groups to make sure that the information about our microloan program or about our crop insurance products or things like that are available as well as with communities. Leslie and I just sent letters to a whole bunch of tribal leaders and rural community leaders about some of those opportunities as a way of doing that outreach to bring them to the table; whereas, before they might not have been.

Sarah Vogel: Are folks receptive?

Max Finberg: Thanks be to God, so far yes. Again, one of the things that we depend on is the relationships of friends introducing us to other friends. Working with IAC and their technical assistance network, some of the folks on the ground in their network are the ones bringing folks in for the first time. So Rosebud Reservation in South Dakota and our tribal liaison for NRCS, Mary Scott, was able to bring producers into the EQIP program and some of these conversations; whereas, before they've never been part of those programs or part of those dialogues.

Mark Wadsworth: A question from Porter Holder.

Porter Holder: I've been curious about this in more detail. You're talking about your microloan. Is this a new program?

Chris Beyerhelm: Yeah. It's a subset of our operating loan program that we started in January with greatly reduced paperwork. There are reports somebody would apply for a loan in the morning, and in the afternoon it'd be approved. It's limited to \$35,000 primarily aimed at people making a transition from youth loans to farming or smaller operations, direct marketing, and organic-type operations. So we just started in January and made like 4,000 loans already, about \$90 million.

Porter Holder: It's primarily targeted going from youth to operating.

Chris Beyerhelm: That's one of the objectives. The other objective is there's a segment of very emerging population of producers - the farmers market kind of folks, the direct market kind of folks - and they were mostly operating on credit cards, too small of a loan for banks to mess with, so we just decided we want to fill that niche and provide some credit at a decent interest rate.

Porter Holder: What is the interest rate?

Chris Beyerhelm: Right now it's like 1-and-3/4.

Porter Holder: Wow, that's a pretty good program.

Max Finberg: Again you guys get partial credit. Chris can attest to this, as can Latrice. We heard a lot of feedback that USDA needed something like this, and so Chris got together and said how can we make this work within an existing program? So that's what's come out of it. It's nine months old. The most number of microloans have gone to Mississippi, which is just great given some of our track record there as well. But we're very, very excited that this is doing what we had hoped.

Mark Wadsworth: Sarah.

Sarah Vogel: A followup question for Chris or Max. If for example a producer is established but wanted to add a new enterprise such as a new crop or maybe some further processing of lambs or whatever that he was already raising, is the

microloan program available to somebody to further out a new idea that he wanted to?

Chris Beyerhelm: Right, yeah. If he had an existing loan with us that exceeded \$35,000, then no, because it's a limit of \$35,000. But if he has financing, farm credit with a bank and wanted to start a honey bee operation, absolutely.

Mark Wadsworth: Yes, Gilbert.

Gilbert Harrison: Good morning, Max.

Max Finberg: Good morning.

Gilbert Harrison: Nice to see you again. I've got a couple of questions here or a couple of comments really. I'm Gilbert Harrison from Navajo. I appreciate the fact that there are a lot of programs for corporations and corporate-type of tribal activities, but my concern is for the small mom and pop operations with 5-10 acres. It's really difficult especially if you're on tribal trust land. You want a loan to improve your farm, but you only have five acres. There is some need for assistance in those areas. And so I just wondered, you know, I just want to say don't forget the little folks.

The other one is that I really appreciate the fact that you're doing this. I like more cooperation between federal agencies. I keep saying is that the BIE person here again? BIE tends to be - because they are a trustee. Sometimes they can be

difficult. So keep those in mind as you go up there. Thank you very much.

Max Finberg: Just quickly, a lot of our focus is more of the small land owner. In North Carolina, I visited a rancher with 10 acres. He had a job in town but had 10 acres of land and a few head of cattle. Through an NRCS grant, he was able to set up a much improved trough for watering. It was a great example of small acreage. They needed some help. They were able to get that through USDA. Working in that context, NRCS also has funding for hoop houses to extend the growing season. Small acreage again that has a big impact in being able to grow and then sell some, in this case, produce, but that's duly noted. I just saw up here, I don't know if you've seen it already, but this version of --

Male Voice: We're trying.

Max Finberg: There you go. I understand. Again, I will get to you the StrikeForce in Indian Country that does a better job than I did this morning of explaining exactly what we're doing and how we're doing it. But, again, my thanks.

Male Voices: Thank you.

Female Voice: Thank you.

Male Voice: Where is your office, Max?

Max Finberg: Right next to Leslie's.

Mark Wadsworth: As we carry on with the next agenda item, it will be on agroforestry. Andy Mason, Forest Service.

Andy Mason: Yes. John said he was going to set me up so I could show you the slides. [Cross-talking]

Female Voice: You might want to ask Chris to get up and talk about this microloan.

Mark Wadsworth: Chris, maybe while they're doing their deal, could you explain the microloan?

Chris Beyerhelm: Sure, yeah. Like I said, the microloan program, without it, all this conversation like Max was talking about -- you saw this need that we treat. Up to that point we treated all of our loans the same. If you want to draw \$300,000, you had to provide the same amount of paperwork and same amount of financials, three years of history, all that stuff. Same thing if you wanted to borrow \$15,000. It just didn't make much sense, so we started having a conversation. And then like I said, with the emergence of these smaller type operators, I call them the people that farmed the nooks and crannies of America and just trying to find a place on some of the marginal land that do some of the farmers market stuff. We thought we're going to have to get legislation to do this. We got to think, well, why not just take our existing program and just say if it's only up to a certain amount of money that we

wouldn't need all this financial information, that we could make the decision based on a lot less information?

We just designed it to be a subset of existing program. Just reduce the paperwork, reduce the experience required. It's actually setup that basically if you grew up in rural America, if you've been an apprentice or a mentor or something like that, you don't have to have experience to get the loan. It just started off for a maximum of \$35,000 and hit the ground running with it.

Male Voice: And make that for equipment.

Chris Beyerhelm: Yeah. A lot of the loans we make are somebody's got a couple of acres of vegetables or something and they need some sort of tractor or --

Male Voice: That's what I'm looking at.

Chris Beyerhelm: [Cross-talking] In fact, most of the loans we made have been for beef cattle. Most of the ones in Mississippi have been if somebody buys 10, 15 head of cattle and kind of get started on that.

Male Voice: I like that. Did you start that?

Chris Beyerhelm: Well, I was involved.

Male Voice: Okay, good.

Male Voice: Can youth apply?

Chris Beyerhelm: They cannot apply because they have to be an age of majority. But remember we've got our youth program and you could borrow up to \$5,000.

Male Voice: Yeah. That's about the same percentage rate, too, isn't it, or around there?

Chris Beyerhelm: Yeah. And we're actually thinking about changing the youth program to the same deal. If you're 11 years old, you can borrow \$5,000. If you're 19 years old, you can borrow \$5,000. We're actually thinking about trying to ratchet that up. So if you're 11, it's \$5,000. If you're 13, it's maybe \$7,000. If you're 15, it's maybe \$8,000.

Male Voice: That would be good.

Chris Beyerhelm: And then just dovetail right into the 35. Then, when you turn to age of majority, you can do the 35. A couple of years later you can get a regular loan and move on up.

Male Voice: This is all direct loans?

Chris Beyerhelm: Yeah.

Male Voice: As a rancher, I really appreciate what you're doing. I mean, it should be --

Chris Beyerhelm: It's been a neat program. It's one of those things at the end of the day you feel good about.

Male Voice: There was a lack in that right there. That was good job.

Chris Beyerhelm: Well, the message we were sending to people was you grow bigger or you go home. Either you get in whole hog or you can't get in. This sends a message that there's a place for everybody.

Mark Wadsworth: Mary.

Mary Thompson: Chris, I think sometimes that a lot of people are not aware of what's available out there and more PR programs, more marketing programs. You touched on it I think earlier, somewhere yesterday in our conversations, but marketing the programs is something that is really important to get them down to the farmer level where they even know about the resources available. Thank you.

Chris Beyerhelm: We'll keep that up. This is something the Secretary talks about all the time, too, so he's really interested.

Male Voice: Like you mentioned Mary Scott, Mary Scott is a tribal member down at Rosebud and she used to be the Indian liaison at Lower Brule. But when she went down there, we got another fellow and he goes around all the time talking to clients about the availability of this stuff, encouraging and everything else. For us, that's even greater than having some advertisement out there.

Male Voice: Right, because you understand more and you're standing face to face in your place. He's telling you and you understand. That's a lot better.

Mark Wadsworth: All right, I think we're about ready here.

Andy Mason: Sorry for the delay.

Mark Wadsworth: No problem, Andy.

Andy Mason: Again, Andy Mason with the Forest Service. I'm also the director of USDA's National Agroforestry Center. Thank you, Mr. Chairman, for allowing me some time to talk about agroforestry. This week I have one of my scientists, Michele Schoeneberger from Lincoln Nebraska, from our center, is here. I wanted to mention that. I guess the bigger topic, I really want to have some dialogue with you about agroforestry. I guess my big question is, do you think it's relevant to Native American farmers and ranchers? That's my --

Sarah Vogel: Yes, indeed.

Andy Mason: Good, all right. This is going to be easy. I don't mean to make this a quiz show, but what does agroforestry mean to you? Is there a definition? What do you think about when you hear that term?

Female Voice: I hope I'm on the right track, but I'm thinking about gathering and harvesting forest products.

Andy Mason: That's certainly part of it. Anybody else?

Sarah Vogel: Same thing, like berries and shelterbelts. I don't know if that counts as agroforestry. In my neck of the woods in North Dakota, the shelterbelts are pretty important. How nice it would be if they were also not just sheltering from wind but also producing something for harvest. That would be better. And then just lots of certainly marketing, too, I suppose.

Andy Mason: I think you've seen my PowerPoint.

Sarah Vogel: In North Dakota, trees are so important that there's a state law that says if anybody deliberately injures someone else's tree there's treble damages. I mean, you can go beat up a person and there are just regular damages. Beat up on a tree, that's serious.

Andy Mason: Those working trees are important, aren't they?

Sarah Vogel: I commend that law to other states.

Male Voice: How about firewood and corral posts?

Andy Mason: Yeah, potential products certainly from agroforestry. This is good. I'm not surprised. I guess you have a sense of it, Sarah, and very much so. So I'm going to give you at least one definition here in the slide, but I'm going to talk about why agroforestry is important, at least from maybe Andy's perspective and some others, some examples of who is doing agroforestry, and I've also got some examples of maybe

Native American agroforestry that we've gathered up some case studies to see about your thoughts on that. In your binders, John put in a copy of the USDA Agroforestry Strategic Framework. I think it's in there. It looks like this. Feel free to page through that while I'm talking. I don't mind at all. And then there's kind of a one-pager kind of a fact sheet about the framework. But this is kind of a big deal. I'm going to talk about that a little bit. I got to talk about the National Agroforestry Center - that's my center - a little bit of my center's work with tribes, and then I hope we have questions and discussion throughout but at the end perhaps as well.

So here's one definition of agroforestry: intentionally combining agriculture and working trees to create productive sustainable farms, ranches, and woodlands. So it's the combination of agroforestry or forestry and agriculture, trees and agriculture, which I think you all get it, but a lot of agriculture separates it. Agriculture is here, forestry is here. Never the twain shall meet. And agroforestry brings them together. I hate to start with a negative, but agroforestry is we're not converting ag lands to forests. Its trees in support of agriculture. I get this question, well, isn't a Christmas tree plantation agroforestry? Isn't a hybrid poplar plantation agroforestry? Well, no, not that there's anything wrong with

those practices, but those are probably monocultures. Those are not integrating trees with crops or livestock.

Agroforestry is a suite of practices including windbreaks and shelterbelts that can help provide profits and other benefits at the farm and ranch scale, as well as address larger issues at the landscape watershed scale. So it is a set of practices. In North America, there are five widely recognized practices. Alley cropping, which as the name implies, it's alleys of, say, high value trees. In between those rows of trees you could be growing annual crops. You could be growing vegetables. You could be growing corn. That's what that is.

Silvopasture brings livestock, trees, and forest production together in a system. There are other products that can come from that. Of course the livestock is perhaps the annual return. Long-term timber and forest products in the southeast where this is widely applied. Pine straw is a product for landscaping. It's quite valuable. Forest farming is a little different. That's out in the forest. In most cases, in the forest you manage the forest canopy. You manage the light so that you can grow high-value crops underneath and perhaps you're managing, in many cases, maybe native plants that have been there all along. You just manage them. It's a system. Riparian forest buffers have been around a long time. Windbreaks, perhaps one of the oldest practices at least in

modern times dating back to the Dust Bowl that were there to protect fields from soil erosion, to protect farmsteads, to protect livestock. This term, living snow fences, these can also be designed to keep snow off roads. It's another use.

And then we have this kind of this big category of special applications which basically means you could design any of these five for special purposes. You could design a windbreak to include profitable products. You could design windbreaks for pollinators. You could design a windbreak perhaps around a confined animal feeding operation to mitigate odor or maybe to hide it a little bit so people don't see it. At a landscape scale, here's a picture, I guess an idealized picture of agroforestry practices: landscape, alley cropping, riparian forest buffer. Here's maybe some traditional growth crop agriculture with windbreaks and forest farming in the woodland.

And then take a watershed scale agroforestry. Here we like to use this term. Here's a patchwork quilt. This is a landscape that has agroforestry in it. You can see riparian forest buffers and other practices there. So what's the benefit of this at a watershed scale? It's a way to link private and public lands, rural and urban lands, cleaner water. You can visualize up in the headwaters. Maybe there's pretty clear water coming out of the forest up there, but that water's got to travel through lands that maybe don't have riparian forest

buffers but maybe could benefit from them. Maybe that would keep that water cleaner as it makes its way to the ocean. So that's the concept there. It's all about supporting sustainable agriculture in communities.

So why is it important? Well, when the Secretary uses the word agroforestry, I pay attention. In fact, he used the agroforestry at the Ag Outlook Forum, whenever that was. Last February, he and I and some others had -- he took an interest in multi-cropping, this idea of multi-cropping. There are at least two agroforestry practices that are multi-cropping: silvopasture which has crops from livestock, trees, and perhaps others; and alley cropping. But he talked about multi-cropping and things like agroforestry as a way to manage risk, to help a producer manage risk so that they don't have all their eggs in one basket, in one crop. That's one of the benefits of agroforestry. Maybe when the timber market is down for your silvopasture, your livestock market is up. So you've got this, you're managing risk because you have multiple crops and your landscape has these trees on it.

In large farms, is agroforestry relevant? Certainly, I think it is. On large farms perhaps that are growing corn, wheat, soybeans, those producers need practices such as windbreaks and riparian forest buffers to help with environmental compliance to keep the soil there in place so they

don't lose the soil in some of the extreme weather events. Also to address some of these larger issues, these dead zones, these hypoxic zones in the Chesapeake Bay, these practices can help those large farms do more of a sustainable agriculture, and agroforestry practices can make these landscapes more resilient to drought and floods. Just think of trees along a stream, a riparian forest buffer acting as both a filter and a sponge. When there's a flood event, they hold water. They release it more slowly after the event has passed.

In small farms, probably agroforestry is most relevant when you think about helping increase profitability, helping somebody grow specialty crops as part of those agroforestry practices. In the future, perhaps we're going to see hazelnuts be an agroforestry crop. You could visualize a windbreak that includes hazelnuts so that not only are you getting the conservation benefits but, hopefully, you're getting some income too. So you're getting double duty out of these plants, out of these practices. The challenge sometimes, of course, with agroforestry on small farms is the markets may not be as readily apparent as corn, wheat, soybeans - the commodities. You may in some cases have to develop a market, and that's part of your business being successful.

I give credit to Michele. She uses this. Michele in fact has been giving seminars about agroforestry as a climate change

tool to help agriculture be more climate-ready. I'm sure many of you know what a Leatherman is. I mean this idea of agroforestry being a tool that not only could help us mitigate the impacts of climate change. These trees sequester and store a lot of carbon. Perhaps they can reduce greenhouse gas emissions in some of these practices. But also, pretty basic, a silvopasture has shade for livestock. Livestock need shade particularly in hot summers. They need protection from the winter winds. Agroforestry provides travel quarters for wildlife where wildlife may need to escape the environmental conditions they're in now. These tree-based practices can provide corridors. I mentioned before a landscape. Picture that landscape or that patchwork quilt picture. That kind of landscape is going to be more resilient in the face of some of these extreme events like floods and drought.

Who's doing it? Well, I'll share a couple of case studies here, including I want to get your thoughts in particular on any of these. But on these ones that I'm suggesting, maybe this is Native American agroforestry, at least some examples that I've gathered up. Well, I mentioned windbreaks. They're important in North Dakota. They're important in Nebraska. They have been for years. This was the state forest near Nebraska. They did kind of back of the envelope estimate from an inventory they had done; about 15,000 miles of field windbreaks protected about a

million acres of crops. They estimated about \$72 million a year in increased crop yields because of these windbreaks. They were initially put in to stem soil erosion from the wind, from the Dust Bowl days.

Silvopasture is pretty common in the Southeast U.S. At least that's where most of our science and our technology is, it's with cattle and pine. Here's one gentleman, Mack Evans that's been doing this for at least 10 years. He started out with some pine stands on his farm. He converted them to silvopasture. Here's a picture of a typical silvopasture. Either double or triple rows of trees and then in between those rows of trees, here, he's raked up pine straw which he will sell into these landscaping markets. He's also growing longleaf pine for both pulp and saw logs. And rotational grazing is always part of silvopasture.

Riparian forest buffers, here's an innovative producer in Oregon that actually makes his buffers protective. He planted cottonwood trees back in the '70s. He harvest trees from his riparian forest buffers, but they also protect his farmland from erosion and flooding. So he's integrating trees in his operation.

Forest farming, Nicola MacPherson, Missouri, she thins her oak woodland and removes the larger logs for saw logs and makes money from those. But she takes some of the smaller wood, the

branch wood, and she inoculates that branch wood with shiitake spore. She's got by last count, I heard, about 20,000 of these shiitake logs in production. She sells her shiitake mushrooms into markets in St. Louis, restaurant chefs, organic food stores, and you can buy her product on the Internet, those oak forest mushrooms.

Native American agroforestry, here some case studies that we've gathered up. This is the Alabama-Coushatta Tribe, East Texas, with some assistance from NRCS - I think it was EQIP - planted about 240,000 longleaf pine seedlings which are helping to restore the longleaf pine. Some of you probably are aware, longleaf pine is I think only in three or five percent of its original range. This is providing needles to create traditional baskets, some of which I think are sold. I believe this is an enterprise in that regard.

In Alaska, Southeast Alaska Native Corporation Land, Sealaska, near Kake that land is managed for timber, wildlife, fish, and native plants. Blueberries are harvested for personal use. Also, some of those blueberries are making their way into their certified USDA organic. You could call this forest farming. I guess I sure think it fits that. Then I just recently have met a Forest Service scientist named Frank Lake in California, and he uses the term agroforestry. This is quite interesting. I had the pleasure of doing a little webinar with

Frank. He talks about agroforestry in terms of traditional ecological knowledge, permaculture, cultural practices in his region there, Northern California, Southern Oregon. This importance of fire as a tool as well as other practices that the Karuk people have done this for generations to provide food, medicine, firewood, building and basketry materials. And fire, of course, is a tool to prevent these catastrophic wildfires.

I have already asked you this question. The thing about agroforestry, the term sometimes is a barrier. When I talk with people, there's other terms people use. But it's a term that's pretty established at least in the literature over quite a few years now. I guess in USDA we use this term agroforestry, but it's this integration of trees with crops and/or livestock. It's a concept. It's a set of practices. So the strategic framework which you have in your binder, I'm not going to go spend a lot on it, but this is a big deal. This is the first time USDA has really - across USDA - looked at agroforestry and said, hey, let's develop a strategy to advance it, the science, the practice, the application of it and identify what are the priorities, where should our science agencies be investing their research, developing technologies and tools?

So we brought together 90 stakeholders three years ago. Five agencies were involved in this along with the state foresters and the conservation districts, and we developed and

released this strategic framework. Deputy Secretary Merrigan, at that time, released it for us at a conference. It's gotten a lot of good attention. I love the simplicity of it. Three very simple goals: (1) we need to increase adoption, (2) we need to advance the science, and (3) we need to integrate agroforestry. Another word for this is getting it better integrated into USDA. Institutionalizing agroforestry into USDA's program and activities in a bigger way than it's been in the past. There is an objective under goal one that specifically says develop partnerships, expand learning partnerships with stakeholders, with a priority on tribes and underserved and minority audiences. To implement this goal and objective, it's suggested that we ought to look at things like eXtension Communities of Practice, agroforestry demonstration sites, and peer-to-peer learning networks.

Female Voice: Andy?

Andy Mason: Yes?

Female Voice: What does that first one mean, that bullet extension?

Andy Mason: The eXtension, is that what you meant?

Female Voice: Yes.

Andy Mason: Are you familiar with this eXtension Communities of Practice that are on the Internet? National Institute of Food and Agriculture supports this eXtension

program. It's basically a virtual learning system. We actually have an eXtension Community of Practice on forest farming. And NIFA, USDA National Institute of Food and Agriculture put out a request for proposals. Virginia Tech University was awarded a grant and they have basically put together people that are interested in forest farming across the U.S. There's information available. If you Google forest farming Community of Practice, you will come to their page. There's information there about forest farming. Is anybody familiar with eXtension? Sarah?

Sarah Vogel: I was just going to comment about the forest farming. Lance and I mentioned this book yesterday, that there's a book, *1491*. It has enormous long description of forest farming by Native Americans on the East Coast and probably elsewhere way back.

Andy Mason: That was agroforestry.

Sarah Vogel: Yes. The book, *Indian Givers*, talks about the management of the forest and so forth. That occurred even in the Great Plains with very few trees. But they still had the river, riparian areas, and typically did harvest and managed those. It's not a new invention.

Andy Mason: I know. And this is something we often say and it needs to always be said again is agroforestry is not a new concept. Maybe we're relearning or we're bringing back the

concepts. You go to the Pacific Islands. Agroforestry is probably more understood and maybe further along in some of the tropical countries where growing together -- but you're right. 1491, I made it through almost three quarters of that and I gave up, but I got the gist of it. Anyway, let me --

Male Voice: We win in the end.

Andy Mason: What's that?

Male Voice: You missed it. We win in the end.

Andy Mason: I think you're right. I just got a couple more here. But not only do we have the strategy, we have a steering committee stood up to implement the strategy. So I want to make you aware of that. We now have at least eight agencies are involved in it. The steering committee meets twice a year, so we're making some progress. We actually have a Department of Regulation on agroforestry that's out there. If you're interested I can get you a link to it. If you Google it you can find it. We're also very close to releasing the first ever report from the Secretary on Agroforestry which is basically looking at the first two years of the framework, what have we invested in it? What have we accomplished? Some case studies just to help bring awareness.

The committee is also interested in this idea of looking at these Conservation Reserve Program lands, the ones that have trees on them. Some of them, those contracts are expiring. Is

there an opportunity to convert these tree practices to silvopasture? A lot of those acres in the Southeast: Florida, Alabama, Georgia, Mississippi. The committee has also committed - and Eric in the back of the room has been helping us with this - to establish a tribal relations agroforestry working group to advance what the framework has said that we will do as far as putting an emphasis on working with tribes. This hasn't happened yet, but I think we're close.

And this is pretty cool, I think. The 2012 census, how many of you filled out the census of ag? Do you remember seeing this practice question by chance? There is one agroforestry practice question we were able to get in there that was great. I think this is the words or pretty close to it, anytime during 2012 did this operation practice alley cropping or silvopasture? The committee wants to look at the data, the responses to this, because at the current time, when it comes to agroforestry, we really don't have a handle on it nationally who's doing it, or really, where those practices are on the landscape. They're too narrow in many cases, like windbreaks and shelter belts, to be picked up by these National Natural Resource inventories that we have.

I could go on and do slides. Why don't we just -- I don't know how much time we have. I'd rather hear from you and have some discussion.

Mark Wadsworth: We're pretty much dictated to a 10:00 public comment period. And I was thinking that if you could possibly stay a little bit over for people to ask you personal questions. Because I know a lot of these guys have not had their break --

Andy Mason: Yes. We have to take care of that.

Mark Wadsworth: -- be back here by 10:00, so if we could do that, if you wouldn't mind?

Andy Mason: You want to take a break?

Mark Wadsworth: Yes.

Andy Mason: Yes, I understand. Believe me, we'll --

Mark Wadsworth: We'll have to reconvene at 10:00. If we could --

Andy Mason: I'd come back at 10:00 and talk a little more?

Mark Wadsworth: Actually, at 10:00 we have a public comment period that we have to do.

Andy Mason: Okay. I'll be around as long as I can. I actually have to get back for an 11:00. But Erika [phonetic] is going to be here I think to listen, and Erika can field questions I'm sure too.

Mark Wadsworth: If the council could be here by 10:00, we'll have a 10-minute break here.

Female Voice: Andy, I'd like to know what the answer is, how many people you got answering that, silvo-cropping, alley cropping.

Andy Mason: Silvopasture and alley cropping.

Female Voice: If I have to look those up, I'm not going to check the box.

Andy Mason: I know. I don't know whether we have a lot of back and forth on the wording, and I don't know whether we actually put a definition in there.

Female Voice: I know we've got people doing it. Maybe we don't have a recording though. [Cross-talking]

Mark Wadsworth: We'll start the session again. The scheduled timeframe, from 10:00 to 11:00 will be public comments. At this time, is there anyone who is interested in making the public comment for the board, the council? I'd like to introduce Nathan Small, chairman of the Shoshone-Bannock Tribes.

Nathan Small: Good morning everybody. I have a lot of issues with the USDA, along with the Department of Interior and Bureau of Indian Affairs. When I came on the council of 1988, our land leases were pretty low and we were able to raise them at that time, much to the objections of the Bureau of Indian Affairs because we were asking a lot of these corporate farmers to pay more. We didn't agree with a lot of the way they made

the appraisals of the land. Then in 1990, we quantified our water rights and so we have a water right that is supposed to allow us to have the last drop of water out of the Snake River and other reservoirs and stuff that we have out there. Right now, they're doing what they call marketing way of appraising our land and we still feel it's quite low. We also were part of the Salazar settlement. But that farming is still in the same situation. We're still having issues with the way they're allowing the land to be leased.

When we did an economic impact study on our reservation, all of our agricultural products that were being done on the reservation was producing a lot more money than all of the casinos in Idaho. That included ours, the Coeur d'Alenes, the Nez Perce and the Bonners Ferry Kootenai Reservation. That is a lot, a lot of money that is not filtering down to the tribes. Everybody else is making money off from our reservation throughout farming but the tribes.

I heard a lot of things this morning and I just maybe haven't been that totally involved in what USDA does. I've heard things in here where they give out grants or loans and those kinds of things, but I didn't hear anything about giving the tribe a multimillion dollar grant or loan to put this type of our reservation to production under the tribes. I didn't hear of any multimillion dollar grants or anything like that

from USDA or anybody else to reservations. I heard just one fellow earlier and I forgot his name already. But he was up there proudly proclaiming about helping three tribes out. There are over 500 tribes. So I have an issue with the way this USDA is being handling things on reservations. I've asked a lot of times USDA to just what can you do for us out there? Here's our impact statement. We want a bigger chunk of that pie. They didn't give much of a response. They didn't give much help. They didn't give much of anything. Our reservation is a farming and ranching community back in the day. That's what our government wanted us to be. We were successful in being ranchers and farmers. However, as more and more land was broke out for agriculture purposes, the BIA and everybody else felt that it would be best to allow somebody else to come in and farm your land. That in a sense put an end to a lot of our farming.

In 2007, I was reelected back to the business council, and I thought now is the time to start. Let's get ourselves back into farming here. We haven't progressed very far into that. We have a very big resistance from the corporate farmers now that are there, and it's hard to dislodge them. We gave them a name back in the '90s and then we called it the Mormon mafia because about eight percent of the people in our part of the land are Mormons. We could not dislodge them. The Bureau of Indian Affairs is right there with them still. Our land was

going for less than \$200 an acre. This market study that they're doing now is still a sham. So I'm just wondering, how does a tribe, who maybe doesn't have the amount of resources available, to take back our land, our agricultural land and let's start producing our money ourselves. I really have a lot of issues. I've asked Mark because of his education and the way he grew up and everything, to help us get into this. I've asked a lot of others to help out. And it's gone to the point of what I don't really like, and that's entering joint ventures with some of the corporate farmers because they're still there. When we made a move to take over our own land, the farmers outbid us this for own land. We couldn't afford to pay the leases that they were able to pay. It did help some of the individual allottees and it didn't help the tribes very much.

All of these types of things that we have out there is just not really attainable to us. We have the best water right in our areas. We have water. The last drop of water was to be played on a piece of ground, it would be our ground. So in my mind, why isn't USDA coming out there and say, "Tribes, you have the best agricultural land." Part of our land is what makes Idaho famous for its potatoes. We live in a county that says it's a potato capital of the world. But we're not getting anything out of it. And we have all of these opportunities. I was looking at some of the stuff that you guys have here about

marketing your products, around marketing it overseas, marketing it here and there. And I do hear that there are some that are doing that, but at what level? It seems to me it's at real low level. It's not at a level that we might be capable of doing. So we make a billion dollars a year -- not we but the surrounding communities make about a billion dollars a year off from our lands. We can't even get a few million out of it.

I think that maybe a group like this -- I've went to a couple of IAC meetings. I visited the USDA office a lot, and I get frustrated. I'm totally frustrated with this whole setup. Hell, I can't even get FFA in our tribal schools. We don't have any teaching in our tribal schools about becoming a farmer and a rancher. You should've seen the runaround that I got just to try and introduce FFA into our schools. "You can't do this. You can't do that. You have to do this. You have to do that." It was very, very frustrating. I've asked our school of people which we can't seem to keep them around very often to follow up on these kinds of things. That's a lot of bread and butter out there laying in the ground, but we're not getting them.

I think that I don't know what it's going to take to convince them to say, "Let's do multimillion dollar projects rather than \$100 projects, \$1,000 projects." The guy was really bragging up about bringing up a water trough. I don't know how much money that costs, a water trough, bringing out there to his

land out there. It's not rocket scientist to do something like that, but they're bragging about doing those kinds of things. And as I indicated, this other guy was bragging about helping three tribes. There are a lot of tribes out there that probably want to get in to these types of things and take over their own land. We're one of them. Like I said, I get frustrated. I hear USDA talking here today and I still just remain frustrated because they haven't said nothing. They haven't brought up enough things to really brag about - really brag about. I think USDA needs to really look at what a tribe can do with this land out there and help them to do it.

I would ask that this group and others start looking to help the tribes out there more. Our symbol, our seal, has a picture of a cow and grain on it. That is our tribal seal as farming and ranching, but we're not there. The Forest Service does not allow our cattle to go out there. We do have a small section of Forest Service land that our people, our cattlemen are allowed to graze out there. But that was only because we ceded that land. Under the Allotment Act, we ended up ceding a lot of our land. But we kept a lot of rights in those areas, but we don't have enough ranchers to take their cattle up there. Then when they do, "You got to do this, you got to do that; you got to do this, you got to do that," which is something that we

can do but we just don't have enough ranchers out there to do those kinds of things.

So like I said, I've just been in a world of frustration when it comes down to our agricultural lands that we have available to us. Out of the 500,000 acres, I believe around 250,000 of it is all farmable. A lot of this land that is set aside under CRP or CCRP, we have to go to the counties to do that. It's not fair, because some counties don't give a heck about what happens on the reservation and we're denied. But you get a corporate farmer come out there, lease our land, and then go over there and put it under CCRP or CRP. That's odd, that he could lease it for \$25 and put it in the CRP and get thousands of dollars. It's not right. So these Farm Bills and a lot of these other things that are coming through and this is the big issue now, I guess. But why aren't the tribes included? Why aren't the tribes allowed to be its own? Why do we have to go to the counties? Why do we have to go to the states? I think we need to push that idea to them, is let tribes be their own. Let them be their sovereign selves. Let them have that opportunity.

We have a lot of contamination of our water because of bad practices from past farming. It was not done by the tribes. It was done by all of these corporate farmers. So there are a lot of bad things that are happening out there, and our tribe had to

put a pesticide code out to prevent that from ever happening again. That's been going on since about 1995, so we're trying to prevent that from happening again, but right now, we have a lot of our groundwater that is contaminated. So it's costing the government a lot of money to pipe water into us. Maybe I'm rambling on and on, and I guess I could ramble forever when it comes to these kinds of things. I just wanted to know, is there strong lobbying effort through this organization? I haven't seen too much of it from the Indian Ag Council. They all like to get together and pat each other on the back for small opportunities that were accomplished, but what about huge opportunities? Thank you. That's all I'll say. Question?

Male Voice: Can I ask you a question? You say you can't get FFA in your tribal schools. Can you elaborate on some of the problems you're having with that?

Nathan Small: I went to the USDA and asked them about that, if that was a possibility to do that at our reservation school. They said I had to go through the state because the state receives all of the money to produce those. Then I went to the state and they said, "You need to go back to the government." Then I went to the local school district and asked them, how did they get it? They didn't give us much information. Everybody thinks that we're trying to take money from everybody else just to put it in our school. Then I've had

other tribes say, "Just make a phone call and you'll get it." We've done just about everything that I could possibly to get FFA into our schools and it's still not there. Some say you have to compete for it. Others say it's just available; all you have to do is ask. We've competed; we've asked. We've done everything possible to try and get something simple, like FFA into our schools.

Male Voice: We need to find out what that problem is because we need FFA in the tribal schools.

Mark Wadsworth: Yes, Jerry.

Jerry McPeak: I'm a state legislator. What state are you from?

Nathan Small: Idaho.

Jerry McPeak: Each state is different. I'm extremely involved in our state. My son is an ag teacher and he's an Indian ag teacher [indiscernible] large Indian numbers in the state. In our state, they've all kind of told you the truth. There's state funding. In our state, the individual schools also have to pay for the funding. It's not all paid for by the state, so it's a combination of two things. That's normally the case. There is not a lot of special federal funding for it. It's some federal money but not a lot. But you do get a little extra money from our state, at least because [indiscernible].

But it's a combination. At least in our state it's a combination of those things.

And part of the problem though is the FFA group, vocational educational group, has to approve it even if you've got the numbers. And I like what you say because yesterday while I was hearing what some of you guys were saying. Talking about how you get young people interested. We don't farm or run cattle or sheep or hogs, because of the economics of it because we don't want to get involved. I got involved because I like it, and I don't know how to do anything else. It's I crave it. Grass comes up; I want a cow on the grass. You crave it, and the FFA is the way to do that. But number one, the FFA group in your state controls whether or not you get a program or not. That's your first thing. Second thing is they have to relinquish some of their funding which they get as a large sum, and then your school's going to pay for it too.

Edward Soza: [Indiscernible] on this land that the tribe wants to lease, is this land in trust?

Nathan Small: Yes.

Edward Soza: It is in trust?

Nathan Small: Yes.

Edward Soza: That just doesn't sound right there. Like Jerry said, every state is different. But in California, on my reservation, we pretty much controlled it. Now, we have the

option as long as we write up our policies and procedures on how we lease land. We do not have to go to the BIA anymore. But we got problems with BIA for years and years. [Indiscernible] not quite that way.

Male Voice: We're going to do BIA.

Edward Soza: But if this land is in trust, I don't understand. There's something not right there. I'm not familiar with your situation, believe me, but it's just not right.

Nathan Small: Within the last couple of years, we've taken out about 6,000 acres and put them under the tribe. We've had the corporate farmers come to us and say, "You're ruining us. You're taking land away from us." It's not your land, it's ours. And a lot of that land that we've taken out was mainly for alfalfa. We raise alfalfa. A lot of it's for our ranchers that we have left because they're not farming land to make their own alfalfa. We do produce some very great alfalfa which we sell quite a bit. But again, it's still just not enough to really get us going on what we all need. Our biggest problem is probably equipment. We want to get into the packaging so that we can sell our potatoes and our alfalfa and a lot of our other stuff through that way. But we're finding a lot of resistance from the big farmers out there.

A lot of land that is up for lease up there is by individual Indians. And of course, you've heard about the fractionation there, so they only go through a few of them. They don't go to all of them. Then it's settled for a lot less. But the tribe has really been aggressively going out there bidding on lands, on individual Indian lands just to drive the prices up. What was going for maybe a \$150 an acre five years ago is now going for \$300 an acre. That's still low compared to what is happening outside the boundaries of the reservation. A lot of times we make a good go at it a lot, but we have a huge resistance from corporate farmers out there because they know that they're making the money out there.

Lance Morgan: Mr. Chairman, I think we may have discussed this before briefly, but we had the exact same problem with the Winnebago tribe in Nebraska. About six years ago, we tried to bid on some land. We have all these farm land but we didn't farm any of it. We didn't make much money on it either. We were getting like \$125 an acre. We got outbid. I'm more of a lawyer than a farmer and I was like, well, it didn't work out. Then I decided to do it again because we tried to buy some land - the tribe did - and we got outbid. The farmers were getting so wealthy off our land that we couldn't even afford -- they're outbidding us to even buy land on our reservation.

I said we've got to do something about this. We decided to change the rules. We basically researched everything the BIA had on this. Then we talked about, it's trust lands so the tribe has a lot of power over it. And we passed a law that allows the tribe or a tribal entity to match any lease for a non-Indian. We couldn't outsmart them. Our farmers called it Farmageddon [sounds like] internally. We're doing terrible. We don't know what we're doing. But that's the internal code word for it. But we're going to learn. We'll be smarter next year.

We decided that we couldn't outsmart people; that's all they do. But we could match them. What we did is we just picked whatever we could handle, and I think we did 750 acres this year. Next year we'll add 500, and pretty soon we'll just take it over as slowly whatever we can handle. That was more of a BIA issue. Now that we're farming, we can get help from the USDA on stuff. The USDA isn't very helpful on the land structural issues. But if you focus in a little bit on taking control, our changing the rules at the BIA tribal level, I think that's the first step. Then the USDA can come in and help you do all those other things, I think tapping in to those programs.

Male Voice: Lance and Chairman Small, if I may, I think that the real issue is here, is that we have two ways of getting our people involved in agriculture. We have been losing our small producers in the agricultural sense because basically they

cannot compete if they were trying to do a potato farm. There isn't no way you can make a dollar off a 20-acre potato farm. If you have \$3,000 in input into 20 acres, you're already up there to basically 60,000 grand just for a 20-acre allotment. We're talking about potato grant land on our reservation that probably ranges in the 30,000 to 40,000 per year possibilities out there. So when we're trying to struggle to open that door so that our individuals, maybe we, as a tribe take the lead, become that corporate farmer in sense or tribal farmer. Then we can take our people; train them to manage our own farms, and we're sufficing our own goals. Instead of being small producer driven, in this case maybe a large producer driven project will help out our tribe.

In that sense, I think what we're concerned about is when you approach USDA, there is no way that I think that -- has there ever been a loan of \$100 million to get into a mass production of resources that a tribe has available. Could we open those doors maybe as a pilot project in the future? I don't know. But I think that's one of the concerns that we're talking about today.

Secondly, on the FFA issue, when we first started our tribal school - high school - back in the '80s, when I was just fresh out of the Marine Corps and my degree from the University of Idaho, we started an ag program within that with

[indiscernible] and Wayne Sharp [phonetic] was actually the extension person at that time. We were unaware at that time that the state could have possibly helped us with keeping that program going. Because we even had 200-acre [indiscernible] that the tribe was willing to give the teacher, kids, how to farm right next door to the school. It was just a scenario I think that really needs to be addressed and getting back into our FFA program. I got in the FFA on Blackfoot High School, and that's what influenced me to get involved with agriculture. And I hope that's what we're talking about.

Male Voice: Thanks for listening and [indiscernible].

Sarah Vogel: I just wanted to echo something that Lance said. He said if you try to research what some other tribes are doing in terms of their farming or grazing resolutions, the BIA is subject to some control by the tribe in terms of who is approved to get a lease. For example, I'm fairly familiar with Fort Berthold. The way the lease is written for grazing at least, it's the regulations of the BIA, say, is subject to rules by the tribe that are not inconsistent with the BIA lease. So what they do is they have that same match thing. All the things being equal, it will always go to a tribal member. There are many other issues with the BIA, but on that reservation at least native producers have the first chance at that land. Then there are the other provisions about if nobody wants the land then it

goes up for open bid and yadi yadi yadi. But there are examples out there, and if you really pore through the BIA rules, there are ways that the tribe can directly influence the application of those rules. Not that your troubles will be over.

Mark Wadsworth: We have one comment from Mary Thompson.

Mary Thompson: This is back to the board. Thank you, Chairman, back to the board though. I finally get to talk and I choke up. But Chris, I've said this several times about the need or the necessity to market USDA programs to the individual Indian farmer out there. I mean you market USDA all across the country. It probably gets to the corporate farmers, but it never really gets to the Indian farmer. And so I'm going to say it again and I'll be re-emphasizing that. The second thing is - - and we joked about the BIA, and we talked about the BIA and the collaboration and partnerships and the communication, and I mentioned it yesterday to Secretary Vilsack when he was here that our hope was that we will continue to push for communication with BIA. They've realized how important they are in this because they're the ones that are signing off on land leases and this type of thing, even as far as the fair market value of the land there. We discussed Indian land as opposed to deeded land next door and the market value. Anticipate those farmers out there that are trying to get loans to get their

businesses started. Again, I'll restate, re-emphasize, the need to communicate with BIA.

Yesterday I was glad that Kathleen was sitting here and she carried that message back - hopefully. Today she's not sitting here, I keep looking for her. I know we invite them to participate. We've got to get a little bit more pushy on that, I think, and a little bit more demanding and we need to get them here. They need to see how effective the individual tribes and individual farmers and ranchers. Thank you.

Gilbert Harrison: Mark, I'm Gilbert Harrison from Navajo. I sympathize with you because we've also experienced the same thing. This is where I keep bringing up the issue of the Farm Bill. There needs to be very distinctly in there a section on Native American farming and ranching. Because otherwise, we just get put in this big old pot which has some advantages and very many more disadvantages. I would like to see some language, because some of the things you're talking about needs to be a congressional type of action. It's a legislative issue. In fact, I'm encouraging my tribe, the Navajo tribe, to start looking at that Farm Bill. What should be included as a legislative issue to make it easier for tribes to take advantage? So I think that's one area that I keep saying, what's in the Farm Bill for native nations? Thank you very much.

Leslie Wheelock: Mr. Chairman, if I may? A few things. One is that Edward mentioned, Mr. Chairman, the fact that his tribe has their own leasing regulations. And the HEARTH Act gives our tribes the ability to do that. We do not have the capacity to do it, that's for sure. But the HEARTH Act gives us that ability to manage our own lands and to take over that management. You might ask Jeanette [phonetic] to take a look at that next time you run into her, but that makes a huge difference in the --

Male Voice: It should be nationwide.

Leslie Wheelock: It is nationwide. It came out last year. But each tribe has to have to have their own leasing regulations in place, so they have to have their own environmental assessment regulations in place. The Bureau of Indian Affairs has approved some of those regulations. There should be a way to get a hold of this. Stop laughing. So that's point number one. Point number two, Gilbert and Mary, you got to the Secretary yesterday. Yesterday, the Secretary contacted Secretary Jewell over at Interior. We have a point person. Of course, they put two Oneidas in charge of fixing the problem, but we have a point person over there to work on these situations and to try to see what we can do.

The third point is I need your card because I will send you some information on both equipment, possibility of getting

equipment, as well as your packaging because we do have funding for some of the things that you're talking about. We just need to get to the right people talking to you or you see the right people.

Male Voice: They only cost \$65,000.

Female Voice: Just one comment. I am so glad that Secretary Vilsack heard that yesterday. I feel like as part, as board member that it's my duty to address the issues that are not working. The BIA is one and the Farm Bill and individual lobbying on the Farm Bill to get some pertinent language in that bill is the other. I didn't say this yesterday to Secretary Vilsack when I was talking about what to do with BIA if you're talking about horse slaughter. I wrote and sent a little note and said send BIA the horses.

Leslie Wheelock: The third point that you reminded me of was the Farm Bill. This Farm Bill is fairly well-baked, but it's time to work on the next one. When you work on the next one, keep in mind what's happening right now with the nutrition program, and how you want to implement something that Congress can't just walk in and say we didn't like that Indian legislation last time; we'll just pull it out and you can have the rest of the Farm Bill. We'll just set this over here and talk about it later. That's just a word of caution.

Mark Wadsworth: Chairman Jandreau.

Michael Jandreau: Part of the Farm Bill did have, include some of the issues that was submitted by the Great Plains in an Indian ag standalone bill. We tried to get a standalone bill but we weren't able to get a standalone bill, so parts of that were incorporated. That was, I guess, acceptable. Is that kind of the word? While it could have done a lot more, at least part of it made its way in there. You're exactly right. The only way that we're going to make a difference is having that completely in there as a title, at least. I don't think a standalone bill would ever get through, but if we can get in as a title, at least it will make a difference.

Mark Wadsworth: I'm going to have to see if there's [indiscernible].

Male Voice: [Indiscernible] chairman of the committee?

Female Voice: New Mexico.

Male Voice: New Mexico?

Female Voice: Yes, in-house.

Mark Wadsworth: I believe somebody else has a comment? We should probably carry on to that. Does anybody else have a public comment to make? Gilbert, yes.

Gilbert Harrison: Mark, I have three documents here, pretty lengthy, that have been submitted by various organizations within the Navajo Nation, and some of these people have said that they would try to make it. They weren't here.

So I'd like to formally submit it to OTR for consideration. John, here is a letter from a Virginia Ashley [phonetic] it relates to Forest Service too. There is another list of issues that is by the Fort Defiance Soil and Water Conservation Districts. This is some issues that had been in place. Finally, there is the Arizona Association of Tribal Conservation Districts. This is a combination of where there are some USDA issues, there are some tribal issues, there are some state issues, and they've tried to allocate which area should be considered by the federal government. It's sort of broken down, but it's not that detailed. These three documents I'd like to submit on behalf of those people, and if we have time, we could go through them. But I will just formally submit it as written documentation, thank you.

Mark Wadsworth: I was at a soil and water conservation district meeting with INCA in the Northwest. At one of the meetings, I represented the Council for Native American Farming and Ranching. Roy [phonetic] from the Blackfeet Reservation wanted to make a comment on foreclosures, in which if a person had been foreclosed on a piece of property or an operation for, let's say, just for simplicity \$100,000, and they were delinquent on \$25,000 of it. If there could be made an exemption to that foreclosure that you only attach 25 percent of that property instead of the full amount of the property that is

associated with that loan, and possibly offer that 25 percent to the tribe itself to pay back to you, so in essence, they could work as a tribe with that individual who was foreclosed upon to get the money back to satisfy that loan without it going through any foreclosure. That was one of the comments.

Male Voice: Mr. Chairman, if I could. Let me ask a question first, was this on reservation land?

Mark Wadsworth: Yes.

Male Voice: The current statute actually require that any property that is subject for foreclosure, that the tribe is given the first opportunity to pay it off and retain the land before it goes anywhere? I think that part of is fine.

Mark Wadsworth: You want to be able to [cross-talking]

Male Voice: I'll try to look into the percentage.

Mark Wadsworth: It's 75 percent maintained with the producer, and then they can work at this.

Male Voice: I'll make a note of that and follow up on that.

Mark Wadsworth: With that, I believe John had said we will go through a couple of CD presentations here. We'll do a change there. Zach, would you mind? We're a little early here which is amazing. Zach Ducheneaux from Intertribal Agriculture Council, talking about the Intertribal Technical Network.

Zachary Ducheneaux: Good morning, everyone. As always, thank you very much for the opportunity to visit with you folks about the issues that are so important and near and dear to us all. Twelve cents of every food dollar makes it back to the producers. I want you guys kind of be thinking about that as we have this discussion. It should be our goal to get as much of that food dollar back to the producers on the reservations, especially in the StrikeForce counties, that the map of the StrikeForce counties overlays the Indian reservations. We're in poverty out there, so we need to try to get more of that food dollar back to those reservations. Given the nature of everything else in Indian country, I'd be surprised if 12 cents was actually making it back to the reservations. I'd say it's probably more like five cents of every food dollar is getting back there. But the 12 cents is a USDA figure, so think about that. We have the good fortune to sell \$1.75 a pound of calves right now. That translates into about \$4 meat which is about what they are getting in the stores so we're missing the boat. We need to turn Indian country into a food factory instead of an ingredient factory.

That's what the focus of the Intertribal Ag Council as a whole is, and we're using the tools of the network to try to bring some of those pieces together, using assistance of the good folks at the USDA and the BIA. I'll give you a little

update on what the network is up to currently. At any point in time if you guys have questions or just want to call BS on me, go ahead. Then we'll have a discussion. I'd prefer discussion rather than me sitting and talking with you because you guys all have experiences based on your locale that I might not even be aware of. So rather than me preaching to you about what we're doing, I'd sure enjoy some feedback. Until there's some I'll preach.

One of the major focuses right now that we're pursuing is raising tribal awareness about the food safety regulations that are being proposed. Tribes are fairly caught unaware; in fact, the FDA is saying why do we even have to consult with tribes? We're trying to get the tribes dander up a little bit about it and say you'd better consult with us because you're going to try to implement this in our nation and our sovereign territory. We've got our staff out there working a lot on that and trying to draw some real world examples as to how that could impact tribal nations, if we don't get to the table and start to make some noise about it. It's going to become even more prevalent here as the next batch of regulations comes out which talk about animal feed. That's going to hit pretty near and dear to every one of us in here if they start telling us about what we can feed our animals on our reservations.

We're trying to use that as the carrot on the stick to get the tribes to the table to talk about food safety regulations, and maybe drafting their own regulations, to beat the FDA to the punch so to speak. We continue to do outreach and technical assistance on loans, conservation plans, rural development projects, and they're having a pretty good measure of success. I think each of you in your packet has a copy of our first edition of our success stories. We're very proud of the work we're doing, and we're very happy to be able to get out there and do that work for Indian producers. We're working on the second edition of that document right now. We're compiling stories that we can hopefully, maybe even have that released for your next meeting, because we think it's important to identify these pockets of excellence that are out there in Indian country in agriculture in the USDA, and replicate those things.

Take the things that are going on at Lower Brule and Cheyenne River in South Dakota with respect to NRCS, and have that happen in Oklahoma, in Nebraska. Make it so that happens everywhere so that it's the norm and not the exception in Indian country. I'm going to brag a little bit about Cheyenne River further down the line here, though. In the Great Lakes region, we've got a mobile farmers' market that's traveling from reservation to reservation. The proposal was put together by one of our technical assistance staff. We hired a local

individual who I think has presented to you folks before. We're going from reservation to reservation, engaging in tribe to tribe trade, doing the things that we did years and years ago before we were colonized. We're working back towards that. It's the firm position of the IAC and the network and me personally, that until we are feeding ourselves again, we can talk all we want about sovereignty, but it's not going to happen as long as our food is coming in across our border.

Male Voice: Until we're sustainable.

Zachary Ducheneaux: Yes, sir, sustainably.

Male Voice: We want to understand, you cannot throw sovereignty out there if you cannot sustain yourself.

Zachary Ducheneaux: Absolutely. My good friend and boss, Mr. Racine, goes around the country, saying we didn't lose the wars, we were starved out, and that's the case.

Male Voice: I agree 100 percent that tribes [indiscernible] sovereign around if somebody controlled your food source, you're not sovereign. I mean I agree 110 percent. I've had this argument with my wife.

Zachary Ducheneaux: Good luck with that.

Male Voice: He lost that every time.

Zachary Ducheneaux: One of the things that we're working on, we're assisting a group of tribal producers on Cheyenne River in the development of a beef cooperative. Right now on

Cheyenne River, we grow cows and we sell cows; 12 cents of every dollar gets back to that reservation. We want to change that, so we're working with them to try to put together a demonstration project where they could be funded to establish a feed lot and feed those cattle on Cheyenne River. We tried to use some USDA money, we ran into some difficulties. Even with our assistance, there are things that still get overlooked. This one in particular leads up to one of our recommendations for you guys to look at. We need a SAM number to just apply for the darn assistance. I understand the needs for a SAM number but it's a closing type of document.

Female Voice: What's a SAM number?

Zachary Ducheneaux: It beats the heck out of me. It used to be a CCR number, if that helps you any.

Female Voice: CCR? It's a number that identifies you as an employer for tax purposes, I believe, whenever you claim your small farm as a business? [Cross-talking]

Zachary Ducheneaux: Yes, it's a contractor number basically to be participating with the USDA. We had a value-added producer -- no, it was a small, socially disadvantaged producer grant application submitted at the state officer. It was kicked back and not even considered because we didn't have that SAM number. That's something that this body has the ability to recommend to change right now. Sort out your

applications so that you have application documents and closing documents. Chris and I have talked about this several times off line. It sounds like we've got some progress on the NEPA stuff. We might get rid six pages of our FSA application, but again NEPA compliance is a closing document, not an application document. You shouldn't have to be in compliance with NEPA to apply for something you don't even have the funding to do yet. That compliance should be the carrot on the stick to get you to do it.

So we're working on this beef project. What we hope to do is have a demonstration project where our producers can get some of the carcass data on their cattle. Start to use that as an educational tool, and eventually build a brand of Indian beef, whether it's Cheyenne River Indian beef or Standing Rock Indian beef, or maybe we get Lance's farm to feed it, and then it's a joint effort. Start to look at food production a little closer. And we've got our staff talking about this in other regions where it could be a model for success and bringing more economy back to our reservations.

I'll talk a little bit about the current progress on the recommendations that we have submitted before. We've submitted some recommendations to the council. I believe we submitted them formally on paper in the May meeting when we got a chance to talk on the telephone. If anybody has got any questions on

any of those, please ask specific questions and we'll try to give you specific answers. But with regard to improving technology for producers, we've been working with the FSA to start down that road so that the software that we use is the exact same presentation as the software they use. Currently, when we offer technical assistance for a loan, we fill out an application. We've helped our producers fill out an application. They submit it. The FSA officer takes it and re-enters that data into their computer. With Chris' help and in cooperation of Courtney Dixon and Pixie Greer, we're going to make this an import-export process. When we fill that out, it'll be the same presentation as theirs. They can import it to their deal and save a couple of hours of man-hours that it takes to re-enter the information. We're working towards that. We're not as seamless as we would hope to be in the future, but we're getting there so there's progress coming on that front.

One of the proposed solutions, you know, I cannot brag on this guy enough. He does a hell of a job for us in Indian country, and that's Chris Beyerhelm for the record, this young man right here. All of the solutions that we put forward to you folks in the May meeting, Chris has agreed to work on without going to the secretary. So we're having the decisions start to be made in the FSA itself without having the secretary say, hey, you'd better, by God, do this. We think that is great progress.

We credit it to, first and foremost, Keepseagle and shedding light on the issue but the input that you guys have had with Mr. Beyerhelm to share your stories nationwide. That being said, there's still progress to be made. We'll get to some of those in a moment. One I'd like to visit with you specifically about Chris after the presentation.

You'll see that we end our success story book with a failure, because we want to make sure that we don't ever get to a point where we just rest on our laurels and say this is as good as it's going to get. There's always more work to be done. We want to make sure that you guys know we're aware of that. We've got a lot to do and with your help, we're going to cover a lot more ground. One of our recommendations is to have the FSA assume the role of a preferred lender in Indian country because of what we feel are credit deserts in Indian country. Access to credit has been a challenge identified in the foundational documents of the IAC, First Nations Development Institute, and the National Center for American Indian Enterprise Development. Access to credit has been identified for that long.

What we're proposing in our recommendations is support for a GAO study on the nature of lending in Indian country specific to agriculture. It's our contention that under the Community Reinvestment Act, a bank has an obligation to serve its community. Whether its trust ground or deeded ground or ceded

ground, a bank has an obligation to get out there and do that work in order to get that low interest money. That's the whole goal of the federal banking system. The banks aren't doing it.

One way that this council can help is to help us dispel the myth that you cannot mortgage trust ground. We do it in South Dakota every day. You can either do a straight-up real estate mortgage, or you can do a leasehold mortgage where the land eventually reverts back to the tribe should things go bad. But too often, banks are allowed to propagate that myth and keep Indians at arm's length because they don't want to get bogged down in the extra two pieces of paper it takes to do a BIA mortgage, but it is possible.

There are efforts to improve and streamline that process. The HEARTH Act is one of them as Leslie mentioned. But on our reservation, on our tribe, we've always had the authority to do what we want with our land. It's not something that was given to us; it's something that we retain. We need to help educate the tribes that they all retain that authority to dictate what goes on, on their tribal ground. I personally argue and I used to argue a lot with my old man. Chairman Jandreau knows how that always goes, but I would argue that a tribe has as big a fiduciary obligation to its allottees as the BIA does, and as such, should weigh in on that as well.

Which leads us to the discussion we had with the BIA, to me, it might be the way I was brought up. My grandpa was a tribal chairman and my dad was a tribal chairman. I got to visit a lot of great tribal chairmen over the course of growing up. But to me, the BIA is like a cow dog, a damn, well-bred cow dog. If any of you have ever had one of those, if you don't give it something to do, it is going to go get in all manner of trouble. It is going to chase your cows through the fence. It's going to bite your kids on the legs. But if you give that cow dog a job, when you don't need it to be working, it's going to sit on the step and sleep and wait for you. That's the way our tribal relationship with the BIA is. We haven't passed our Ag Resource Management Act which would allow us to supersede the leasing regulations. That's been in effect since 1993. We haven't passed that, but with our regular old raising ordinance, the BIA is our watchdog and our enforcer. That's the proper relationship.

The thing that blows my mind is the difference. We've got some more success story books just got here if anybody didn't get a copy or if anybody in the audience would like one. The thing that blows my mind is the difference within the region. We've got the Omaha tribe just south of Lance there who have trouble getting a lease on their own land like Lance did. If the tribe would take the proactive step that Lance and his tribe

did, they'd be able to move in there and get bigger. We have to absolutely work with the BIA but we have to stress to the tribes that the BIA is like a good cow dog that's being starved of food right now. Feed it and put it to work.

We've got a solution here about graduation and it leads us to another of the more current issues that we've got under Keepseagle. Incidentally, we've had our first approved loan by a successful Keepseagle claimant, which is a pretty good deal. I was pretty proud of that. We helped someone up in North Dakota. Under current law, you can have an operating loan with the FSA for a finite number of years. While we did wipe away the debt of the successful Keepseagle claimants, we didn't zero out their operating loan years. That's a problem because we feel that if they had been serviced properly, that bell should be -- or that clock should be tolling. But since they weren't, maybe we should take a look at resetting their years to zero. It's just something for you guys to think about, reset that operating loan to zero years.

NRCS, I told you I was going to brag about Cheyenne River and the folks in the USDA on Cheyenne River. I'll put them up against anybody in the nation. They do a better job at getting Indian producers into the NCRS than anybody else in the nation bar none. Mary Scott is catching up because she had a good teacher at Lower Brule, but we're still beating them. The

reason for that success and this is one of those pockets of excellence that I told you to look to for an example, and I'll give you a number just to put it in perspective. We had a gentleman up here, I believe, yesterday that talked about the EQIP allocation for Alaska was zero dollars. Cheyenne River in the last five years averaged \$1.2 million EQIP dollars a year. The reason for our success is we've got a tribal liaison who goes out there like Darrel DuVall does at Lower Brule and Crow Creek and brings those folks to the table, brings them in the door; brings them over to us to help them put together a plan. But what happens after that is what's critical and it's what you have to take and use as a model in other agencies. Our NRCS staff treats them as one of their very own.

In Montana, we have the opposite happening in some places. We've got a tribal liaison that rounds up all the tribal producers. When the tribal producer gets to the office, they get a stack of stuff set on there and they say take care of your producers. That's the opposite of what should happen. The liaison gets them in the door; then, it becomes program staff's duty to serve them, just like they would the non-Indian counterparts. That's why we're wildly successful in South Dakota with it, and we had used our tribal liaison to help train some of the others so that tribal liaisons said all right, I'm going to go out there and I'm going to get all these people and

we're going to be successful like Cheyenne River, and they got a bunch of work pushed on them. The program staff has been working to try to disqualify these guys ever since. There's work to be done.

We have a suggestion with regard to NRCS and the way they allocate the pools. I'll use South Dakota because I'm familiar with that, so you have a general pool; you have the socially disadvantaged pool. South Dakota has taken the initiative to carve out, based on acreage and Indian pool of money. You must choose as you go in there to apply which pool you're going to apply for. What the situation you have is maybe you've got a 45-year established rancher applying against beginning farmers and ranchers - Indian farmers and ranchers - he could compete in that general pool and probably rank well and get some funding. But because he's over here in the Native American pool or the socially disadvantaged pool, those guys gobble up all the money and there's nothing left for the guys that really need it.

So what we propose and we've had this proposal on the table since our first report is to pool the general pool and do that first. Have the Indian producers compete there first. If they don't pass muster, if they don't get funded, throw them over into the Indian pool. Then you've got like applications. Instead of the big guy competing with the little guy over here in the Indian pool, that's something that we think is possible

under existing law. It's a recommendation that the council, if it decides to, can go forward with and we could provide evidence and we could, perhaps, make a meaningful change in short order.

We've done a little work with a risk management agency and one of the barriers that we see to participation for our folks who are predominantly livestock. Livestock, then small grains are our predominant crops, if you will. Livestock insurance policies that are subsidized through risk management agency must be prepaid. Crop insurance can be paid after you sell the crop. One simple little change there would get a lot more tribal members participating in these risk management programs which would help sustain their bottom line. So that's another simple thing we believe the authority is there. If you find that it's not, let us know and we'll help you try to get the authority.

NASS is doing a great job in Indian country and a lot of the credit goes to the folks at the IAC who've been here long before me. They've been chewing on NASS' ears, as Mr. Racine said, for 23 years. The first count, Navajo counted as one, one producer on Navajo, the first Indian census. Cheyenne River they counted 365 in the 2007 census, I believe. I know for a fact there are 500. There's still work to be done but we're making progress. I think more tribal input in that questionnaire would probably help.

Rural development, we already talked about one of the challenges that we've encountered with rural development. I believe it was Mr. Finberg who talked about the success we had in getting a policy change to get Lakota popcorn in the program. We've got one other proposed solution that hasn't really gained a lot of traction yet, but have an allocation of funding to a state and let that state decide, or have a threshold that that state can award a contract, or award a grant and let that state decide instead of having that all come to Washington, D.C. for allocation. You put the fledgling beef project at Cheyenne River up against some of the Iowa corn processors; we're not going to be able to compete with them. But if we're competing amongst South Dakotans, we're going to do all right. So let's have a funding level that is state-determined over that threshold comes and it's pooled nationally.

Second, now we're over to the second - your finding - I should have numbered these. Next time I send you something, I'll number the pages, my apologies. We have a challenge in Indian country in that some of our farm loan managers emphasize manager over farm loan. They get too far into the applicant's management decisions. We've got to try to find the balance between loan administration and loan management. Chris and I have had some discussions about this as well. I think supervised lending is a good idea. But we've got some farm loan

managers out there who will try to get into the management decisions such as number of replacement heifers, what type of tractor to buy. We've got others that won't touch that with a 10-foot pole because they don't feel it's their role. We've got to find a balance. It's something that we've been made aware of we bring to you and we think some guidance from the national office would help.

We think that the handbook that Chris had already committed to do for lending in Indian country would help. That ball is in my court. It's my job to come up with a draft to get to Chris so we could work together on it. So don't beat him up for not having it done yet.

Loan structuring, we've often felt that if the latitude given when things go to heck was given at the beginning of the loan, we would have a lot more successful producers. The FSA has the latitude to provide a very progressive structure in their lending that would create a borrower at the end of the term that would be graduateable [sounds like] even in the credit desert. We can help that guy but we've got to decide that that's the mindset we want to approach these loans with, an increased capacity while we have access to that low-interest loan. Take advantage of that longer term amortization and balloon payment so that we've built that fellow's capacity to expand when the opportunity presents itself.

We talked a little bit with Chris about doing some borrower training and testing, develop a couple of pages sheet where a guy can go through and fill out certain questions. Yeah, you look like you know what we need you to know about finance and production to come on board as a borrower without having to go and spend the money and spend four or five nights usually in the wintertime in town getting your required hours of training.

Understand the family nature of the businesses in Indian country. We've had a few applicants and they've been doing business for years. The son decides he wants to come in and get a loan to help phase his father out. We had one instance where the FSA said we need a written agreement and the father was one of the old school borrowers who had been kind of kicked around by the former FSA. It almost ended the agreement. We almost split up the family operation over the requirement of an agreement. We were able to prove that up eventually by the borrower submitting a statement and demonstrating through historical documents that that was the case, but we've got to realize the nature of the businesses that we're dealing with. A lot of things in Indian country between family aren't written on paper. It's just the way we do things and it's the way we've always done things.

Food safety and inspection service, this has been a really hot button issue lately specific to the issue of inspection of

horsemeat. The secretary has said we need to find another solution. What I would suggest is that the council invite the secretary to Yakama or Navajo or one of these reservations whose resource is getting absolutely destroyed by feral horses, not wild horses protected by the Wild Horse and Burro Act, by feral horses that people don't want, they can't afford to feed, there's no alternative because there's no base on the market like there used to be. So we need to get the secretary out there to see that firsthand, to see that until someone comes up with a creative third solution, we need the old solution. We've got to be able to at least recoup our money by gathering these things up and getting them somewhere else, because right now, it's costing our tribes money to go out there and save their own resource. And the resource is usually what generates the income to do that type of thing. So it's a catch-22 that we can't get ourselves out of under current law.

Solution number seven is on a lot of Indian operations, that horse is the exact same as a round baler. He is what the producer uses to increase his profit from his grass. Some of our guys sell pretty good performance horses. That's no different than baling it up and selling it as hay or turning it into canola oil. Someone else wants that product that you used the ground to produce. So we think that horses are a value-added ag product and should be treated as an ag product in cases

where it's appropriate. I've got some other notes scribbled on here. Any questions so far?

Female Voice: Just a suggestion [cross-talking] feral horses.

Zach Ducheneaux: You've got one?

Female Voice: Just a suggestion, feral horses, I'll pay you later.

Zach Ducheneaux: Very good. Yes, sir. [Cross-talking]

Male Voice: Do you receive any money in South Dakota [indiscernible]? Do you receive any monies from USDA to help manage these feral horses, feral or wild?

Zach Ducheneaux: I don't know of anyone in South Dakota that receives any money to handle feral horses. Feral horses in South Dakota aren't as big an issue as they are on Yakama, Navajo, Pueblos. They are coping.

Male Voice: I know they are a problem. I was just wondering maybe Chris or Leslie can answer if USDA spends any amount of monies to help manage wild horses or feral.

Chris Beyerhelm: No, I'm not familiar with it.

Leslie Wheelock: No. The one thing that we've been trying to do is to get a focus on conservation efforts, but our conservation dollars also are restricted in what they can be used for. It's very difficult. You've got the combination where the slaughter facilities are approved, certain

organizations come and file lawsuits and make it too expensive to operate. Where we've got the invasive species, so to speak, we don't any legal way of handling it that our mandate covers.

Male Voice: The states themselves do.

Leslie Wheelock: I think the states probably do have an ability to do it.

Male Voice: I heard there's quite a bit. I wasn't sure. I heard the states did it. I just didn't know if the USDA --

Male Voice: Jerry, the states? [Cross-talking]

Jerry McPeak: Okay, Mr. Chairman. Zach, I was the one introduced to feral horses two weeks ago. How do you tell the difference, a feral horse and a wild horse? I'm a pretty good horseman, but I look out there and I can't --

Zach Ducheneaux: The wild horses are protected by the Wild Horse and Burro Protection Act, to the best of my knowledge, live in BLM lands. They trace back to the old Spanish Mustangs. A feral horse is someone in Spokane or Seattle decided they couldn't feed anymore and didn't have a way to get rid of that was economical, went over to Yakama and opened the trailer gate.

Jerry McPeak: What I'm going to say next, I don't mean as an insult. You sound like someone from Washington, D.C. answering that question. A horse, if I'm looking at that horse, if I'm driving across -- you know because of location. Is that what you're saying? I drive across Montana, which I did last

week, and Idaho and Washington. I see 30 horses out there. Can I tell a feral horse from a wild horse?

Zach Ducheneaux: You go ask the guy that's in control of that land or the entity that's in control of that land. Are those yours? Do you want them there? Yes? That's the answer.

Jerry McPeak: My next comment a lot of people in Oklahoma are not going to like. We make more money in Oklahoma on wild horses than we can possibly ever make on cattle --

Zach Ducheneaux: I hear you.

Jerry McPeak: -- about bajillions. The land in Northern Oklahoma that was leased particularly to graze yearlings in Osage country, every big rancher up there that has any sense is running wild horses and getting paid amounts that you cannot possibly make running cattle. They're just running around out there. As you know in the state legislature, we went through this horse slaughter thing for us and arguments. The thing that you get into is that if the part is not Indian, it's not anything except the fuzzy thing that sticks up your butter, makes your heart pitter-pat, is the part that we get into --

Male Voice: Excuse me, the fuzzy thing that what?

Zach Ducheneaux: Piqued his interest there.

Jerry McPeak: Let me explain it. If you ever get tickled, you've got a feather up your ass, those folks. The problem isn't American because we have them on the lands. The problem

is the tree huggers, the huggers that, you know. It's amazing because we actually had rodeo people who fought our horse slaughter in Oklahoma. That's just amazing to me. I guess, where I'm headed with this thing is you're talking about the money, the money that the government is spending to take care of the wild horses in Oklahoma is just immoral and absurd.

Male Voice: [Indiscernible]

Male Voice: Hundreds of thousands?

Jerry McPeak: Oh, god, yes.

Zach Ducheneaux: The one place is getting that kind of money. Yes sir.

Mark Wadsworth: Zach?

Zach Ducheneaux: Yes, sir.

Mark Wadsworth: Has there been any conversation or funding coming through APHIS or any of the other groups possibly looking -- I'm kind of looking at a short-term solution, long-term solution. But it may be in a long-term solution some sort of sterility program and capture stud that you castrate them, possibly giving some sort of abortive medication to your mares. Has anything like that -- ?

Zach Ducheneaux: To the best of my knowledge there is some work being done on that, Mr. Chairman. They've got it to the point where they can give a shot to the stud that would effectively neuter him. But again that's the management of the

wild horses and it has nothing to do with the feral horses.

Yes, sir.

Gilbert Harrison: Zach, Gilbert Harrison from Navajo. We talked about feral horses, wild horses. To me, they all eat and decimate range land. It doesn't matter what kind of horse. It's just an issue. From a technical standpoint, from a government regulation, you know you're splitting hairs, but it's sort of like Jerry says, how do you know when you see a horse out in the range that it's a wild horse or a feral horse? That's a difficult thing when you're out there. All you know is a bunch of horses decimating the land, competing for livelihood type of a grazing activity. I think that's a problem we have. So to me it is a problem whether you have a feral horse, a wild horse, a trained horse, whatever. I think maybe it's just like there are some things in the past that have outlived their usefulness. So maybe we're at a point where the horses are at that stage. You have the rodeo horses, [indiscernible] horses, others, you know. Thank you.

Porter Holder: Hi, Mr. Chairman.

Mark Wadsworth: Go ahead, Porter.

Porter Holder: This is kind of more of a comment/question for Leslie. When you say when we open a horse slaughter thing, you ran up against organizations and got a lawsuit. Are we talking PETA and Humane Society?

Leslie Wheelock: It's not USDA that runs up against them, although, they did file legal action against USDA. It's, typically, they also bring the action against the local facilities and the local facility owners. So those local facility owners are put in a position where they have to defend legally, it's costly, what they're proposing to do. At this point they didn't even get to open the facility in New Mexico before there was an alleged arson problem.

Porter Holder: Right, I read about that. [Cross-talking]

Male Voice: Tribes have immunity. They couldn't be sued if they owned it. People approached us on this issue. I just didn't want to get into it.

Porter Holder: We did, too. We had the same thing in Oklahoma.

Male Voice: You can't sue a tribe.

Leslie Wheelock: We also had a situation recently in New Mexico. Horses don't know where the boundary is between the reservation and the other federal lands. But in New Mexico, the Forest Service cancelled the roundup because they were getting all kinds of pressure. They got sued. They had to sit back. The tribe went ahead with it. Actually, this is in Nevada. They rounded up 500 head, they culled out about 120 or so because they were in good shape and they wanted to keep them. The rest of them they auctioned. They got into a discussion

about whether they were wild or not wild. They auctioned off those that were branded and then through a court hearing, the judge decided that nobody knew what they were talking about in terms of feral or wild or whatever. He allowed them to go ahead and auction off the rest of them. I don't know if that helps because the folks in Nevada told me that a lot of folks buy them out there and release them.

Porter Holder: These people need to be educated on them. I've got 20 years' experience shoeing horses. When I was there in my country, I live in the Flag country but 20 miles north of me you get into Mission Mountain Range. There are rocks, there are big rocks, little rocks, or short rocks, there are rocks. Exactly what he said, they can't afford, people cannot afford to feed them anymore, so they haul them up to the mountains and turn them out. These horses are being shod his whole life. When you turn him out in the mountains and he walks those shoes out, he founders with laminitis, however you want to call it. If you've ever seen one die from laminitis, it's a gruesome sight. These people need to be educated - the PETA, the Humane Society. Look, there's a more humane way to do this. When you turn a horse out, it will take him two to three weeks. In order for him to survive in the mountains, he has to cover 10 to 12, 15 acres a day. If he can't walk [indiscernible], he will lay there and literally starve. He can't get up. When he gets up

his feet as he's standing up, he picks the front foot up; he picks the back foot up; he picks the other front foot just constantly. He is in pain. They need to be educated. Know what you're talking about. There is a more humane way to do this than to turn them out and let this horse literally starve himself to death.

Jerry McPeak: Porter, it's not logic, it's emotion. I can tell you from dealing with it this winter. It's absolute emotion. All that sounds wonderful but they are not going to hear it.

Porter Holder: We need to drive them out there and show them. See this whole [cross-talking].

Jerry McPeak: It's absolute emotion. It's not logical. They're not going to listen. I've dealt with literally hundreds of them this winter. They don't look. It doesn't matter. They won't let you kill the damn thing.

Zach Ducheneaux: Mr. Chairman, Mr. Racine would like to add a comment on this.

Ross Racine: We had a Nevada case, the tribe declared that because those horses were trespassing on tribal land, the tribe was then the owner whether they were branded or not. They were then -- they will dissolve [sounds like] them. They moved 500 dead horses to Shelby, Montana on their way to Lethbridge, Alberta to be processed.

Warm Springs tribe used bureau money, bureau revegetation money that came through. Warm Springs tribe sued the bureau. Yakama tribe was part of it. They both got an award on mismanagement. Warm Springs decided to use their court money to move 6,000 head of horses off their reservation to Shelby, Montana on their way to Lethbridge, Alberta. But that's the only federal dollar that I know of that has been used to address. Ultimately it wasn't a federal dollar anymore; it was an award to the Warm Springs tribe over past management that allowed them to move them horses. They flooded the Lethbridge market, so people in Montana can't even sell their horses now.

Male Voice: The only thing I wanted to mention, I think, it goes back to the vaccine you were talking about. I just pulled out a news release back in February where they expanded the use of this GonaCon vaccine for the use on wild horses and burros. It says here over 37,000 wild horses and burros on BLM land and another 11,000 free roaming. So it looks like the vaccine [cross-talking].

Zach Ducheneaux: I believe it does work, yeah. I have never seen it used but --

Leslie Wheelock: Does it last longer than a year?

Zach Ducheneaux: That I do not know, Leslie. [Cross-talking]

Gilbert Harrison: Mark, I know this horse topic can go on all day but, Zach, thank you very much. I'd like to recommend RTC doing some work in terms of trying to overcome some of the burdens. The council is also in charge of some of that. Also we have this regional tribal advisory. We have three groups. I'd like to see some sort of a coordinated effort because yesterday was the first time I heard about this regional tribal. We meet twice a year with you guys. In between, we don't know what's going on. We meet twice a year. I would like to suggest, strongly recommend that we have to do it as a coordinated effort. To me that's maybe more effective. If not, we would be able to share information. Thank you, Zach.

Zach Ducheneaux: I've just got a couple of other things. Was there a question? A couple of other things if I've got time, Mr. Chairman.

Mark Wadsworth: Sure.

Zach Ducheneaux: Back to South Dakota and the NRCS, you really need to examine that 55 percent of the EQIP dollars in South Dakota went to Indian country. Seventeen percent of the ground in South Dakota is Indian country. We got a lot of the rest of the state's money because of the work that that state is doing to catch Indian country up in conservation efforts. Sarah and I had a discussion earlier about how SES wasn't there. When everybody else was putting in shelterbelts, they weren't doing

it in Indian country. Take a look at what's happening, where it's successful and replicate it. We need not reinvent the wheel; we just need to teach everybody how to build it. Then if they don't want to build it, make them build it.

One last thing, we talked about the microloan program. We've had a couple of successful microloans. That's a great deal, but given the production costs, all of the loan amounts need to be re-examined. We understand that that's a statutory thing, but it's time to start thinking about Farm Bill 2017. If we can have those even tracked with land prices or something, that would be a possible solution because the \$300,000 loan in a cattle deal to buy land, you can run four cows in South Dakota. It can't pay for itself. But if you could get that guy a section of land where he could have a home base then he could put the cattle out. The loan amounts need to be re-examined.

The last thing that I wanted to leave you guys with, I'm sure if I'm out of line, Mr. McPeak will tell me so. But every meeting I've been at, there has been some discussion of the CFRA [phonetic] funds and what should happen. You good folks have been selected by the Secretary of Agriculture to give him guidance on how to spend \$21 billion a year in discretionary money. Put him to work, at least make him notice some things so that we can work to change it through other avenues. But give him something to chew on, take him up on his challenge that he

gave us at the IAC membership meeting. I don't care if you fail; I get upset if you don't try. So put him to work.

That sounds like he is a willing co-conspirator on it. That will be my parting offer of help to you guys. As always we got folks out there in the field and everyone in your areas, except Edward's, and we're working on it, Edward. If you need some help, if you need some technical assistance, if you need us to do some field work for you, please, give us a call. We are like a good cow dog, but we've got some other things to do, so we're not getting up in your business. Call us, put us to work.

Male Voice: [Cross-talking] I'll let you know. Maybe I'll ask for Daniel [phonetic] for a couple of months.

Zach Ducheneaux: Very good. Thank you guys very much for your time, is there anything, any questions? Thank you.

Mark Wadsworth: It looks like we're into the lunch hour. We'll be returning back here in about an hour and 15 minutes, 1:00. So, we'll see you then.

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**Council for Native American Farming and Ranching  
Tuesday, September 10, 2013 – Afternoon Session  
Washington, DC**

Mark Wadsworth: We'll start into the afternoon session. We do have a minor change to the agenda. Lisa, one of our representatives on the Council for Native American Farming and Ranching from the office of -- Lisa, you would like to address the council for a little bit?

Lisa Pino: It's wonderful to be here this afternoon. The council has done such incredible work in such a short amount of time. I hope you all know, and I'm sure that Dr. Leonard had shared how committed the Office of the Assistant Secretary for

Civil Rights is to this cause, how seriously we take the work; how much we're here in case you need anything to support; everything that we've accomplished together. It's also about how can we maintain that strength and support in the future, so transcending everything that happened with Keepseagle, what can we do in a visionary sense to make sure that not only are we preventing or mitigating problems from happening, but how can we go to that extra step and work with communities and leverage all of the amazing USDA programs and resources to be sure that we're serving communities in the way that we have responsibility to?

To that point, I've had the honor and privilege of working and serving this administration, working with all of you. It's now been four and a half years that I've been in Washington, D.C. and I still have a pulse - just kidding. But I wanted to take a moment respectfully and share with all of you today that I also have decided I'm leaving the administration, I'm leaving the United States Department of Agriculture, and that's happening very soon. It was a very difficult decision for me to make, but because not only has this participating in this council have been so rewarding to me professionally but also personally. Before I came to D.C., I lived and worked in Arizona for many, many years, serving low-income communities, serving families from all backgrounds including Native American families. And so it was extremely rewarding and such an honor

for me to be able to do whatever I could in this short amount of time here.

I wanted to just take a moment to thank you for the honor of being part of such an historic effort. It's really something that the privilege of all of us being here today, working together and never forgetting all of the communities and families out there that need our help and the impact that we have. I've learned from each and every one of you. I'm not able to share at this moment where I will be going, but I can say because I want to tell my boss, Dr. Leonard, and I haven't had time to tell him because we have both been so busy, but I am going back to the nonprofit sector. I'm a public service girl at heart. I love public service. I will be also continuing my dedication to food and agriculture. This is a fantastic issue arena to work in and I think that it's a very exciting time. It is astounding the food insecurity report was just released recently. It's actually pretty similar to where it was when I first started with the SNAP program. It's amazing that in the greatest country on earth we still have 49 million people in this country facing food insecurity, 49 million people who on a day-to-day basis still don't know what they're going to do to put good food on the table.

At the same time, our country has faced significant economic challenges and what the evolution and progress of

agriculture in this nation will be has a significant contribution to that equation. Everyone in this room is a part of it because more than ever, as our nation becomes increasingly diverse, we have to be sure that everyone's voice and everyone is represented at the table. I think that's what the heart of this council is all about. I think that it's shameful for any child in this country to go to bed hungry. That includes Native American children; that includes African-American children; that includes Latino children; all children. We have that responsibility.

Also I'm looking forward to the next chapter hopefully because I will be in a part of the country where I will be working very often with tribal communities. I hope that down the road, absent ethics rules and restrictions because there's so many I don't even want to think about it right now, but in that way, that's appropriate, that's legal -- I'm a lawyer, I definitely have to say that. But we can continue to work together because I too want to in my next chapter be able to serve those tribal communities and be able to make the most not only of my USDA knowledge and experience but also how much I've learned from all of you. You all represent your communities so well. I've loved how we've had dialogue in here that sometimes was tense and dramatic and at times also progressive and visionary, so please keep up all the great work. Thank you for

letting me be a part of this, and hopefully I'll see you in the next chapter. Thanks so much, everyone.

Going forward after today, Dr. Leonard will be attending and representing the Office of Civil Rights, and also when he is not available, Reid Strong. Reid, do you want to stand up for a moment? Reid is one of our key attorneys. He's a special assistant in our office. He also has direct expertise working with the Keepseagle case, the Office of General Counsel. I asked Reid to join this afternoon so he can get a feel and he will be representing the office of Dr. Leonard for the next meeting. Thank you very much. Thank you again.

Mark Wadsworth: Thank you, Lisa. I think we speak for us all, you're a good participant and have a lot to offer. Hopefully we can offer a lot more in the future and work together in some capacity.

Lisa Pino: Thank you.

Mark Wadsworth: Carolyn Parker - we'll go on to the next session - director of USDA Office of Advocacy and Outreach.

Carolyn Parker: Good afternoon and thank you for allowing me to join you all. I came more to hear from you as to how the Office of Advocacy and Outreach can support you, but I will share with you that in the last couple of weeks, we have been focusing on visiting tribal colleges. The last week in August, I was in Montana and I'm still resting up from that trip, I'll

tell you, because everything is just absolutely so spread out. Most of the comments that I heard from the tribal presidents were related to difficulties in getting USDA service from Rural Development. The state is so wide, and I think we only have four Rural Development offices there in the state of Montana, but what I did promise was that I would engage a conversation with Doug O'Brien, who is the acting undersecretary, to see what we can do about putting those tribal presidents together just to have some dialogue there with the undersecretary to see what it is that we can do to be more pointed in our service to those tribal colleges.

A lot of complaining about the bureau and the complications with using their land, and the situation where you have so many people tied up in the title that it's difficult to get financial assistance from the USDA. Not that I can work through the Bureau of Indian Affairs concerns as it relates to title issues, but certainly I think there is some room for us to open up some communication to see whether its recommendations for how USDA moves forward in its programs or recommendations for how we work together to see what we can do. I went to a producer meeting and some of the same discussion challenges, but a lot of good information from NRCS as it relates to record-keeping, and as it relates to getting some assistance from NRCS and conservation practices for tribal farm and grazers.

The other thing that we're doing is we just got information from the secretary on the members of the New and Beginning Farmers Advisory Committee. I can't release those names as of yet because we are still vetting with the people that have been selected. That advisory committee comes with a lot of recommendations to the secretary as to how we can help new and beginning farmers to navigate through the USDA system. I do want to mention to you all, as I mentioned to a lot of the tribal representatives, that we have our quarterly outreach calls where we talk about the different opportunities that are coming forward from USDA and want to make sure that as you have people that want to participate to hear about the opportunities we want to definitely plug them in. I'm going to stop right there and do what I came here for which was to ask you how the Office of Advocacy and Outreach can be of better assistance to you. I should mention that Dexter Pearson is in Michigan this week visiting tribal colleges as well.

Mark Wadsworth: I guess we'll open it up to questions.

Jerry McPeak: I know here in Washington, D.C. it's difficult to get something other than a political answer. I don't mean to be putting you on the spot but this is going to put you on the spot.

Carolyn Parker: Everybody does, go for it.

Jerry McPeak: When you went to tribal colleges -- where did you go to college?

Carolyn Parker: I went to the University of Maryland Eastern Shore, 1890 land-grant institution.

Jerry McPeak: When you went to the tribal colleges, when you walked away, your feeling was -- when you were there, your feeling was -- ?

Carolyn Parker: My feeling was they need some additional assistance. My feeling was that we've got to do a better job of figuring out how to keep the children in school. President Littlebear talked to me about the fact that our typical tribal college is about 200 students, and the challenges of over 50 percent unemployment rate here on the reservation and encouraging these kids to stay in school. A lot of them fall into teenage pregnancies and to taking care of parents that are subject to the same diseases that fall in all of our communities - diabetes and on and on and on. My heart just went out. How do we do more with less?

Jerry McPeak: The FFA program, they want to do it again because they've done it for the first time, 65 years, about two or three years ago, Native Americans were featured at the National FFA Convention. We got to sit in some of the meetings with those kids who came from there who were the ones -- this is just FYI. Those kids feel -- a lot of community colleges are

good. I'm not a great fan of them sometimes, but yet one of the tribal colleges works on it because those kids would go off the reservation - as the reservation is - to school. Even though their parents or grandparents they want them to get education, these kids said that there's a cultural pull for them to come back to do cultural things and that makes them come back. We even had kids there who had great SAT scores, and they had left college and came back and it's because of the family pull and the cultural pull. To be honest, we have one too. I'm not all that impressed with the quality of the education, and yet, given the choices, it's a good choice.

Carolyn Parker: Did I respond to your question?

Jerry McPeak: Yes, ma'am, you did good. You had a little bit of Washington, D.C. in there but enough real world I got the answer. That's a compliment by the way.

Carolyn Parker: Thank you.

Mary Thompson: Hi, Carolyn. I am not really sure about tribal colleges and outreach and how it's applicable to cooperative extension and how cooperative extensions have their programs meet the needs of tribal members. Or is it getting kids, getting tribal members into the tribal colleges? Which is your focus?

Carolyn Parker: With the Office of Advocacy and Outreach, we have several programs that fall under our area. One of them

would be our 1994 program where what we are focused on is getting students to attend the tribal colleges and go on to four-year colleges. Education is the focus of the 1994 program. But additionally, the Office of Advocacy and Outreach was set up to ensure that regardless of race, ethnicity, gender, regardless to whatever your differences are that when you come to a USDA office, that you get the same type of assistance that anybody else would get there, and that you have the opportunity to participate in USDA programs. We have a dual purpose working to address the educational areas but also working to address barriers and participation in USDA programs.

Mary Thompson: What about programs that extension office offer to their tribal members? I know we've talked about FFA before. Well, just a different approach, 4-H, gardening, community development, all the things that cooperative extension offers. How is that applicable to what your office does?

Carolyn Parker: The title of my agency is advocacy regardless to whether it's advocating. I mentioned that in Montana, all the colleges that I went to, they wish they could get better assistance from Rural Development, and there is an issue there with being able to get to those specific offices because of distance. The same would hold true for the extension service. I do meet with representatives from the extension service. If you brought a problem to me from a tribal college,

feeling that you weren't able to get as much assistance as you thought you should get from the extension service, I would certainly work with you to work through that program. But I'm not in charge of the extension service. My job is to be a liaison to work with you in getting the assistance that you would need from additional offices. I am definitely interested in doing that.

Gilbert Harrison: Gilbert Harrison from Navajo. You're Ms. Parker?

Carolyn Parker: Carolyn would work.

Gilbert Harrison: We're in the farming and ranching area of the USDA that concerns on the reservations. So what kind of advocacy or outreach are you doing in terms of encouraging these colleges and all of that to provide more courses or training in these ag or ranching areas of the whole economy?

Carolyn Parker: That's a good question. You sit next to the administrator of the FSA who has all the answers as it relates to farming and ranching. That was that Washington, D.C. thing coming up. [Cross-talking] One of the questions I asked when visiting the colleges was about their agriculture program. That is an issue with the tribal colleges. All we can do is encourage. I met with their conservation district. I met with the presidents. I met with the producers. All we can do is encourage them to get more agriculture-related courses on their

campuses, but that's about as far as I can go. I can't stipulate what their courses would be.

Jerry McPeak: You can do more than encourage. That's -- anyway, thank you.

Carolyn Parker: Actually, I put my good friend now, Ross Racine on the chopping block here, but I met with Ross when I was out in Montana. That was a concern of his as well, as to what are we doing on these tribal colleges to ensure that the agriculture education is there. I can raise it with the presidents, but that's really in my position as far as I can go.

Lisa Pino: I just wanted to add something that I think adds value to what Carolyn shared in her role at OAO and also some excellent questions that Mary and Gilbert and Jerry also shared. I think that for one, this council really reflects that spirit is that what this council represents and the power of all of us in this room is really about harnessing how we can do the business of government differently. This is our opportunity to think creatively, comprehensively. Part of the stigma, for lack of a better word, Jerry, of how D.C. works is that -- and it's not intentional; it's just like the nature of the system. Very often, we work in silos. Very often we're replicating, we're doing the same thing; we just don't know it or someone doesn't connect the dots.

I think that just hearing what you shared this afternoon, Carolyn, I appreciate it even more now after being in the Office of Civil Rights, that we have to do a better job ourselves, our office, and yours to connect more often on how we can leverage resources, time, strategies, and thoughts not only with each other, but also how to have that conversation with the Office of Tribal Affairs, and how on a quarterly basis we can also update the council. Because just hearing that you're saying sometimes our office will take a trip or one of the agencies will visit a particular community, but we have to figure out how to do that and a way we're comprehensively assessing.

I know that Max spoke this morning of the StrikeForce effort and how it has a 360 overview because in the real world, people just need help. It really is that simple. We have to help people navigate how they can get to that help. We have to help better communicate what our programs are, who to go to, how to respond. The first thing is I'd like to see our office work closer together in the future on these efforts, serving the council. We can do that in the Office of Tribal Affairs.

The other is that I am by far neither a farmer nor a rancher. However I do respect. I think there is tremendous honor and respect in the work. It's very sad that at this time and age, that being a farmer-rancher or just the disadvantaged communities that we represent, it's insurmountably more

difficult to do that than ever. It's like an extinct species. Don't quote me on this, but I think it's less than 1 percent of people in this country that actually provide the food for the entire country. That's amazing when you think about those statistics.

Again, because the secretary always talks about how USDA has this incredible impact, this incredible ability in parallel communities, what can we do that we haven't thought of? Your community, Gilbert, out in Arizona and the Four Corners area, how else can we articulate what those needs are whether we have a StrikeForce event or whether we address those issues with the council? I think we need to think about how to work more creatively, how to support each other more, and then the secret really is just hard work. It's never rocket science, but it's the follow through because that's why D.C. is [indiscernible]. How is that there is some sort of touch but people actually -- if we don't have the answers like Carolyn has her own role as the liaison, but how can we also work, whether it's our office or Leslie and John? How can we all connect and break down those silos internally to help bring those answers and needs to the community? That's just something that I wanted to share especially with the news that I just made, but I see this council as an incredible opportunity to do that because it takes

both of us. It takes both G.C. and the community to do both. But I think that we have an opportunity to do that.

Gilbert Harrison: One final, Mark, and then part to Carolyn. You brought out a word that caught my attention, that's barriers. We talk about barriers and [inaudible] what are the obstacles. I said this morning so far you're the fourth presenter here that's in the same line of work. How do we remove barriers? How do we get more input and take advantages of USDA programs? I'm sort of thinking here, we've got all these people that are willing to fight the barriers, but how do we coordinate our strategy? That's something I think maybe Leslie, in your staff could do a little scratching of the head and say, we've got these people. How do we coordinate our energy? I think, to me, that may be worth an effort because otherwise, in this room, we'll be spinning our wheels and maybe in the next conference other people are spinning their wheels. I think it deserves a special coordinated effort. Lisa, you said you didn't have any experience in farming. I have a need for a farmhand, if you want to look. Thank you very much.

Mark Wadsworth: Carolyn, at our meeting in Washington, D.C. and we're dealing with advocacy, identifying barriers through this council and trying to look for solutions to help Native American people. I think that one of the most important outreach scenarios that we have on our tribe between land grants

to our native people is the current existing program that has identifiable barriers, identifiable problems that I think that we need some advocacy to address and correct. That's through the Indian Extension Reserve Program.

Our Indian Extension Reserve Program is not funded fully to the amount that it should be. Also the barrier is that if an extension agent goes through a land grant on a county basis, their funding is pretty much guaranteed by that five-year Farm Bill. The Indian extension agents have to apply annually, competitively. We do not have that surety, and it makes our barrier harder to educate our children if you have to worry about your job every year. I think that if we could find a good advocate to tear down that barrier, and all we're asking for is parity, we want the same as everybody else. That's just what I'd like to say.

Female Voice: Ditto and thank you because all we're asking for with our Indian agents is equitable distribution when it comes to the funding of that program which is naturally applied to their job every year. It takes too much time waiting for the services they're there to provide. Thank you.

Jerry McPeak: [Indiscernible] because you've all heard of the acronym for that. What's the D.C. word, the acronyms?

Mark Wadsworth: It's FRTEP.

Female Voice: FRTEP.

Jerry McPeak: FRTEP.

Sarah Vogel: It's Federally Recognized Tribes Extension Program.

Jerry McPeak: Yeah. I've heard of the FRTEP because no one speaks in real words.

Carolyn Parker: Let me respond to that. The one thing that you can count on is that I will never lie to you. If there's something that I just absolutely cannot do, I will say I can't do it. What I will commit to you is that I will find out what the barrier is here. Maybe this is something that I could work on with this committee in advocating. But you said that you want parity, and if nobody else applies every year, then I would say that that's something that I'm definitely behind, is having parity because that is why they put me in this job, to make sure that it is an equal playing field.

Male Voice: You talk about parity. There are extension agents in over 3,100 counties of this country. In 1990 when we started and got authorized the then Indian Extension [inaudible], we were asked by the secretary and only by the secretary, we could not have extension because Indians don't pay taxes and because 21 percent of the funding that goes into a county extension agent is derived through county property taxes. Since we don't pay property taxes, we don't get extension. We said okay, time out. We're going to ask our tribes to kick in

that 21 percent so that there's not a question. But we've been flatlined since 1990 so if it wasn't the tax problem, what kind of a problem is it?

Carolyn Parker: Did you all get Dr. Woteki to come and address the group as it relates to? Maybe that's something that we can make a recommendation. Dr. Woteki is in charge of the --

Male Voice: I wrote the history on the Indian Extension. I'd be glad to give that history lesson because they don't know. Over in NIFA they do not know the history of Indian Extension.

Carolyn Parker: Could we make a recommendation that Dr. Woteki come in and address the group at the very next meeting? I'd be glad to come back to see what I can do to assist in pushing forward. But I know that the issue with extension agents, this is not a new issue. I have heard this issue before, but that is where it should be raised, is with our REE Mission Area. Are you disagreeing with me, Leslie?

Leslie Wheelock: No, I'm not at all.

Male Voice: Maybe we can talk to you about consultation at the same time. I do believe they don't have consultation responsibility over in that little agency.

Jerry McPeak: How much of your funds in your state places come to extension through the federal program? We fund ours in Oklahoma a lot through the state, and then the county funds a

large portion of it in our state. How much of it in the reservation states do you all have from federal funding?

Male Voice: In the extension? The projects presently in place, the 36 projects, because 28 of them where the tribes are providing that 21 percent, local county cost, and there's some of the new ones that were not and they're 100 percent federal funded. That's for our Indian Extension Programs. That's not the county programs. That's the Indian Extension Programs.

Male Voice: But the regular extension program is not funded like that. It's not funded [cross-talking]

Male Voice: No, it's broken down. The 21 percent comes from the county local property taxes. There is some state input to that cost, but it's above 58 percent if I remember right, federal funding.

Mark Wadsworth: A part of that match here that I just thought for our own tribe is we supply the office space, the phone cost --

Male Voice: In county contribution.

Mark Wadsworth: Everything for our extension agent is part of our basic part of wages.

Carolyn Parker: Do you get any -- what would you say is the benefit that you received from your extension agent? Is this your county extension agent or is this your federal --

Mark Wadsworth: Reservation extension agent for the Shoshone-Bannock tribes. In the capacity that they work with the tribe, I would say it works quite well with the cattle producers. It works well with gardening aspects and education aspects. But of course, we have our 4-H and our extension agent in the same building. Along with that same building, that's where we actually supply our ability to service for any NRCS or FSA personnel that come to the office. It's kind of dedicated to that purpose. Since I'm not the supervisor, I would not be able to quantify how in that aspect of I think of good job, bad job, whatever.

Carolyn Parker: What would you like to see more from your extension agent, if that's a fair question?

Mark Wadsworth: Maybe our reservation is not the problem, or maybe we almost solved our problem. But the situation is is that there are approximately 80 tribes out in the United States that have over -- the average county acreage in most counties in the whole United States, I think we're funding 36.

Carolyn Parker: I'm just trying to hear the concern, is transferring what's happening where you are to what's happening on other tribes. Is that what we're talking about?

Mark Wadsworth: Exactly and any additional funding for that. But also the barrier is why do our tribes have to apply continually every year?

Carolyn Parker: I heard that. I heard that out in Montana where they have some outreach specialists that are working with specific tribes. Our money is getting ready to run out, who's going to do what this person is doing after the money runs out? I don't have any money runs out answers. I think that this is a legitimate concern that we should raise with the REE Mission Area, unless somebody has a better idea. Mr. Michael, do you have some concerns you want to raise with me?

Michael Jandreau: We've been without extension service for 25 years. Basically we've been working with the university, with the dean of ag to try and correct that problem and to get some things done. Recently, we had a response here that nine of the tribes attend and all the nine tribes indicated the same thing as far as extension. That was a much needed activity and that we are continuing to pursue that with the university to get that accomplished.

As far as the areas where it's needed, there is a tremendous gap in the consistency in farming practices and everything else on the part of the membership. Extension was a great part of helping the individual operators deal with that. We're a pretty small reservation. We only have about 25 operators that both farm and ranch. We've cried about it and cried about it. We kind of used the management of our corporate structure in our farm to help address it because they're on the

ground and they keep up with all the technology and things like that. That's how we've dealt with it.

Is it the best for us? Well, not really, but it is something when there's nothing there. The university has been made pretty well aware of that so they're looking at avenues with which to assist us. We stopped talking to agriculture years ago when it was obvious that the program dried up, at least in South Dakota.

Carolyn Parker: I want to make sure that I don't leave you all with the thought that I can fix what you've been fighting for, for years.

Michael Jandreau: Well, I thought you had that in that purse.

Carolyn Parker: Actually, I have a lot in this purse. Let me just say that my heart is in this job. My heart is in this job. If I leave you with anything, I want to leave you with that. At the end of the day when I leave to go home every day, do I feel like I've solved all of the advocacy problems that need to be solved from the different communities that are saying hear me, hear me? I feel like I haven't put a dent. I feel like I haven't solved, on some days none of the concerns. But I do get the opportunity to meet with the secretary twice a year. When we start out, he wants to know what's going on. What are your challenges? What are you coming up against? If I said to

him that there is a problem with the Federally Recognized Tribal Extension Program, he's going to say, well, extension, have you talked to Dr. Woteki?

I want to be able to present concerns that this group -- and be presenting the same issues that Leslie presents as it relates to the tribal members. But I want to make sure that we did everything that we were supposed to do before we brought it to the secretary. I mentioned that we had these outreach calls quarterly. I want to make sure that your people participate in those calls because we give the callers an opportunity to say to us who do you want to hear from next? The very last meeting that we had, they wanted to hear from the Appeals Division. How do we file an appeal when we applied for service and we get turned down? I tell you that those calls are so basic that I was stunned when I got there for the call. The speaker phone is going and a lady from the Appeals staff, she couldn't make it that day because she had a doctor's appointment, and somebody has their cell phone holding it up over the speaker phone. So when we got out of the meeting I said, why are we doing that? One of the staff person said to me, because most of these people are on a phone line and they don't know where the mute button is. When we had all the lines open, you could hear all the conversations. A lot of the participants, they're going to the library to register to be on the call and then going back to get

a passcode so that they can get into the call. At that point, I said, this is where I want to be. This is exactly where I want these calls to be, at the level where the people who really need the service and need to know this information, that's where these calls should be. If it's holding up a cell phone over the speaker phone to make sure that that one person gets that information one bite at a time, one problem at a time, one issue at a time, that's what I'm here for.

I want to hear your concerns. I want you guys to participate. If I get an e-mail, I will respond to it, probably not that day because I'm getting about 5,000 a day. Your concerns are important to me and I really, really would like that we take that next step and get the undersecretary who is in charge for the extension service to at least tell us what we can do about it, if it's that we can do anything about it. But I don't want to leave here with the impression that I have a crystal ball in my pocket, Mr. Michael, and that I can solve all the problems, but I am interested. I know I've taken up more time than I was allotted, but if there's anything else, I'd love to address it.

Female Voice: A quick comment though. I didn't know about these outreach calls. I'd take that number and call in sometimes, but maybe you can take back to Dr. Woteki [cross-talking] to encourage or for us specifically, the land-grant

colleges to adapt to or at least be educated about the Indian culture on the other end that's receiving the services. There's such a distance in the communication breakdown barrier. We've tried to communicate that to them but we need help in that area. Thank you.

Jerry McPeak: Carolyn, I'm going to run a risk here, and that's not like me at all to be risky. Given the gentleman down here, Chris, a lot of grief today because we have another gentleman here who is such a support. You obviously are very empathetic and that is something that you can't hide, you can't buy, and you can't train. It's something that you learn. It appears that you have that feeling. At the same time, as we sit here and I listen to what you have to say and I listen to what we have to say, we are responsible. I'm a Democrat, but we are responsible for our own action to do something for our own good. But then this Keepseagle thing, there's \$380 million left. At some juncture, when do we take part of that money and help solve the problem that you want to go solve? Also, keep that in mind that we have no control over it as it appeared in all this group. But this is the kind of thing that maybe we need to be making the recommendations about if we believe in that to help solve our own problems.

Carolyn Parker: Absolutely.

Jerry McPeak: But thank you for being here, ma'am. And I'm not going to say anything nice about anyone else today but you.

Carolyn Parker: Thank you so much for inviting me. I appreciate it.

Mark Wadsworth: Thank you for that.

Carolyn Parker: I have two young ladies here with me. Let me introduce them just real quick: Kenya Nicholas who heads up those outreach calls; and Phyllis Holmes who works with our 1890 colleges and universities. Just again, thank you all so much. I'm getting my card --

Jerry McPeak: By the way, what's going on with the Rodeo Queen? I'm ready to throw [cross-talking]. I was forced to do this thing here. They've got it going on, don't they? [Cross-talking]

For those of you who are here, I am officially Leslie's agent. If you'd like to have any further video, I'd be glad to go negotiate with you.

Leslie Wheelock: You will however have to pay my travel expenses.

Mark Wadsworth: Did you have Gilbert's ready?

John Lowery: Yeah.

Mark Wadsworth: Do you want to go and do this now?

Jerry McPeak: Yeah, we're in the movies. Michael, did you bring your popcorn?

Michael Jandreau: No, I never got any. I'll get a list of all your names and addresses and make sure you get some.

John Lowery: Actually, what we could do at the next meeting is just have a box sent and be able to -- while we meet we can snack.

Michael Jandreau: That's a good idea. But that's going to be a long time away.

John Lowery: Yeah. So we might need to do both then.

Leslie Wheelock: With a little bit of reinforcement?

Michael Jandreau: Yeah. I'll send them some.

Leslie Wheelock: We ate all ours.

Lisa Pino: While John is pulling that up, I'd like everyone to have a copy of my card. On the back is my personal account and you can make [cross-talking].

Leslie Wheelock: Is that Lisa J. Pino or Lisa J. Pino-8?

Lisa Pino: Oh. Sorry, that's my poor handwriting.

Leslie Wheelock: Is that a Pino 8?

Lisa Pino: No, it's not.

Leslie Wheelock: Oh, it's a Pino at. It's not a Pino 8. It's a Pino at. Got it, just checking.

Gilbert Harrison: We don't allow resignations until the job is done.

Leslie Wheelock: Did you hear? He said we don't allow --

Gilbert Harrison: I said we don't allow resignations until the job is done.

Lisa Pino: Oh, boy. Then I'm never going anywhere.

Leslie Wheelock: How did Janie get out of here?

Gilbert Harrison: While he's putting that information on there, I'm going to share with you a little experience I've had. I wish that the young lady from BIA was still here. In our reservation, we have a regional director from BIA and this is the first time in two years she's coming to our neck of the woods for a three-day meeting with her staff. We, as the local farm board asked her one hour just to go over some of the concerns we have about farm board issues - one hour out of three days. I just now got an email or text saying her schedule is full. This is what I was saying. We talk about doing a lot of things up here, but at the field level, we don't even get one hour to talk to regional people. I don't know how we can get the word across. There needs to be partnership in this. So I don't know. I just wanted to share my ongoing text battles.

I wish the young lady from BIA was here so we could say, hey, these things need to change. They need to partner with the natives that they're serving. Really, I just want to say first time in two years for just one hour, they didn't go. The message was they can make an appointment with the regional

director at her office. That's a two-hour drive to get from where we are to there. It was easier for her when she was right there at the community. I hope we can get the message across that somehow we need to build that partnership to make things a little easier on everybody. We weren't going to make any drastic statements or take any drastic action. We just wanted to bring to her these are some of the issues we have here at this valley as far as farming, as far as community is concerned. We even outlined, because they said what do you want to talk to her about? We outlined only four areas.

Those are some issues of concern that needs to be done, and there's nothing. We just get put off. I think this is something that I'd like to see. Maybe it's too much to ask of the government to come and make time for us. I don't know. Thank you. I'm sort of like -- the gentleman's name back there, frustration time.

Male Voice: Especially now, Gilbert, it's not time for -- I mean, you're barely going to get introductions done. We don't have enough time.

Gilbert Harrison: Who is this? What's her name?

Male Voice: The regional director.

Gilbert Harrison: Do you know her name?

Male Voice: Gina Pinto.

Gilbert Harrison: That's why I said I wish the advisor to the associate director of BIA was here so she could get this really what we experience out in the field.

Chris Beyerhelm: To that point, I was going to bring it up later but since we've got a little break here, I agree wholeheartedly. I think it's absolutely ridiculous that we've had two meetings here in Washington, D.C. and BIA is not here.

Jerry McPeak: Amen. I want to thank the [indiscernible].

Chris Beyerhelm: I'd like to open up some dialogue. Even if we have to expand this council to have something from BIA on it or at least an advisory member or something that will force them to come, but I think we need to have that conversation. We can't solve these problems if we don't have BIA at this table.

Male Voice: That is a barrier that we can break down, I feel, it needs to be.

Mary Thompson: It's a major one. Land issues, cattle issues, contract issues.

Gilbert Harrison: Yeah, it needs to be at --

Jerry McPeak: I can imagine they wouldn't volunteer. I'm sorry.

Gilbert Harrison: Mark, I'd like to formally ask maybe through the council Ms. Leslie Wheelock to invite or maybe the council needs to do something to get them in as ex officio or something to sit in at our board meetings.

Leslie Wheelock: We invited them. We have invited them over.

Gilbert Harrison: What do we need to do so we set [cross-talking]?

Mark Wadsworth: Actually, just for FYI, I've signed a letter of invite to Secretary Washburn.

Sarah Vogel: Our major role is to provide advice to the Secretary of Agriculture. We could tell him we appreciate this committee and we think we're making great progress, but we need somebody from the BIA here. Would the secretary please arrange to have his counterpart at the Department of Interior send somebody over here to be our permanent liaison to his office so that issues could be addressed on a timely basis?

Jerry McPeak: Is that a motion?

Sarah Vogel: Yes.

Jerry McPeak: I second it. And I would like to amend that motion by saying that a letter also be sent to the head of the Department of Interior, a very similar letter asking for the same thing.

Mark Wadsworth: There's a motion on the floor, moved and seconded to request through the secretary of the Department of Interior and also to the undersecretary for Bureau of Indian Affairs that they provide a representative to the Council for Native Americans.

Sarah Vogel: Yeah. Only my motion was that it would go to Secretary Vilsack and then let Secretary Vilsack know if -- we don't carry the same clout as Secretary Vilsack.

Jerry McPeak: I think it's extraordinarily important that this council send a letter themselves. No one talks for me but me. I will talk for me. We have so little impact in here.

Sarah Vogel: Let me debate with you.

Jerry McPeak: Yes, I will.

Mary Thompson: I would have brought that up under the section down here on the agenda - New Recommendations to be made to Secretary Vilsack - because there are several that I've been listing out as we're going through these days as opposed to addressing each one of them individually.

Sarah Vogel: Yeah, sure. We can put it off, yeah.

Male Voice: I only brought it up since --

Jerry McPeak: It's a good point.

Female Voice: I'll put a star by that one.

John Lowery: Gilbert, would you like to lead us into this?

Gilbert Harrison: Thank you, John. This is that dirty video I've been promising. That's why you're all still here. This project started about two-and-a-half years ago when the NRCS office from Utah came down and wanted to know if I would be interested in participating in this particular value -- video because I had two NRCS contracts and I was able to implement

both of them on a timely manner. So they wanted to show that it can be done in terms of conservation of issues, so that's how this video came about. I'm looking on the short version in English.

[Video playing, 1:00:29 to 1:06:04]

John Lowery: I'm going to open it in the other format and see if we can hear it better there because as you guys could tell, the music is fine. It's just we cannot hear the talk.

Mary Thompson: John, we thought you paid too much money for the movie stars and not enough for the --

John Lowery: That happens at times, doesn't it?

Leslie Wheelock: John, is this video going to be in the website as well eventually or this one is already on the website?

John Lowery: I'm not even sure, probably.

Mark Wadsworth: This might be in NRCS.

Female Voice: We need to let NRCS know that this is not --

Mark Wadsworth: It's an NRCS-generated video I think. I mean, they have their own equipment and stuff like that to do that.

Sarah Vogel: Gilbert, have you seen it before where it worked well with the sound?

[Video plays 01:07:08 to 01:07:31]

John Lowery: I was just hoping it would have played better with the subtitles.

Sarah Vogel: Gilbert, it looks dry.

Leslie Wheelock: Value-added producer grant, which is an RD grant. That's the one that they just got the tribes qualified for.

Gilbert Harrison: Anyway, they came out to the farm. It took about two hours. We did one version in Navajo, completely in Navajo. There is another version in English so that's why you see two versions. There's a version that's a longer one, longer-winded. And then there's a shorter version. That was a mix that came --

Leslie Wheelock: Do you go to these places often, Jerry?

Jerry McPeak: As a matter of fact, I go to places all black except maybe up there called Elmer's [phonetic]. I'm impressed because they remember my name. Mike Shelton [phonetic], the black guy that takes me there all the time, I said, "Mike, I wonder about myself." I said, "They knew my name." He said, "McPeak, don't be so impressed. You're the only white guy that goes in there." I hear great thing [indiscernible]. I still give him a hard time. This right here, he kind of liked the book. I like what's in here, it's really good. But how much faith do you have on someone who's

got a picture? Do you know what breed of hog that is? What breed of hog is that?

Male Voice: It's a Berkshire.

Jerry McPeak: Nobody uses Berkshire hogs anymore. In the background is a Corriente bull. I might be impressed with other [indiscernible]. When I get to that, when it shoots all the credibility, it shoots all the credibility out of it. Corriente bull and Berkshire sows.

Male Voice: We've been trying a long time to get away from them.

Jerry McPeak: That's right.

Leslie Wheelock: What's a Corriente bull?

Jerry McPeak: Corrientes? They're Mexicans. They came from Mexico.

Male Voice: Corrientes are just not, you know.

Leslie Wheelock: Not quality. [Cross-talking]

Male Voice: They can be five years old and weigh 800 pounds. They're five-year old bulls and weigh too --

Jerry McPeak: But I'd tell you what was cool about it. They get those suckers and put them in a feed yard and we kill them. They will marvel like a son of a gun.

John Lowery: I'll tell you what. Let's talk to NRCS and see if we can get a better DVD and then in our next full council we'll play it. Mr. Chairman, is that all right with you?

Mark Wadsworth: Yes.

Leslie Wheelock: A couple of things. When we're putting this agenda together, and talking to Mark, one of the things that I said -- because the last meeting was my first meeting and it was an audio-video webinar whatever kind of meeting. It felt it's flat. It's that kind of meeting you can do when you don't have all the people in the room together and you miss that dynamic. But I was trying to find out by asking some folks what's the goal of this group. Where is this group at the end of the term? What does this group want to have achieved? What's the mission? Where do you want to be? Where do you want to push the USDA? How do you want to do that? We don't really have a whole lot of time to do that, but it would be good, I think, to spend a little bit of time kind of dreaming, thinking out loud, what do we do?

Mary Ann, as we were talking a minute ago, she used the word discriminatory. We heard a couple of programs today or in the last two days that have discriminatory elements to them still. The question is whether that's a legislative discrimination or whether it's a non-legislative discrimination. But we've also got a difference in treatment among the states and either you've got the same organizations, the same USDA organizations in each state, and yet we hear different stories about how they're working with us and how they're helping us or

not helping us do what we need to do, how we're communicating. At the end of the day, we've got in the binder a whole lot of recommendations. The only recommendations that have been sent to the secretary is that one letter full. This was supposed to be more of a long-winded effort to try to get us a little bit more focused on what we want. What's our purpose? What do we want to have happen? How hard do we want to push the secretary? How much do we want to ask for?

This is your council. This is not the USDA's council. This is your council and it's your ability to ask the hard questions and push and try to get a little bit or a lot more attention in some spaces. Zach comes in. He came in the last time and he came in this time, and he's got this whole long laundry list of stuff. The last time we didn't do anything with the laundry list so it's in your binder. Now he's got another laundry list that's really pretty, but it has some interesting animals on the front. You all have other instances and other things that you would like to tell people, you'd like people to hear. Zach said, "Chris is taking care of some of these things." But you know what? Chris isn't the only person in USDA. As much skill and ability and control and effort as he has with his team over there, there's a lot more stuff going around in Indian country that could use some attention.

I hear you on BIA. To the extent we can get them more involved in this, that's my job. I will take that on. That is definitely my job to the extent that we could push the secretary to do and look at other areas and get some more people into this space. That's a request. You all made a request to the secretary yesterday right around 10:00 until 12:00. By 12:40, he had sent that request over to Secretary Jewell at the Department of Interior and said we need to do something about this. They were emailing back and forth during the football game last night.

Male Voice: What was the request?

Leslie Wheelock: It was a request to get somebody working on -- it was focused on StrikeForce, but it was about the problems that we all have when we've got some momentum behind something and then it runs into the BIA delay problem or secondary request problem or duplicate something problem. How do we streamline on this? There's got to be a way to do it better. How do we break down some of these things that have been in place for decades, if not centuries or one century? How do we make things work more efficiently? That is part of the mission of this new White House council. That is part of the mission, and Secretary Jewell is in-charge of that council. What's our request? What do we want to have happen? How do we take the recommendations that we get? Back to Gilbert's

question yesterday, how do we take the recommendations that we get and turn them into something that has some impact?

I don't know the answer to this, but we all ought to sit down and think about what we want to have happen and how we want to do it. We don't have time to do the mission statement or the vision statement or any of that. That takes a lot of time, two days usually, so we're just not going to go there. But we've got a mission and it's spelled out in the results from Keepseagle and it's spelled out in the bylaws for this organization. It seems to me that we can be a lot stronger if we use our voices better and tell our stories better and put some more information, put some more meat on these bones. So I'm going to turn it back over to the chair and I'm going to sit here and take notes. I want you to just talk, just share please. Thank you.

Mark Wadsworth: If I may say just at the beginning here too, because our conversation was more geared towards just as it was mentioned, I was getting frustrated in the fact that we had all these scenarios coming through and I wanted more than just a recommendation going to the secretary about Alaska's concern, which is about vital and important NASS concerns because we have such other parts of that puzzle that we need to try to put together or try to fix or in some cases improve. My frustration when I talked to Leslie about that was that we've been through

this period of upheaval, this kind of unsurety through our portion of do we even have enough funding for the next meeting. How long is Max Finberg here going to be a part of this after Janie had left?

Dealing with John Lowery - all of a sudden when we first got here, I think there was a staff of seven people and then all of a sudden we were just down to John at one point in time sitting in the office of Tribal Relations. I guess that's where my situation went. Finally, Leslie and Porter, we were just talking about the agenda just finalizing it. One of the subject matter I thought that should be brought up is - like what we were talking about - the mission statement, but more importantly what type of formal process do we want to develop that we get our responses to the secretary. We get responses back. We want to be proactive instead of reactive. That was where I was coming from.

Gilbert Harrison: Mark, thank you very much. When I first heard about the council being formed out of Keepseagle 7 and it said to remove barriers, address barriers. That's what caught my attention because I, as out there a farmer and a rancher, I run into all kinds of problems. The people that I associate with run into all kinds of problems, bureaucratic problems that always seem to pop up. So I was very happy when I was nominated and I was selected. You see, now I can have some positive

impact on how programs are delivered out there. So when we talk about barriers and all of that, that was my main reason why I said I would like to serve. I still see that as a dream and a vision. It's to say if we can remove one barrier, I think we will have taken a big step forward. To me, that's still something that we really need to do.

The other thing that I feel very strongly about is some formality of what kind of barriers should we be addressing because there are some barriers that can only be addressed at the congressional level through Congress. Bureaucrats can do that through their lobbying effort. There are some barriers which are related to tribes themselves. There are a whole lot of barriers that are policy-driven like USDA policies and how they do the work. I felt that's where we should concentrate. That was one of the main reasons I said what is our formality when we get a request? I think the people that make the request deserve an answer. It doesn't matter how long or how short, even just a note. Let's make it no, thank you. But that's an answer. That's what I think. Everybody that submits a recommendation should at least get some sort of answer.

I'd like to see the council saying these are the particular issues that we should deal with. Congressional issues, budget issues we have no control so maybe there's something we can put on the side and just say, okay, these are some that we can make

to the secretary and his department. Let them come up with a possible solution. I guess what I'm saying is let's maybe work on narrowing our focus instead of trying to solve world problems. Let's try to identify what is it we should be addressing and how do we handle those issues and how do we get a response. Thank you very much, Mark.

Mary Thompson: It seems to me like we were too much focusing on the individual issues. I know we need those individual issues in order to compile our lists and, I guess, determine our priorities that we're going to address. In the bigger picture, I would like to see this group focus on the legislative changes and the big things that we really need to address to break some of those barriers. Everybody has an issue with BIA. But on a more serious note, I feel like we need to look at and address and get them involved and everything. But we need to look at that big picture and the interoffice communications between programs. We have our folks here. We have Juan. We have Chris. We have Dr. Leonard. We have the folks here that can address and handle the interoffice management in the interoffice. While we need to promote and address the lack of communications that are there, they get it and they deal with it.

So let's, I think, deal with it and let's bring our attention back as a council to these big legislative issues that

we need to address. I'd say most of them are legislative because each department changes in the law. Funding is always funding, but that's legislative. Then, getting the appropriate people to the table here to listen to and understand these barriers. If we could do that, then as we go to make recommendations to Secretary Vilsack, then we are more specific and maybe have suggestions for improvements with those recommendations. Look at that big picture. I respect and I know that every person that comes in here with the issue, you know, [indiscernible] top priority and it's near and dear to their heart. I understand that. Yes, maybe we should comply with some type of an answer to them letting them know, yes, we heard you and we realize you've got BIA issues with complex and land titles and that type of thing.

We're just [indiscernible] by getting BIA here at the table. Maybe start again, but in order for us to get to that point, I think that we need a work session to where -- we're like a mediator, somebody they consider a peer with the board and we can go through all these and run our issues down and pick them out and prioritize them. Once we get to prioritizing these things, then maybe I think we could get to and focus our attention on what this committee was set up to do.

Male Voice: I agree 100 percent without having public comments. Just strictly sitting down and going through the

issues, going through the recommendations. I've been on Tribal Council and the other boards and the other councils that I sit on. I found out through the years that it's usually better to put a timeframe. If you can get a timeframe down to accomplish something, it helps. If you don't have a timeframe, I've seen so many things put on the backburner as here as well. Some are worse. Some are better. But if we do put a timeframe on it, a reasonable timeframe because there are some issues that require so many days or whatever, it will help. I think it will help anyway. I'm pretty sure. I'm hoping it will. But like you said, Mary, we do need to have it.

Then there is the issue of monies, funding for a meeting to just go through recommendations, put them up on the screen. Let's go do that one by one; the pros and cons, will it work, do we have to go through legal, do we have to get new legal advice, is it going to affect CFR? Just little issues like that, you know, that we need to take into consideration. But I'm all in favor of pushing some recommendations through, or at least suggesting them to the secretary. Then if he says, "Yeah, that's fine. That sounds really good," we may say, I don't think so. I don't know. That's my feeling. We've got a timeframe on it. Put a timeframe on it. We would have to have a special meeting somewhere and find the funding.

Sarah Vogel: I think it might make some sense to revisit the concept of working groups. I used to be part of a working group of assistant attorney generals years ago and they've got an enormous amount done. There are people around this table with passionate interest and deep knowledge of many, many pieces of the puzzle. For example, I'll pick on Jerry. Jerry has got a passion for youth education. That was our number one priority that when everybody raided the concerns that we had, that was the number one. It's how to influence that. If we have until the next time we meet several working groups that could meet via telephone, that's free, from our own offices, that's free, and then try to do a bit of research and probably get help from -- tell Leslie we need help from such and such and then put some flesh on the bones on some of these concepts. Next month or two months from now, a whole slew of statistics are going to come out indicating where the loans are being made, where the applications are being made.

I suspect and I'm hoping out of the whole country these numbers are going to be way lower than the numbers of farmers, and that's going to do with outreach probably. So when we get those statistics, maybe there will be somebody on the statistical side to say how can we develop a plan to have better outreach in Navajo, Hopi, Arizona, Missouri, wherever the disparities are and maybe get a little bit to the bottom of it

with the help of Lisa and the Office of Civil Rights for example. Those are the kinds of things where we did get a project and we worked on the project. Then at the deadline, I think a deadline is a great idea and like the next time we have a meeting, we're going to hear from these working groups. We may not get everything done in the span between the meetings, but we could make progress and would be noted. I kind of like that because I think we've got a pretty darn big bang for the buck with that little two-page letter. That was inspiring and that took a while to get out, took a while to get a response, but I think we saw it made a difference. So if we can pick off several of these every --

Jerry McPeak: What did you say? Bang for the buck on what?

Sarah Vogel: Bang for the buck, that two-page letter to the secretary and his reply. It wasn't just the reply. It was that things had happened while in the interim where attention was paid. So I'd surely like to explore that. I've got a couple of ideas for subcommittees. One would be statistics, which ties in with the NASS, the civil rights statistics. Another one would be youth. Another one would be economic development. Mary knows a lot about that, I mean the marketing or those things. So there's quite a bit. Then just how to get things out to the ranch and the farm, and then get the

knowledge. Porter got visibly enthused hearing about this microloan program. He's on the council. He heard about it yesterday, outreach on that.

Gilbert Harrison: I want to ask Sarah about the settlement out of which this council was established. What was the intent? Are we to be a lobbying group? I mean, what was the intent of the role of this? I don't know if we should be actively involved in the legislative issues or should we be involved in the policy issues? What was the intent of this? Thank you.

Sarah Vogel: I'll try to answer that. It's basically in our bylaws and charter. It's the role of the council to advise the secretary of agriculture on issues related to participation in USDA programs, to make recommendations and changes to regulations or internal guidelines or so on that would eliminate barriers, to how to maximize the number of new farming and ranching opportunities, exercise methods of encouraging intergovernmental cooperation - that would be the BIA part - other opportunities, and promote reconciliation by USDA with Native Americans and so on. Those are the purposes. I can tell you that when we were negotiating the settlement agreement, nobody was thinking about using the council as a lobbying arm for Congress. That is a huge high-budget thing. Our focus was much smaller. USDA is a big enough sandwich to eat. It's plenty on our plate.

The class council sent how many pages of letters, and recommendations, and changes to the regulation and Chris evaluated them. So there's loads of work to be done and we have a willing partner with USDA. Now, when we do this, we may see that here's a law. It has to be changed. I'd say we get that to USDA and that they've got their Office of Congressional Relations and their built-in lobbyists and let them do that. But we can make recommendations, but I think our focus should be more on the things that are listed here. There's a lot to be done.

Female Voice: So that's best without [indiscernible].

Sarah Vogel: Yeah.

Leslie Wheelock: I just wanted to comment on the lobbying piece. It is a huge lift by itself. To the extent that this council makes recommendations on legislation, I would sincerely advise that you think about the story that goes with the recommendation because our Office of Congressional Relations doesn't always have the story. They have a lot of people telling them a lot of different stories, and so what we want to do is to make ours stick in their minds. Why are we asking this, why are we asking for more FRTEP money? What's the point if we've got another program out there that's pushing money out through tribal colleges and universities? Why do we need it? What's the difference? What's the practice that we are trying

to put down, that we're trying to alleviate? It's all about how you present it because those stories tend to stick in their heads longer than simply a bullet item that says we need this done and here's the language that goes with it.

Mary Thompson: We need more of the funding to go to FRTEP agents because you're discriminating by making us --

Mark Wadsworth: Leslie, I'm going to show my ignorance. I thought I knew a lot about USDA and stuff, but that's really the first time that I heard of a legislative - what is that?

Leslie Wheelock: Organization. Within the USDA, we have an Office of Congressional Relations, also called OCR. There was to have been a presentation by them yesterday, but they thought it was today. Their calendar messed up. The secretary would have been in at the same time anyway, so we'll try to get them in the next time. But they are responsible for representing USDA when Congress asks. The secretary has taken a position with regard to Congress that USDA doesn't go asking Congress. Congress has to come ask USDA. When Congress comes and asks USDA, we give them statistics; we answer questions; we pull together fact statements; we do whatever they're asking for. But the USDA is not a lobbying organization. However, the USDA has requests it can make.

The USDA can say there are these three programs, and typically what happens is we end up going up to the Hill at

somebody's request. And they say, tell us about this program or tell us about that program. At that point in time, if they say, well, what's this FRTEP program? This is a question that I actually got. You've got FRTEP and you've got this other extension program. Why do we have two programs? What's the difference? So I sat there and I wrote up the history in two paragraphs. Fortunately, I already had most of it because they want it immediately. But it's that kind of information that needs to be at their fingertips. They have to be able within a half a day, three hours, it's typically all they're given to turn something back around to whoever in Congress is asking them and say this is why this is important.

There's an ability when you're saying this is why this is important to say, oh, by the way. That's what I use. That's the extent of putting in a little bit of addition and making people aware that there's something else. You call it lobbying if you want to. We don't lobby, but telling them more of the story. The more of the story that they get, the better off they are in terms of being able to understand. If our Congressional Relations Office is, by the way, another organization we need to sit in on these meetings because they don't hear these stories enough, and so we're invisible to them. I don't want to be invisible to them. I don't want to be the only person who has

that bundle of stories. We have to look to the folks who were here during Keepseagle to also continue telling the stories.

Chris Beyerhelm: Les, if I could just add to that. I hope you'd agree with this. I think what you just said is important, but I also think that this council needs to find another conduit to introduce suggested legislation to Congress so we can react to it because what I just normally see happen is like with a credit title or for a program or whatever, somebody else has already introduced it and then they'll call Office of Congressional Relations and say what does USDA think about this. We then say yea or nay and, by the way, we'd also like to see this. But very rarely anything that we initiate without any support from some other champion is going to see the light of day. IEC is one and there are others I know that the Hill listens to, so you're going to need to go both ways with it to get it to the USDA folks but also get into whatever the other channels are to get legislative things in front of Congress and then we're prepared to respond and say, yes, we agree.

Leslie Wheelock: To continue that just one step beyond, coming out of NCAI, I know that one of Indian country's biggest advocates is NCAI and one of the biggest advocates that doesn't have substantial voice in the field of agriculture supporting USDA or the Farm Bill is NCAI. So when you start talking about an Indian title or legislation or anything like that, that's the

office that you need to get a hold of. That's the office that you need to educate because they've got people on the Hill. They're known in quantity. They're the people that the Hill trusts. It's coming in when I did. With the Farm Bill already rolling, it's too late. It's too late to get that work done to the extent that there's something that also goes to NCAI as we're identifying legislative pieces here. Somehow there's got to be some sort of either independent mechanisms, tribal mechanisms or something else or a spokesperson that goes to NCAI and says here are some things that we need your support on.

Jerry McPeak: I'm all about self-determination. Since I've began being here, I have more questions than answers. I don't know why it's so taboo for us to discuss the money from the Keepseagle thing that's left over that, as Sarah pointed out, was not anticipated because we thought there were actually more applicants than there was money. But instead they wound up with this amount that no one anticipated would be there. Yet, if you read the discussions from the last meeting, what the people said and you listen to what the people said today, there are two common themes that is over and over and over again. That is youth and education, and money. Those are the two common themes so I'm not sure why we dance around the fact that -- I don't care whether Oklahoma politics setting in the state capital of Oklahoma, even more so here in D.C.

The first thing that I was told by one of the most brilliant politicians I have met when I got there was he said, "Jerry, follow the money. Follow the money." Here, when you come up here, the ones who are astute will talk to you openly will say, "Jerry, follow the money." There are two things that make government go, and that's power and money. The second thing that takes money is power, and yet we avoid discussing the fact that all of a sudden there's \$380 million that we didn't know we're going to have. We don't seem to want to talk about that. We don't seem to want to discuss that. It wasn't included in our directive because it wasn't anticipated that we're going to have it, or I think it would have been included in the directive had that been the case.

So we're talking about moving along and how they do changes. When I coached my judging team, I said, "Down here we're not very good. When you've got to work, you get on top of the pinnacle, you're up there the view changes on that mountain. You do different things based on where you are." I think that's sure the case here. We talk about lobbying. You are the best lobbyist in your state, and you're the best lobbyist in your state, and you're the best lobbyist in your state. Look at how many people who just told us you affect and can affect if we take our own initiative to go tell those people.

I can tell you here's what happened in the state of Oklahoma. One representative gets five phone calls on the same subject and this is what he says down the floor, "Everyone back home is saying so and so." Five phone calls. I think the senator represents 105,000 people or something like that, and he gets five phone calls and he comes down the floor and says everyone back home believes so and so. I will tell you emails don't have the same effect, by the way, for those of you who are email conscious, but a phone call to a person does.

We can get things written ourselves. I'm a facilitator for all the tribes of Oklahoma. I sit and listen to their meetings. I hear my chairman and chiefs, and I don't feel like I should say things but here we have this power. I told them in the last meeting, I said power is like a pile of gunpowder. There is no power. There is potential for power but there is no power. It does something. You light it and something is done. But we seem to avoid when we talk about the money. I don't know how many of you guys know, but there are already people who know who are going to be on the board for the foundation. Do you know that?

Sarah Vogel: I don't know that.

Jerry McPeak: Okay, well, there are people who know that they're going to be on the board of the foundation. I find that disturbing a little.

Male Voice: They think they know or they know?

Jerry McPeak: Listening today and reading last month's meetings, we play defense in here a lot. We continually play defense. I've come and listened. I spent the first day listening to people telling about what those offices did. There were some interesting things I found out that I don't know anything about. You can insure grass, for God's sake. But we go back in here of what Gilbert is saying. We go back in here and yet we don't get to present that to someone so that we get an answer, or you said Secretary Vilsack goes back and he's talking about that already. Well, if we had that deal, that's what would happen. But instead we have here -- it's supposed to be one-thirty now. Based on the schedule, we have one-hour-and-a-half to say things that you've been hit with, and you've been hit with, and you've been hit with. Who the hell is going to give the answer? Who the hell's going to hear that?

We're going to write it down and present it to him. Sarah said go send him a letter. I love that, about sending a letter. I think I'm not quite as excited about the response that we got from the secretary. I think he responded to what there was, but I also think we pitched him some softballs. We're just asking and talking but he's just listening. Again, the extra dollars was not anticipated. Is that an accurate one? Chris, is that accurate?

Chris Beyerhelm: Yeah.

Jerry McPeak: So we're not playing the game we thought we're going to be playing. We're playing a different game and yet the rules were set up without that knowledge. We're not aware of that because sincerely - and I appreciate that - they thought we have more than that, but they thought RG3 could run up shop and kick the crap out of Philadelphia but that didn't happen. So that's not the game we have. Power and money, we're avoiding talking about the money and the power is us: your chairman, your chiefs, your tribes. It ought to be all in those congressmen and senators' faces. They will write the legislation. Oh, they don't know what's in it. They have some staff person write it. Like you said, then that got them something to respond to. Then they've got something to bring to them.

They're uncomfortable in presenting it, and I understand that. I think they should be uncomfortable presenting it. It puts them in a tough situation. I absolutely understand that. I think all of us planned an idea that someone else, hey, you bring it up then we'll jump on it. That didn't cost you anything extra than the plane fare, but that's where I see that we are. I think we're playing a lot of softball and baseball.

Chris Beyerhelm: I just got a thing about this last night because I spoke with the young lady that presented about the - I

forgot what it was called - the suit requesting the funds for the Choctaw Nation. Maybe misguided a little bit but something she said that they wanted to be proactive about trying to get some of this money. I think that's what Jerry is saying is that maybe the council should -- I don't know what the legal way to do it would be is just take some sort of position with the judge and say, "If nothing else, I'm --" What's he going to do? Throw it in the round file? I'm just taking Jerry's. If we're serious about this and we want to be heard on this matter, that's who's going to make this decision. It's not the secretary. He's got something to say about it, but it's basically DOJ and class council. This council wants to be heard and you want to be aggressive and proactive, and again I don't know the vehicles. I'm not a lawyer.

Mark Wadsworth: I think we're going around. There may be something we do want to act on before we leave today, and I'm all for that. If we want to discuss that issue more right now, then let's go for it. Let's say whatever we want to about it.

Gilbert Harrison: Mark, I sort of agree with you. I think maybe at our next meeting we should set aside more time for these kinds of discussions. Right now, we're at the very tip. The train's leaving. We're trying to talk about things on what should we be doing. I think I agree with Jerry. We get a lot of talking to, but it's good information. But really, my point

is what should we be working on? I know you opened the doors to a tremendous list of topics, but I learned in my field, field of engineering, if you do just open the door, you don't get anywhere. You just take a bite out of this and that.

If you narrow the field and focus your energy on a given project, there's much more likelihood of success in the end rather than just saying, okay, we'll do this, we'll do that. So I think somewhere along the way the council needs to say we're going to only concentrate on this type of issues and move and put our energy behind it, because I'm really afraid if we just start lobbying, if we start advocating, which is fine, but we're authorized only for five years with that agreement. One year's already gone. We have four years. With the initial council, we're out there only three years. We're already two, three years?

Sarah Vogel: We have three left.

Gilbert Harrison: Yeah. So we're saying we're almost to the waterfall. What is it that we have a handle on that we can accomplish? My feel on this, people here, we should be working with them to remove barriers. How do we do that? I really am in that case because at my level down there, that does more good than it is in trying to be up here saying we need a billion dollars here and a billion dollars there. So I don't know. I think I would like to see where should we really focus our

energy. It maybe in some work groups, maybe a work group there to do with policy issue, a work group there to do some of this. That's only - I'll leave that to the floor.

Jerry McPeak: We are running out of time. This judge thing is a good idea, by the way, but we're running out of time.

Gilbert Harrison: Right.

Jerry McPeak: The judge is going to make a decision. If you don't make a recommendation, you wait until next time you meet, you're not going to make a recommendation. It's gone.

Mark Wadsworth: Yes. We're looking at a timeframe of October 2nd until the judge's decision.

Female Voice: On *cy pres* and I think we should, I think that this council as a body should file a motion or whatever you call it to make a recommendation. I mean, there are other entities out there that the agony had just been this *cy pres* money in there. They're doing the legal maneuvering there and following things.

Just one second, I want to clarify on when the first time I talked about legislative changes, I guess I should have said policy changes because there's some policy changes that can be done in-house with the undersecretary and the secretary. We know that and we're starting to identify some of those things. Whenever I said mediate, I really meant facilitate. I'm sorry about that. Yes, to facilitate a meeting and a work group

session and give the reports on what this work groups could do at the beginning and maybe at the end of our next scheduled meeting. But, in the meantime, today we could come up with what we want to do. And you're right, we really just need to get down and buckle down to this *cy pres* fund. We all have ideas on how we want to see it. I think we, in general, all concur that it needs to get back to the farmers and ranchers and just come up with something that we can agree on.

Now, on the big issue of lobbying, you're right. We got NCAI to do that. If we're involved, we have charms. I think that. As far as lobbying and politics, it's all around us right now because of *cy pres* and we know that. We see it in here. They're here. The young lady was at least bold enough to say please come up. I maybe we should get on to the *cy pres* so that --

Mark Wadsworth: I think we got out a \$380 million elephant in the room. Let's talk about it or her.

Leslie Wheelock: I would like to go on with this, but I would like to remind you of something that Zach said, and that was that there's actually a \$21 billion elephant in the room, and that's the recommendations that you can make to the secretary. That's our annual budget, \$21 billion.

Male Voice: How much?

Leslie Wheelock: \$21 billion.

Jerry McPeak: We can take that and farm with it until we run out of money.

Male Voice: Let me ask a question. Yesterday we talked about the budget for the council. Is there a way we can facilitate maybe a two-day workshop on this issue between now and December or between now and the deadline? Is there something we can do instead of just --? Make it a workshop. I mean, we've a couple of these bigger issues. Get them out of the way with the budget allowed for that. I know USDA is a couple of billion dollar operations so we can take a few crumbs off the top and do that. Thank you.

Male Voice: And with that \$21 billion, I guess we're still \$7,000 short.

Male Voice: According to that, John, if you just want to briefly mention here the next travel budget. I guess everybody knows we're broke.

Leslie Wheelock: I have a suggestion. Why don't you tell them what this meeting costs?

Male Voice: Yeah, John. Stretch your head real hard.

Leslie Wheelock: Approximately.

John Lowery: Approximately this meeting costs \$30,000. That's what we're running on.

Leslie Wheelock: So that's travel to town and it includes the space. If we could have gotten the space in a less expensive place we would have.

John Lowery: We can easily do a two-day meeting or a two-day workshop, but that would be in the Fort Collins [sounds like] area.

Male Voice: That would be what?

John Lowery: I mean we could not do anything else in the remainder of the calendar year.

Leslie Wheelock: When is the IAC meeting?

John Lowery: December.

Jerry McPeak: I'll pay my own way. I'll get his way paid, buddy.

Male Voice: Does the council want to look at a comment coming from -- ?

Jerry McPeak: About what?

Male Voice: I just like to say is that I think you guys don't realize the power that you have, that you're yielding. You guys are the result of Keepseagle. You're appointed. You were nominated and appointed. Vilsack is your man. He's gotten you people together to cut down the barriers that all has been described under Keepseagle. You don't need NCAI. You don't need Indian Agriculture. You don't need all of those lobbying groups. You guys are wielding that power right now because you

have his voice. You can get that voice out there. Exactly what you guys need to do. Forget about all of that lobbying effort. You are the main lobbyist when it comes to this whole entire situation here. Don't forget that. You guys are the powerful group right now under this Keepseagle thing. Keep that in mind because if you don't and you start wandering off, this whole thing is going to be crushed. I don't think that's what the Native American people in this country want.

It happened. It took a court case. Secretary Vilsack said we need to do something about this. That is the barriers that you guys are supposed to be knocking down. So don't worry about all of these other stuff. You guys have that power right now. If this council can get its act together and focus on what you're all about and you get the White House Council involved, you're there. If you're there, all of us are there. Not everybody is NCAI pro. Not everybody. I've been to enough of their meetings to really understand that they are in trouble so don't depend on them. You have more power than they do right now. Utilize it. Do the American Indian's justice by doing what you were told to when you were nominated and appointed to this position. Don't stray off from it. That's what it's all about and that's why you're here. That's why we trust in you as the leader of the tribe.

Mark, we nominated him. He was appointed. You guys made him chairman. I'm not over here every day telling Mark what to do about this, but I think he knows enough as to what your whole reasoning of why you are here. Don't forget that. You have that power. Don't give it up and don't squander it. Thank you.

Mark Wadsworth: Jerry, Mary, Gilbert, are we going to want to discuss what our recommendation is and start doing it to get that off the table just today?

Male Voice: Go and ask a question. We've stepped out around when you stepped in. How is everybody at this table feel about the foundation versus spreading out over four or five entities across the nation. I mean, we stepped all around. Let's get in.

Male Voice: What's your thought?

Male Voice: I'm for the foundation. I think you got \$380 million, you split it up every time. We all know there's corruption and some travel governance, and that money's going to be lost. You put that money in a foundation and you put somebody over it, every dollar is accounted for and it goes on for years. If you, say, put out 30 million a year, in 10 years that's 300 million.

Jerry McPeak: It can't be 30 million a year.

Male Voice: Why not?

Jerry McPeak: Because the interest, it doesn't bring that much interest unless you can grow a way bigger interest rate than anybody I know of.

Sarah Vogel: It would be invested in appropriate philanthropic investments.

Jerry McPeak: In other words, if you'd invest it, you can lose it all.

Mary Thompson: No, no, no. That will be low interest.

Jerry McPeak: Yes. But if it's low interest, then you're not making \$30 million a year.

Sarah Vogel: But there's a difference between keeping it in a cash account because we're required to versus investing it if it were a foundation. I'm part of a foundation that has 420 million and they bring in - it varies depending upon the whatever. But let's say 20 million a year, 30 million, it depends upon the market. But conservative investment and foundations do this all the time. There's scores and hundreds of foundations.

Male Voice: Twenty million a year in 20 years is 400 million.

Jerry McPeak: Don't get me wrong. I'm not anti-foundation because I haven't studied enough of financing except that I've done enough of financing and I know that I've heard of the percentages. I know about what the interest rates for

investments and stuff like that. I also know if you're going to talk about investments, I am involved in those in Oklahoma, the state legislation you're going to start about investments, the reason why we had the big downfall of our economy was, guess what? People made investments and thought they were entitled to a profit. You're not entitled to a profit [indiscernible] entitled to a profit. Get over it if you lost the money. I don't think I'll bail you out; neither here nor there.

Five percent is 19,500,000. That's at 5.0 percent. That's a really, really good return right now. If you put it on things that you think you're going to get more than 5.0 percent, you are running a risk. If you get it in something that's safer, you can get about 3.0 percent, probably make it 4.0 percent. You can't get more than 3.0 percent right now. But any rate, I'm not anti the foundation. Not necessarily, but at the same time I want you to be able to care about history. Historically, Indians have been pushed back and given just enough to survive. We're going to give you enough to survive. We're going to give you enough to survive. We're going to give you enough to survive. What's happened with that? Give me the whole flippin' cow and I'll figure out how to milk her and get her bred. I have some of that. Historically, my white man sense says foundation. My Indian sense says all those damn buffalo are out

there and those are my buffalo. If I manage them, if the white man left them alone, they'll still be there.

Male Voice: Which one are you going with?

Jerry McPeak: I don't have to make a decision yet.

Male Voice: We're stepping in it now.

Jerry McPeak: No. Like what you said, they must have been stepping around it.

Mark Wadsworth: Go ahead Ed.

Edward Soza: I am for the foundation. So we started the foundation here in [indiscernible]. My reservation, we have a foundation bureau 501(C)3. We went through all the hoops and everything to get it going, to get it started. We have the board. It's worked out really well. We account for every dime that goes out and every dime that comes in. We accept donations from different tribes, as well as makes donations to different organizations. It's looking very, very well. Like what I said, it has to go back to Native American ranchers and farmers. There is no doubt about it. I just don't want to see it go anywhere else. I don't know if it can or I don't know how it's --

Jerry McPeak: If you say that then based on what they're doing, I have a feeling you're talking about youth education, youth education, youth education. Let's go back to Native American farmers and ranchers. How are you going to legitimize

getting that to a 12- or a 14- or a 16-year-old Indian kid for his 4-H of the paid project which is what we've heard half of today or half of the last time we met? How are you going to legitimize that?

Edward Soza: If the foundation is put together properly, I think you could do it.

Jerry McPeak: I'm not anti-foundation. They'd be careful to do that.

Edward Soza: We also have a BIA school. We started the ag program a couple of years ago. This year we're starting our ag program back up again, which they started with pigs. I don't know why they started with pigs. But don't start thinking --

Jerry McPeak: Don't start with parks.

Edward Soza: I'm thinking of in just a couple of years we're going to move on with raising cattle and I guess horses. There's a big potential on cattle land. Well, sort of, enough anyway. If the foundation is put together right with the by-laws written where we could give it to you because I'm really pro youth education. I'm pro youth for everything. I've sat on my school board for many, many years. When it comes to youth, I pretty much bend over backwards wherever it takes me to get them an education, to get them whatever. It can be vocational training. But if the foundation has everything brought to the table and designed right, it could go to Indian schools

throughout the nation for ag programs. That's still ranching and farming.

Male Voice: You're teaching them young, the younger generation, how to --

Edward Soza: Well, actually basically how to survive in a world where everybody has to eat every day. And no matter who you are and where we're at, I always say I know what a junkie feel like because I'm a food junkie. I have to eat every day. There's no day I can go without it. Anyway, I told you my feelings for the foundation.

Mark Wadsworth: Being the chairman and a tribal member, my position on this whole \$380 million - is there a retirement funds that have to invest your money. I'm speaking from this as I've been a past a registered representative of a financial institution. Virtually, if you have your structure - and I've heard of other structure and I've actually done a presentation for the iron workers' retirement program that was over \$600 million at that time - that generally under those rules you may have to have 30 percent invested in secured investments: government bonds, government CD's and really liquid money. Then you can take the other 30 percent and you can possibly put that into other corporate paper or other high number risk investments.

What we're talking about is diversification. What we're talking about diversification is that when everybody lost that money, that would happen in the past, there was a reciprocal heck of a lot of people who made it because if you have all your money sitting in the stock market, you got hammered. But if you have a few dollars sitting in gold, you made a heck of a lot. You know, it's the nature of the beast. It's when one section is down, there's generally another section that is up. If you can spread to enough with diversification within your portfolio, over a timeframe you can pretty much get your -- no guarantees. Nothing is guaranteed. I used to tell people this. If a mutual fund goes broke in this day and age, that's very diversified. You better had invested in beans, bullets and bandages because we're going to war because there is no government. There is no nothing. There ain't no money.

So I guess I want to say that as support of there's only one interest rate out there. There isn't a very varied [indiscernible] rates of return. So I'm not worried about a foundation losing all of this money. They can even structure that to say that we will only distribute 5.0 percent of whatever the value of that would be for that year. If we did 5.0 percent one year and we lost 7.0 percent, well, we lost 12 percent. But what happens when we do 5.0 percent one year but we make 10 percent two years afterwards? That's how that fund would work

over time. I would like to leave -- myself is that I would like to see this thing grow forever really and honestly because I don't think food is ever going to not be there in some sort of capacity in the future. I don't know. Maybe we'll farm on Mars one day or whatever. But to have that access for our youth, for our future and generations and generations to come, if I have any input to impact that and to help that to be done, I am for either a trust or foundation that would be structured in which that would go back to help Indian agriculture. That's my position.

Gilbert Harrison: Mark, I know that there are many, many facets of this trust, but I don't know. For the sake maybe closing in on this, I like to make a motion here that the council support a foundation for this and that the foundation should be structured so that it does help the farmers and ranchers for who the money is intended for - maybe scholarships or maybe something in that arena. I think as far as the details of the board, as far as their investment strategy, we expect that they will have a professional board and professional advisers to make sure that this is safeguarded. With that, I like to make a motion that we recommend a foundation approach. Thank you.

Mary Thompson: I'm contemplating. I'm thinking about it. Is it my turn?

Mark Wadsworth: Go ahead, Mary.

Mary Thompson: I don't know enough about foundations and trusts just at this moment. I need to learn a little bit more. Now our tribe has a foundation and every year it is re-appropriated to the tune of \$2 million a year. So that one is going to get -- they give away ten million, and with a ten million invested they're doing good. But I know that with that foundation board, they have investment strategies like you talked about. They've got their policy in place and they've got everything in place as far as grant categories whether it's cultural, whether it's agricultural, whether it's economic development. I think the last one was community development. There are four categories that they fund grantees.

We really talked about grants. We even talked about loans. But what I would hate for us to do is to over regulate or try to -- actually, I don't think it fits our place. All we need to do is make a recommendation to the court, I guess, as to how we'd like to see it done. But then if it weren't to be in the foundation, I hate to see it get duplicative because there are programs here in the USDA that do loans but not enough. Not all cows as Jerry said. And they do grants. There are grants out there for socially disadvantaged small businesses, this type of stuff. We don't want to replace that. We want these programs to thrive and get that money out there. But we could use that

and piggyback off it a little bit and maybe require that they apply for these grants or something like that. But then again, that's getting into micromanage and managing. But that's definitely you have to consider. That's the best I know when you do a foundation.

If it come to foundations, I would rather a new foundation be established to do this instead of an existing foundation because I feel like -- and I know that there's a little politicking going on about some 501(C)(3)'s that would like to be a foundation. But I don't know. You need a diverse foundation board, a 501(C)(3) board, because you want there to be equitable distribution on all Indian farmers and ranchers. I would like to see -- well, I guess whenever you start, when you put that dollar out there and you start maybe putting in-charge the farmers or ranchers against each other in trying to get it right, oh man, I would hate to see that happen to these Indian farmers out there. That would be so terrible. What do you call that little crab thing in the bucket keeping each other down? It will be our own worst day and our worst nightmare. I don't know enough about trust right now at this moment to say I'm in favor of trust. What was the other discussion, there were three out there? Foundation, trust and?

Sarah Vogel: Could I just clarify that a little bit? The class council has proposed the creation of a new foundation, and

that's the proposal. It's actually a motion for a status conference. In other words, we want to talk about that concept with the judge. If this council wished to weigh in, it's good timing.

Mary Thompson: To add to -- we'll give support to the class council.

Sarah Vogel: Right. And we talked about this yesterday, but our proposal which I think Rick was going to get around, but there's no time to read it now. It's kind of long. We talked about that yesterday. It would exist in perpetuity. It would be managed by a board of Native American leaders who are qualified to run it according to appropriate philanthropic principles and management and so forth. But, of course, there is no board as of yet, although a lot of people we have spoken to in the course of this discussion which started last December in Las Vegas, many people, many fabulously qualified people have said -- I mean, it's the kind of thing that would be somebody's dream come true in terms of a career, not a career but a cap or appointment, a public service.

Male Voice: A feather.

Sarah Vogel: Oh yes, [indiscernible]. I only want to be short because we don't have a lot of time. That's one option. The other option is the way the settlement agreement is now written. The way the settlement agreement is now written says

class council - which is me and five or six other white lawyers - decide who gets the money with the permission of the judge, the consent of the judge.

Male Voice: With varied script put on it.

Sarah Vogel: Right. And it has to go out in equal shares to nonprofits that provided services to Native American farmers and ranchers between 1981 and 2010. We don't think that's going to work with this amount of money so that's why we propose a foundation, and it is supported by the -- there's resolutions of support by the National Congress of American Indian. It's a coalition of large tribes, land-based tribes. The Intertribal Credit Council, IAC, supports it. Even though IAC would be the premier entity under the existing language, it would get a piece of that money and they support the foundation. But those were the attachments to our motion for the set of conferences. The proposal by the Choctaw is that we keep the current language with the lawyers to decide, and that we give Choctaw \$58 million of that fund for that particular project that they described.

Jerry McPeak: Is that what they asked for?

Sarah Vogel: Yes.

Jerry McPeak: They've got full update [cross-talking].  
And they're brats too.

Mary Thompson: Back to what you're explaining in there, with those that's in support - and I don't ever really seen it

anywhere - but are we talking about federally recognized Indian tribes or does that include state recognizing Indian tribes?

Sarah Vogel: I don't even know where tribes come in.

Mary Thompson: As far as the members that filed the suit?

Sarah Vogel: No, no, no. It was all individuals. Our class, the Keepseagle class was exclusively individual Native American farmers and ranchers. There's not one tribe that was a plaintiff.

Mary Thompson: I don't know that even is anything, but sometimes I think it's some of these older judges in NCAI and all that. Sometimes there's a difference between the federally-recognized instead of recognized groups of --

Sarah Vogel: They only link to tribes in our case was that there's discrimination against Native Americans. The definition of Native American is member of the federally recognized tribe or a state recognized tribe. There was a broad definition of Native American, quite broad. But you have to have ID. You have to be an Indian. You couldn't be a convenience Indian.

Gilbert Harrison: I made a motion on the floor. If it's seconded, then we need to take action. Thank you.

Mark Wadsworth: There's a current motion on the floor.

Scott Westin: Can I say something?

Mark Wadsworth: A motion has been made on the floor by Gilbert Harrison to go forward and make a recommendation by the

council for Native Americans to the judge or through the secretary. What's was that word?

Male Voice: It's probably going to have to be through the secretary --

Male Voice: Through the Secretary of Agriculture.

Leslie Wheelock: No, it's got to go directly to the judge.

Gilbert Harrison: To the class council from the council.

Male Voice: Right.

Mary Thompson: We do support the decision of the class council.

Gilbert Harrison: Yes, you can get the class council to support their --

Jerry McPeak: Why not send it to the judge? Pardon me, but I'm from Oklahoma. If I want to talk to the governor, I go talk to the flipping governor. Why do we have to go through anybody?

Gilbert Harrison: My motion is to recommend to the class council to recommend to the judge for a foundation. We need to have a second before we have a discussion now.

Male Voice: I will second the motion.

Mark Wadsworth: Motion gets seconded. Now we will have a discussion. We have a tribal leader who likes to make a comment on this.

Scott Westin: Good afternoon. Sorry I'm late. I didn't know this meeting is going on. My name is Scott Westin. I'm a council representative through Lower Brule Sioux tribe. We've been trying to deal with this forever and ever and ever, but it seems like every place that we go, every person that we try to talk to is giving us this block. I've had from my tribe five landowners, ranchers, tribal members that have put in for this. For whatever reason, they were kicked off. They were kicked off back in '85 and '86, and they were kicked off this time for the exact same thing. That they were denied. They were denied the 50,000 or whatever, which ever the class action that they decided to put in for.

I talked with several lawyers and we ended just like hitting the road block. They're not getting their fair share. They didn't get it back in '85 and '86. I could try calling two of them right now. I'm sorry I didn't know about this meeting. We were up on the Hill today, the whole day speaking at our Congressionals. I just opted to meet Tony Stanger and we beat it down here. But we feel that we need to have a fair shake in this, especially like the lady in the corner said, these tribal members, we're a land base of 2.789 [sic] acres. We have 227 ranchers. We have probably 350,000 cows alone. We have the numbers and we're still being denied. The reason why, we have no idea.

Then we have our president. We're an executive committee that had been trying to get a handle on this, but we don't have the answers. I can't have any answer that's why we are here today. Can somebody tell me why they were denied? Because of line 11 or line 13 or something like that? They didn't get a signature from a tribal leader or the superintendent or something. That's all it boiled down to being. They didn't make a mention to that. That's what I was being told. So what's the catch? How can some of these people get on there? Because there's people that didn't even try to apply for this because at that time in our country in South Dakota we had an FHA officer in Hot Spring, South Dakota. He was denied in every meeting. I don't care who of us.

My dad had to sell out because times were hard and they were trying to get more operating expenses, annual operating expenses. They sold our calves because calves were cheap back then. If you're getting 78-cent calves, you were rich. But it wasn't happening. That's the thing that I'm trying to find out and get answers back to my people. So I wish somebody would give me an answer before we try to start making motions and building foundations because we've had our hands up forever, just like now. I understand you have your council. I understand that. But the people ain't being heard. I don't feel and see any kind of field [indiscernible]. None at all.

Not to my tribe. The only one I ever talked to is Zach [indiscernible] from IC. He came to visit us so we asked him to a land committee meeting. He was trying to get more info. This was back in December. But since then I haven't heard anything. I haven't seen anything.

So that's my views to you people. I thank you for your time. Here are some of my cards. Here's couple of them. Somebody can call me back and let me know what's going on and email me and find out what's happening and find out what we're doing, what's happening, because I truly am for my people. Our people have been getting the short end of the stick for years. I'm preaching to the choir, the black farm [sounds like] and the corporation. Look at corporate America, they're getting their fair share, and we're not getting it.

Mark Wadsworth: How many of your people applied? Do you know?

Scott Westin: How are they?

Male Voice: How many of your people applied?

Scott Westin: On our reservation, I believe 7,000.

Mark Wadsworth: Applied for Keepseagle?

Scott Westin: Yes. Totally altogether I have no idea, but I know that when we talk to the people, that the lawyers that came to the Lakota Nation Invitational Basketball Tournament in December in Rapid City, they were expecting a chunk. At that

time in that area, there were only 7,000 across probably five reservations.

Mark Wadsworth: My question was how many of your people applied? You don't know for sure [cross-talking]?

Scott Westin: I didn't ask because --

Mark Wadsworth: You know how many people got it?

Scott Westin: My mother and my brother and my father. There's probably I bet 20 altogether.

So that's the gist of it. So if we can get some kind of information, I would really appreciate it because we've been getting the short end of the stick. On top of that, what we're trying to do right now is we're negotiating with the National Parks Service to become the first Native American national park, Indian national park with the National Park Service. Mr. Beyerhelm, I'm pretty sure, is well aware of it, and we're working on trying to do some things, and that's the gist of it. We're deferring 16 ranges [sounds like] that are what is our annual -- our AUM are one-and-a-half AUMs per acre. We're looking at trying to get a thousand head of buffalo. This is a part of the process so I wish somebody could give me some answers and get some correspondence going because we're --

Sarah Vogel: I'll take your card and I'll get back to you.

Scott Westin: Would you please, because I've got a couple more in my pocket over here, too, but thank you. If you just give it to her.

Sarah Vogel: It probably won't be until tomorrow.

Scott Westin: That's fine. We'll be here for a week.

Sarah Vogel: All right, this will reach you - a cellphone.

Scott Westin: Got it. Call me. Thank you.

Mark Wadsworth: Any other comments? Yes, Lisa.

Lisa Pino: Mr. Chairman, just a point of clarification, I'm just curious if we go for the route of the foundation, what type of funding will support the operational structure of a foundation? Because typically you hire an E.D. and you've got a board and you've got to pay a salary and rent. And I know that's down the road. We're just saying we can do that within the agreement?

Sarah Vogel: Right now, this is saying to the judge, is there a concept? What's your feeling about this? Obviously, the judge is going to be influenced also by what he hears from others. Now our memo, which was rather long and extensive, spelled out some of these points. There are companies that track expenses of foundations. There is a quadrant and you want to be better than on return and you want to be lower on expenses if you can. There are some estimates in there but it would be

the ballpark for foundations. I can't remember the numbers. If I tried to guess I'm sure I would be wrong.

Again, part of the reason I'm a little late on the detail is that it is our intention that a board would be selected that would be making those calls on the investment. The board, when it is selected, would be making the decisions on where the money would go, who the staff would be, where it would be located, all of those decisions. This is our concept of what it would be, but it would be with the judge's okay. It needs an amendment of the agreement, which is the tricky part.

Jerry McPeak: Who's selecting the board? How is that board happening?

Mark Wadsworth: We're getting into the minuscule [cross-talking]

Jerry McPeak: I really want to know how the board is selected? I really want to know.

Male Voice: That's a good question, too. The way we selected our board for our foundation, it's all Native American, one non-Indian who was the manager of that because of her financial background and her education on her resume, and then we did interviews, and we required them to have a minimum education. I can't remember, it might have been AA or BA. But most of them have at least a BA in banking or some type of financial background, so they've handled money for years and

years in one way or another. That's the way we picked ours. I don't know how you'd do this, but it would have to be something similar. You have to set criteria for individuals to have some type of a background.

Mark Wadsworth: We have a motion and a second. I think a lot of the details I would like to have a class counsel, keep us informed of the progress of this and that, who's going to be on the board, what kind of background, what should be done. Those are the details that have to be filled in at a later date when the thing is sort of solidified. So I have a motion; we have a second; I'd like to ask for a vote.

Male Voice: If I can just make one comment, Mr. Chairman, before the vote. Just want to clarify and understand the motion. I believe that if the motion is passed, the recommendation will be made directly to class counsel.

Jerry McPeak: Up to the judge, he said.

Male Voice: To the judge or --

Mark Wadsworth: Well, the class counsel will forward that to the judge because that's a conflict [cross-talking]

Jerry McPeak: You can write a letter to the judge, addressed to the judge or addressed to the class counsel.

Sarah Vogel: Write it to the judge. We'll get it to --

Male Voice: And I just want to make sure, and maybe Leslie and John can help me here, I just want to make sure that the

secretary's office is not left off of this recommendation, whether it needs to be cleared through the secretary; the counsel works for the secretary. I guess it's my bureaucracy here and working in D.C. but I just want to make sure that the secretary is aware of this because we sure do not want to burn bridges for the secretary going directly to class counsel. I don't know, Leslie and John, you can help me out here.

Leslie Wheelock: I'm not sure we can. I think that we can certainly take it on the advice and talk to everybody we need to talk to, but this is unprecedented. [Cross-talking]

Jerry McPeak: Do you understand castration?

John Lowery: Can I recommend something, Mark?

Mark Wadsworth: Yes.

John Lowery: I would recommend in order to keep us where we need to be as USDA officials, because I have to get home to my one-year-old son today, that this be a recommendation from the tribal representatives of this counsel, meaning when it goes out for USDA officials to abstain from voting on this, and that when this letter goes to the judge that it has a tribal representatives' names on it excluding the USDA four [indiscernible]. That's the way that I see for it to be done.

Mark Wadsworth: Now I got a question on if there's how many abstaining, will we have a quorum and will it be recognized?

John Lowery: You only have to have eight to have a quorum.

Jerry McPeak: But you have to have a majority of the members voting to pass something.

John Lowery: That's getting the [cross-talking].

Jerry McPeak: No, I can tell you that's exactly the rules.

John Lowery: Because if there's eight people in this room, you have a quorum, and you have a vote while somebody walks up and that vote equals a full authority, does it die?

Sarah Vogel: I'm looking at the by-laws and it says eight members be present to constitute a quorum, and one of the eight members present - I inserted the word "present" - must be a council member who represents USDA.

John Lowery: Well, there are different presents?

Sarah Vogel: Well, they're present.

Female Voice: But John, if you know the Indian leaders of this group, how many do you have?

John Lowery: Tribal reps, one, two, three, four, five, six, seven. We have seven.

Female Voice: I think that's not a majority.

Sarah Vogel: No, no, no, they're in the room. [Cross-talking]

Male Voice: It's not a majority. It's a quorum. [Cross-talking]

Female Voice: If I go back to the case here, and I have

some dates written down, council recommendation to set up, this foundation be created, and that there was a status report in August. In September, the DOJ was going to respond to that report, and then on the 24th, council is going to respond. On October the 3rd, the public is going to [cross-talking]

Female Voice: The judge is going to have a hearing.

Female Voice: -- should we pass now, I'd like to see what their response is. I actually would like to see what the recommendations are.

Sarah Vogel: From the Department of Justice?

Female Voice: No, from the council, from the tribe's council.

Sarah Vogel: We recommend the foundation.

Female Voice: I know, but we got a document here --

Sarah Vogel: Do you want to see it? I can email it to you, but there is [cross-talking]

Mark Wadsworth: There is motion on the floor.

Jerry McPeak: Press the motion.

Mark Wadsworth: All those in favor of the motion, say aye?

Group: Aye.

Mark Wadsworth: All of those who oppose, say nay? Ayes have it, motion passes.

Male Voice: Thank you.

Female Voice: It's the recommendation of the class

council.

Male Voice: Now we don't know what it's saying.

Mark Wadsworth: That one was tough.

Male Voice: Hallelujah.

Mark Wadsworth: But I think let's to go to an easy one.

Can somebody make a -- here I am, the chairman, but I'd like to make a recommendation to the secretary about FRTEP, the extension program which I think everyone is in favor of and trying to get parity with that.

Male Voice: Mr. Chairman, can I just make a comment on just kind of the lessons learned. The last four recommendations we made with the secretary, one had to do with NASS and one had to do with NRCS. Basically, what the secretary did with both of those was to kick them back to those agencies. I wonder if we shouldn't first make an effort to try to meet with those folks, and then only if we're rebuffed, go to -- just a thought, because I think the secretary is just going to kick it back and say I will instruct NIFA to work with the council to get this done.

Mark Wadsworth: The information came -- I remembered last time, we followed the process that he's normally used to.

Male Voice: But having said that, the point Sarah made earlier is that - I'm going to argue against myself now - is just the fact that they were recommendations to the secretary

and the secretary asked I think did create some movement on both of those issues. So it's, I don't know, one little light bulb [indiscernible].

Male Voice: John, before we lose the quorum, what do we do with [indiscernible] next? You can see people moving out.

Male Voice: I believe our next scheduled face-to-face meeting will be at the Intertribal Agriculture Council meeting. We could in essence do another conference call, September time frame or October. Before that meeting [indiscernible] if we want to. That's your discussion.

Female Voice: I'm sorry, when is that and where is that exactly?

Male Voice: IAC meeting in Las Vegas, Nevada.

Male Voice: The first week in December.

Male Voice: Is that what it is? [Cross-talking]

Male Voice: December 9th.

Male Voice: Is what?

Male Voice: December 9th. That's the IAC membership meeting. That's where they were last year.

Male Voice: That's the first day of it?

Male Voice: Yes. I believe it should be a Monday. I'm having [indiscernible].

Male Voice: What time? What date are you looking at?

Male Voice: The IAC is supposed to start December 9th to

the 13th. Mark, I'll be there. I'll try to make more of the meeting --

Gilbert Harrison: Mark, at our next face-to-face meeting, I would like to recommend that we have a little more time to work on issues.

Jerry McPeak: I tried to put that on this one, but I guess I got my point across.

Female Voice: We tried. But at least we had this time. It just didn't go there.

Gilbert Harrison: I'd like to have one full day to sort of working things out. Thank you very much.

Mark Wadsworth: Thank you. Yes, Lisa.

Lisa Pino: First, I just want to congratulate everyone for making the decision to move forward with the foundation. I'm not able to participate but I think it's a fantastic one. I hope I can say that. In that sense, I just want to share since this is the last time I'll be able to [indiscernible] all of you. I think Mary Anne hit it right on the head in that the best way to garner and leverage these resources is not to do [indiscernible] efforts but look at those gaps where that investment can make a difference. I think it's a place where some creativity will be appropriately placed. For instance, this is something the administration has been doing quite successfully is rather than doing the traditional grant

distribution system which can be what [indiscernible]. This is just this one possibility. There's an increasing focus on challenges among [indiscernible] because actually a lot of documented research shows that that actually garners more investment and more participation than the traditional grant process. So who knows what the answers will be, but I just think that it's a great effort and I just wanted to congratulate everyone before we move forward.

Female Voice: It's a big step.

Leslie Wheelock: We have somebody we'd like to introduce to the council.

Mark Wadsworth: Excuse me, we have Leslie.

Leslie Wheelock: We have a new person who has joined our organization, and I would like to introduce her to you. We need more people from the organization come in to these meetings. This is Patrice Kunesh. Patrice has joined us as --

Patrice Kunesh: The deputy undersecretary for rural development.

Leslie Wheelock: I wanted to say undersecretary.

Patrice Kunesh: Hello there.

Leslie Wheelock: Can I make you the undersecretary?

Patrice Kunesh: Oh boy, I don't know if Doug would like that.

Leslie Wheelock: Okay, I won't do that then. Patrice, the

floor is yours.

Patrice Kunesh: Can I sit down and join you? Where is everybody from?

Mark Wadsworth: From Idaho.

Male Voice: God's country, Oklahoma.

Edward Soza: The other God's country is Southern California.

Sarah Vogel: North Dakota.

Patrice Kunesh: North Dakota? Hello there.

Leslie Wheelock: Gilbert, where are you from?

Gilbert Harrison: I'm Gilbert from Navajo.

Patrice Kunesh: Navajo. I saw Mr. Jandreau on the sidewalk. He's coming over.

Mary Thompson: I'm Mary. I'm from Cherokee, North Carolina.

Patrice Kunesh: I was just out there last week, and we're talking lots about your Cherokee in North Carolina.

Mary Thompson: Good things, I hope.

Patrice Kunesh: Absolutely. You are rocking the economy out there.

Male Voice: Tell the truth, Mary.

Jerry McPeak: Jerry McPeak from Oklahoma.

Patrice Kunesh: From Oklahoma as well. Are you part of the council?

Chris Beyerhelm: I'm part of USDA.

Patrice Kunesh: I was going to say you look familiar.

Leslie Wheelock: You need to introduce yourself.

Chris Beyerhelm: Chris Beyerhelm, deputy administrator of Farm Loan Programs, FSA.

Leslie Wheelock: And you know Juan?

Patrice Kunesh: I do. Of course I do. I see Juan all the time. That's good. I know Lisa, too, because we work very closely together. As Leslie said, I've been at USDA all of three-plus months. I've taken a deep dive. I really immersed myself in all things rural development. But I have a really good base to know and understand and appreciate the work of rural development. If you can believe, we've done phenomenal work in Indian country. The numbers, I think you've probably shared them. We have an incredible investment portfolio in Indian country.

Let me tell you a little bit about my background. I come from Minnesota, so I'm a Midwest girl. But my mother's family is from the Standing Rock Sioux tribe on the North Dakota side. Our allotted lands are in the South Dakota side, so we take credit for both North and South Dakota. I grew up in Minnesota in a large family in a real small town in Minnesota.

My legal career, I'm a lawyer by training, and all of my professional legal work has been in Indian country. I started

at the Native American Rights Fund right at the time when Cobell was starting. So I really cut my teeth and learned a lot of remarkable work and remarkable people at the Native American Rights Fund. And then I went in-house with a tribe in Connecticut that shall not be named for a good number of years and worked with them on tribal governance and economic development and really, really found that time to be incredibly valuable because they had a lot of good funding to work with, but it was all about creating institutions of government.

Then from there, my mother thought I need to redeem myself, so I went back to South Dakota, where I taught law school at the University of South Dakota. Several of the classes I taught were on Indian law. It was Indian criminal jurisdiction, civil jurisdiction, we talked about economic development. I've done a whole lot of work on Indian child welfare which are big issues as you know in Oklahoma.

I know a lot about the Cherokee economic development because they are the leaders in diversification beyond casinos and so forth. I've also done a lot of legal work in Oklahoma in the oil and gas case with the Cheyenne-Arapaho, so I've represented tribes around the country. I really feel I have a good understanding of both the tribal governance and the unique sovereignty structure and character of each and every tribe. I understand the government-to-government relationship between the

federal government and Indian tribes. I know how important the investments that we make in Indian country create real, sustainable, long-term opportunities in Indian country.

I had a fantastic opportunity to be called by the President to serve at the Department of the Interior. I never thought I would work at the Department of the Interior. They were, for many years, the enemy. They were on the other side, and I really had to think long and hard if I was going to work for the Department of the Interior. But in the end I decided this is a great administration, a great time to work on these issues that have been so longstanding. I joined the Solicitor's Office as a deputy solicitor for Indian affairs in 2010. That's where I've been the last couple of years.

I saw everything. I saw everything and I saw practically every tribe. We settled a lot of cases, as you know, from Cobell to a lot of the trust cases. We initiated a lawsuit, took lots of lawsuits as well trying to protect tribal fishing and water rights and so forth. A big piece of our work was on Indian education. I have to tell you that the Bureau of Indian Education is needing a lot of help, a lot of support. That's the basis of your future is teaching your children and teaching them the skills that they need to carry on the leadership that you all have undertaken.

So I love my work at the Department of the Interior in the

solicitor's office. It was real hard work. Right as I was leaving, the Baby Veronica case was being teed up for the Supreme Court decision. I was on a brief in the Supreme Court, and we all know how that has turned out. That's really turned Indian country inside out. The tribal sovereignty and recognition was also being a big part of what was going on at the Department of the Interior.

When I had the opportunity to think about the Department of Agriculture, I really was excited about rural development because this is where the heart of the people are and where we really make the difference. I've been here for three months. I oversee all of our state directors. I oversee our operation and management piece. That means I get to work in the field with their state directors and our field team with Tedd Buelow, who I hope all of you know, who is our tribal liaison. If you don't know Tedd Buelow's name, you should take that with you today because he is probably the best asset we have at Rural Development for communication, for information, for resources. We have 47 programs from rural business to rural utilities to rural housing. We have built schools, we have built health clinics, and we have built housing. It's phenomenal the investment that we have in Indian country. Tedd knows these programs, Tedd knows the administrators, and Tedd knows the state directors.

I guess what I'd like to leave you with is think about USDA as a partner in your economic development. Water treatment systems had been amazingly successful. Community facilities are one of our most popular programs. And we can do things differently than DOI BIA. We actually can deliver without a lot of the bureaucracy that we know and love around Indian country. So I thank you for the short time I've had today. I just love working with Leslie, Butch Blazer [phonetic], Tedd Beulow, we have a really, really super team.

Jerry McPeak: Can I have the spelling of Patrice?

Patrice Kunesh: Patrice P-a-t-r-i-c-e.

Male Voice: Don't make it complicated, Jerry. Last name?

Patrice Kunesh: Kunesh K-u-n-e-s-h. That's a good Minnesota front range name.

Male Voice: K-u what?

Patrice Kunesh: K-u-n-e-s-h.

Juan Garcia: I'm worried, Jerry. It took me up all [indiscernible] how to spell her last name.

Patrice Kunesh: Oh, Juan.

Mark Wadsworth: Go ahead Mary.

Mary Thompson: Welcome aboard. I appreciate that.

Patrice Kunesh: Thank you.

Mary Thompson: But after the introductions I would kind of like to go back to recommendations.

Patrice Kunesh: Absolutely, I just wanted to come and say hi. I didn't want to interrupt your business.

Leslie Wheelock: But one of the things that Patrice raised was she said, of course, you all know what they've been doing. You all have the numbers and everything with these great charts that Tedd puts together in terms of what RD does in Indian Country. It might reduce the amount of talking heads if we actually get some more information out to rather than have people come in and do these constant reports, so that would give the council more time to do its work and create its recommendations. If you would like that we could pull those reports together and we will hopefully have more of them for the next meeting because we're going to have to gather up a whole lot of information for the White House Council and for the Native Nations Summit. So we will have more information for you.

Mary Thompson: I'm over at the White House Council. I guess a lot of these committees [indiscernible] 44 committees, the ones that pertain to farming and ranching and agriculture, USDA, do those know what each other is doing, because even for me it's still up there. Thank you, Patrice, nice to meet you.

Patrice Kunesh: Thank you. Good luck with all your work. I hope to see you again at the council.

Mary Thompson: Hope to see you again soon.

Leslie Wheelock: I'm not sure that they do. I don't know. They don't necessarily report out to each other, so I don't know how they would know what each other does.

Mary Thompson: But you know, there might be some fairly valuable information because some of them, I mean, agriculture policy, advisory -- I don't know, just --

Male Voice: There are a lot of committees.

Mary Thompson: There are a lot of committees there. But there's some of them we should kind of at least get a copy for their --

Leslie Wheelock: Their minutes, their whatever minutes?

Mary Thompson: Minutes, reports, whatever it is. I was kind of wanting to go back to the recommendations though because if I can find my doggone notes, I guess there's much stuff going on there. At our next meeting or I don't know, I don't know if we have time to make a recommendations right now, but we were talking about FRTEP and Dr. Woteki.

Leslie Wheelock: Woteki, right. Keep going on that conversation.

Mary Thompson: Maybe we should have these folks together at our next meeting.

Male Voice: I agree.

Mary Thompson: Agreed?

Male Voice: Uh-huh.

Mary Thompson: And that's not a recommendation to the secretary; it's a recommendation for the next committee meeting.

Leslie Wheelock: Mary, remind me. FRTEP and who else was on that list?

Mary Thompson: FRTEP, NIFA.

Leslie Wheelock: NIFA.

Mary Thompson: If there's other programs that have to do with the extension of funding and this type of stuff, bring them in. The other one is the brand marketing promotion of USDA programs, communication between the programs, we meet there. We've got -- I'm sorry?

Female Voice: AMS, Agriculture Marketing Service?

Mary Thompson: Yeah, bring them in and let's talk.

[Cross-talking]

Leslie Wheelock: But you're talking about that kind of marketing. Are you talking about that kind of marketing?

Mary Thompson: Gilbert was talking about it and we've talked about all these nice programs and all these grant opportunities and all these different opportunities and resources that are available through USDA. But Gilbert doesn't get the word down there on his little grant, twenty-acre ranch. Yeah, they don't have it. We need to work on that. We need to get that information to get it.

Male Voice: Gil is not the only one that don't get it.

Leslie Wheelock: Yes, that's what we were mentioning earlier.

Mary Thompson: Yes, we don't know.

Male Voice: Everybody's ever tried to contact Neil [phonetic] on the computer knows it's no good.

Leslie Wheelock: This is actually an interesting conversation that we might have among ourselves because of the fact that we don't have extension to the extent that it exists in the counties. We don't have the people going from farm to farm to farm to farm telling everybody about each program as it becomes available. And the result is, as I mentioned to Mary Ann earlier, the result is when we put out information at the USDA level, it goes to a lot of different folks. But it primarily goes to tribal leaders in the hopes that it'll get down to where it needs to go. Well, that's the wrong level --

Male Voice: It's not working.

Leslie Wheelock: -- because you're not getting it. We're not necessarily getting it. By the time you're getting it, it's too late. So one of the huge challenges that I am trying to look at and see if there's a better way - there's got to be a better way - is how do we get the information out. It's not just our native folks, but I want to focus on our native folks. How do we get the information out there? There is now a baby outreach committee that they're about to meet their second time

at the end of this week that's trying to figure out. We've got farmers out there, especially our minority farmers that are not getting all of the information. How do we get them as much information as we possibly can? We're not necessarily going to come up with answers as well as you all might come up with some recommendations or suggestions. I'm not saying that [indiscernible] on our last night is the right thing to do it.

Male Voice: Thank you, Leslie, if I may. Of course, we have a huge database of producers in our system. We do have race, ethnicity information in our database that we could pull out all Native Americans in our database just to send out information. If those individuals have a email address, we can do that too. We may want to talk about that at some point. I mean, as long as they've been in our office and we've got them recorded in our system, we have the information that they're Native American, pull out whatever we need, addresses and so forth that we can --

Gilbert Harrison: Before we leave, first of all, this is my third meeting that I'm here. I appreciate the fact that John has stuck with us all this time. Leslie, I hope your tour of duty with the council lasts a little bit longer because it seems like just when we're getting into the meat of things, there's a change. We need some consistency. And Lisa, thank you for your time. Wherever you go, I hope it comes well. But we need some

consistency in the staff that we work with because we have a lot of good ideas, we want to do a lot of things. But we depend on you guys, and I want to thank you. Also Chris, you know. There's some stable people here, and I really appreciate that. Leslie, again, I'm very sincere that people up at the top seem to be moving around. Give us due time. Thank you.

Leslie Wheelock: Gilbert, I'll tell you, if I don't have a job at the end of this administration, it's because I am committed to staying here until the end of this administration.

Gilbert Harrison: Thank you. [Indiscernible].

Sarah Vogel: I can't remember. Maybe I need to just clarify. The motion that was passed is simply the council present that were non-federal members express support of the foundation and request that this support be conveyed to the judge. Is that right?

Male Voice: That's what everybody else got.

Sarah Vogel: If I were to write that up, it could go as a letter, maybe from Mark? Does that sound okay to everybody?

Leslie Wheelock: I would think so.

Male Voice: Yeah.

Mary Thompson: For Mark and the secretary?

Sarah Vogel: Just from Mark.

Leslie Wheelock: The secretary actually can't sign it.

Mary Thompson: No, not to sign but just to --

Sarah Vogel: Mark, just have Mark send it to Joe and Joe -  
- or Mark address it to the court and then -- his filing in the  
federal court, no, you're supposed to do completely online.  
It's all electronic. It's complicated.

Leslie Wheelock: But this is not necessarily a filing as  
much as it is a letter of support.

Sarah Vogel: No, it isn't.

Leslie Wheelock: So it's not that complicated.

Sarah Vogel: And you're not intervening, thank God. By  
the way, I just want to mention that in the course of this  
litigation, lots of people have just written letters to the  
judge that go over the transom and the judge says, "Deal with  
it."

Leslie Wheelock: If I may, two things that I wanted to do.  
Are there other recommendations? If there are other  
recommendations, I would like to hear them. That's thing one.  
And thing two is the next meeting. I would like to hear some of  
your ideas of what you want to get done in the next meeting so  
that we can make sure that -- when we talked to Mark and we  
talked to some of you all doing the intermediary time, but I  
want to make sure that we're focusing on what you think you need  
to do to get done what you need to get done.

Mark Wadsworth: Can we just bring closure to the four we  
already had out there. We said four things. We asked for four

things. One was more money for the council. I think the secretary told us an answer. I would consider that one done. Would everyone agree with that? So we got our answer. One was on Janie Hipp, the secretary answered on that. I don't exactly what he said. But I think he said we all like Janie, and if there's an opportunity to bring her into the fold, then great but he wasn't going to do much more. The other one was WHIP. What I heard was the WHIP issue was solved. It's going to go away. But there was funding provided and Alaska got some money to help them out. That's what I heard.

Leslie Wheelock: Right.

Male Voice: That's what I heard.

Mark Wadsworth: We're good with that one. So the last one I think still needs more work, is the NASS one and the survey. I think what I heard was, they will continue to work with OTR. That's what I heard. So we got one issue still pending that John and Leslie will continue to work and those four are closed, OK.

Leslie Wheelock: Thank you.

Mark Wadsworth: You agree with that?

Leslie Wheelock: Yes.

Sarah Vogel: I had my hand up only from the standpoint of working groups. Maybe folks could join by email. But I know when the statistics on credit usage come out -- when is that?

Mark Wadsworth: The next ones will be provided at the next meeting. It will be as of October or September 30<sup>th</sup>, we'll provide them at the --

Sarah Vogel: But it'll be two weeks in advance or something?

Mark Wadsworth: Oh, yeah, yeah.

Sarah Vogel: Anyway, one working group might be to do a deep dive into those numbers, to just see what we think of it. And I nominate Chris and me.

Mark Wadsworth: Sounds good to me.

Sarah Vogel: Does that sound like a good committee Chris, -- and Christine.

Mark Wadsworth: The only question I have is probably more for Leslie and Juan, I mean do you think the ombudsman will be on by then?

Leslie Wheelock: By what when, December?

Mark Wadsworth: By end of November, first week of December?

Leslie Wheelock: I think it's hard to tell. The PDs not out there yet and I don't know how long that process takes. I don't think so.

Male Voice: I believe that it will be back soon.

Sarah Vogel: That is one of the specific duties of the ombudsman in the settlement agreement is to work on the statistics. I think we feel the absence.

Male Voice: It may, could be done, I don't know but --

Mark Wadsworth: We can plan to do it.

Male Voice: It's pretty aggressive to get it done.

Mark Wadsworth: We can plan to do it in the absence, but from there --

Sarah Vogel: And Christine will help.

Leslie Wheelock: Okay. We have three other --

Male Voice: One more thing for [indiscernible].

Female Voice: No, it's taken on [indiscernible].

Male Voice: Just one more thing for Leslie for our next meeting, the suggestion that Gilbert had brought about the time set aside just for the council to go over some of these recommendations, go over just tying the little odds and ends.

Leslie Wheelock: How much time do you think you'd like to have? Just to yourselves.

Male Voice: Probably like three days. As much time as allowed, I would say. I would say if we start early, a minimum of two, three hours. I don't know.

Male Voice: I mean, is this something that you need a facilitator for or are you looking [cross-talking]?

Male Voice: It's hard to say right now.

Leslie Wheelock: I can facilitate that kind of a session if we have a place to do it. We don't have the right tools.

Male Voice: [Indiscernible] go to everything, it would take a good eight, nine hour a day, I'm thinking, because you go through all the presentation, go through pros, cons. This is [indiscernible].

Male Voice: What we can do, if you need material I can get my office -- we're going to be in Nevada, right?

Leslie Wheelock: Yes.

Male Voice: I can get my office from Nevada to provide the materials for the board to --

Leslie Wheelock: That would be great.

Male Voice: I mean anything you need. I think it's important to have a facilitator --

Leslie Wheelock: I do, too.

Male Voice: -- and control the meeting, control the discussion because otherwise it won't get anywhere.

Leslie Wheelock: Yes, we didn't have -- we were hoping to do that today, but we ran out of time. When you don't have enough time it doesn't help to just get started.

Male Voice: If I can bring something else, if there are work groups or there is a need -- and I know in March right after you had come in, Leslie, we held a conference call and we tried to do a live meeting and so forth. I know, Porter, you

went to one of our offices to listen in. But we've got a new live meeting system. We've been wanting to try it out using Gmail or Yahoo, where if you have a camera on your computer or speakers, you could get -- we want to test it. So if there's a couple of people that would be willing to -- that you have an email account and then you have Internet service or broadband service where we could test this, this might be something we want to look at in the future. Sarah, is there anyone else? It may take less than an hour to do it. Mark?

Mary Thompson: I will try. See, I do Internet service in the morning and in the evening. [Cross-talking]

Male Voice: John, if you can furnish an email address for Mark and Mary and Sarah.

Mary Thompson: But it has to be a Yahoo or a Google address?

Male Voice: I don't know.

Mary Thompson: I may have to have to set one up. I don't have a Google --

Male Voice: I'll get my IT person to send you all an email and see if we can arrange the time, and test it to see if it works. This might be something we want to do in the future.

Jerry McPeak: I would tell you, at last we setup in the state capitol. We only have so many -- I mean, thousands of dollars invested in it. It didn't work. Kind of had a deal out

there and it didn't work, so I'm not going to tell you I'd do this state capitol stuff. It didn't work.

Male Voice: It's just something to try out in case you do want to hold some live meetings where you can see each other and stuff.

Edward Soza: I have one more pet peeve I need to bring up before USDA on [indiscernible] about the local offices. We still have a problem with the individuals out in the local office, out in the field. Porter has had a problem and I had a problem personally with trying to get hold of one of the reps out of the local office.

Male Voice: Which agency is that?

Edward Soza: A tribal member in [indiscernible] reservation, he's going through the EQIP program. He wanted to get his pasture certified [indiscernible] cattle as grass-fed because the prices in California were pricey. You get a good price for grass-fed cattle. Your price doesn't really prepare much for taking them to the auction. Anyway, but you have to have your pasture certified. I called the officer, a certain office. This is only done [indiscernible]. I had the hardest time getting hold of somebody. It was a couple of weeks.

Then about the third week I called Reina Rogers up in Sacramento, NRCS travel liaison for California. I just told him my problem. When she called down and didn't -- I guess we do

might have a little power, but she told them who I was and what I wanted and everything. He called back. I didn't hear the phone ring so he left a message. But he's calling me, trying to get hold of me really bad. If Miss Jacob [sounds like] sent out a memo or email is easier and cheaper. You send it out in bulk. Just answer the phone, talk with people, talk with the individuals, then probably, too, whether you're Native American or not. I left message to him who I was and where I'm from. Maybe I shouldn't have said I was from Samoa or something. I don't know, I don't want to speculate.

Male Voice: What I can do, Edward, we have meetings. In fact, Thursday we have a meeting with the National Food and Agriculture Council which is a lot of USDA agencies. But I have meetings with Patrice and Jason Weller who is the NRCS chief. I think what we can do as a state, as a National Food and Agricultural Council board, that we could send a joint memo out to all the state conservationists, the FSA state directors and the RD state directors encouraging them or issuing out something like, hey, we need to be responsive to our customers. I'll discuss them [indiscernible].

Edward Soza: Hopefully, the directors will pass it along to the people here that are actually out in the field too. That's how I do first step. A lot of times they're the first ones that you're going to have contact with. It may help. It's

probably not only true from my area but in all different states.  
I don't know.

Male Voice: We'll get that done as part of the national  
[indiscernible].

Edward Soza: Thank you.

Lisa Pino: In response to Edward's comments, from a civil rights perspective, what you just insinuated is very often constitutes almost the bulk of civil rights complaints filed on the programs under this department. So the bad news is that that challenge that you just described in trying to get the local person to get back to you, the bad news is that that particular agency is not only that agency that has that same challenge. That's something that I think is fair to say is a challenge that we have government-wide. And it goes back to how can we make government doing the business of government better and how the opportunity that's inherent to this council can help recreate what that is for the community. Very often, the complaints that we receive are really customer service complaints. They're not actually basis of discrimination, but the civil rights complaint offers a very tangible way, I mean we're all human beings. You're frustrated and you want to vent. You want to feel like I'll tell you something.

So we have to do a better job, and I think that's part of the many opportunities this council provides is not only how we

are going to finally resolve any responsibilities that we have with the last one with the Keepseagle, i.e., the foundation and looking at that in the future, but also what can we all do together to talk, to mitigate those issues because that's not rocket science, that's just common sense of having a heart and knowing how to manage. How to do more even though we have fewer resources, that's the challenge that we have.

How do we institute that type of customer service throughout the department? It's not easy to do. But I think it also points to the challenge of communication, how we disseminate all the information. Maybe it's radio, maybe it's newsletters, maybe it's sharing email, maybe it's just more grassroots events, it's a little bit of everything. But that is a challenge to work on. One contribution the Civil Rights office is making to that effort is not only working through the responsibility we have in ensuring that we process all civil rights complaints with fairness and equity but also strengthening our relationships like FSA as a role model, strengthening our relationships with all the agencies whether it's working with Patrice and Rural Development and working with Juan and Chris and FSA or in many other. The Food and Nutrition Service is another key agency, but us working closer with the agencies so we can better understand how to ultimately serve you.

So I just want to say that even though this is my last meeting but the office of Civil Rights has had consistent presence in the network. Dr. Leonard who was here yesterday is fully committed to this. Reed [phonetic] has been here from the beginning. He's totally committed so we're happy to also support that effort in any way we can. And I believe also that we're getting to turn the corner because not only do we need that local agency to call you back, if you need someone else from another agency to call you back, they should call you back, and another agency that [indiscernible] we need to figure out how to do this comprehensively.

Jerry McPeak: I'm going to make an observation. I picked up that you called them, they didn't call you back?

Edward Soza: No. A couple of weeks.

Jerry McPeak: I have a psychology major and I'm just throwing in there for this reason. I've actually done a study on this. If it's a government people or if the people are 35 years or younger, when you call them you don't get a response. But if you send them an email or a text, you are three times likely to get a response on that. I know that sounds -- but that's real. No offense to the people in the government, but you folks don't respond to phone calls very damn good, not even up here. Down there they're horrible. That's what you had. You have the same thing with your Indian government. I have a

same thing with my Indian government, if they're 35 and down or their primary entity is government, they're not worth a damn with the phone. They respond to emails and text messages.

Male Voice: Mark, it appears that we've done, finished our council business. I'd like to make a motion that we adjourn.

Male Voice: Second.

Mary Thompson: Just one discussion. Do we invite OCR to the work session whenever we do that half a day or whole day work session out there?

Leslie Wheelock: The Office of Congressional Relations?

Mary Thompson: Office of Congressional Relations.

Leslie Wheelock: We can invite them.

Jerry McPeak: That sounds encouraging.

Mary Thompson: [Indiscernible] to the secretary that they be [cross-talking].

Leslie Wheelock: That will teach them not to show up.

Mark Wadsworth: All those in favor.

Group: Aye.

Mark Wadsworth: Anyone opposed?

Jerry McPeak: This is the best we've had. Next time we get -- Excuse me, I'm requesting on the agenda, four hours on the agenda.

Leslie Wheelock: Just for Jerry.

Jerry McPeak: No, without anyone else coming in to jack with us.

Female Voice: Could we do a group photo before we leave today? Is that all right, Jerry? Do you guys mind if we took a group photo?

Male Voice: No.

Leslie Wheelock: Mary, you say you want them to come. You want them to come to our talking session?

Mary Thompson: Our working sessions. [Cross-talking]

Leslie Wheelock: I guess the other question that we didn't get answered is whether we want that working session to be open or closed. I know you all have adjourned, but do you want that working session to be opened or closed? [Cross-talking]

Female Voice: You want this very closed because we might get more done. What we need are certain people there.

Female Voice: Maybe what we'll do is to report out. We can do a close session but then we can do a report out at the open sessions. [Cross-talking]

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