



United States
Department of
Agriculture

Council for Native American Farming and Ranching

Tuesday, December 8, 2015

Mark Wadsworth: Thank you. Everybody, we're starting the first part of this. I'd like to thank everybody for coming today. We'll start things off first with a roll call. Porter Holder.

Porter Holder: Here.

Mark Wadsworth: Tawney Brunsch. Tawney Brunsch is not here. Val Dolcini.

Val Dolcini: Here.

Mark Wadsworth: Gilbert Harrison.

Gilbert Harrison: Here.

Mark Wadsworth: Derrick Lente.

Derrick Lente: Present.

Mark Wadsworth: Dr. Joe Leonard.

Joe Leonard: Present.

Mark Wadsworth: Jerry McPeak.

Jerry McPeak: Here.

Mark Wadsworth: Angela Peter.

Sarah Vogel: She's here. She'll be right in.

Mark Wadsworth: Jim Radintz.

Jim Radintz: Here.

Mark Wadsworth: Edward Soza.

Edward Soza: Here.

Mark Wadsworth: Mary Ann Thompson.

Sarah Vogel: She's also here, but she's away.

Gilbert Harrison: She's here, but she's not here.

Mark Wadsworth: And Sarah Vogel.

Sarah Vogel: She's here.

Mark Wadsworth: And Leslie Wheelock.

Leslie Wheelock: Here.

Mark Wadsworth: Thank you. We have a quorum today. As a part of this agenda, I'll switch to that.

Sarah Vogel: Here's Mary.

Mark Wadsworth: Mary Thompson is here. I guess we should stand here. Would you like to do this, Gilbert, the blessing?

Gilbert Harrison: Can we take our hats off, please? Lord, we come before you this morning on a nice but chilly day. We're here again for our meeting in Vegas, and we're here to talk about issues that concern Native American farmers and ranchers. May we make good recommendations and discussions that will be in the best interest of the people we are serving. We pray that we do this in good spirit. We pray this in your name, *hózhó náhásdlíí'*, *hózhó náhásdlíí'*, *hózhó náhásdlíí'*, *hózhó náhásdlíí'*, amen.

Mark Wadsworth: I'd like to just review the agenda and then we'll go through what Dana -- well, actually we'll just have Dana start this off right now.

Dana Richey: Okay. Do you want me to review the agenda?

Mark Wadsworth: Yeah. Go right ahead.

Dana Richey: All right. I'm on tab 1 which is the agenda. So if everyone would please turn to that, we'll do a quick run through. And also we do have some changes to the agenda in terms of ordering that I want to make you aware of.

At 10:30 we were to have the Fostering Private Enterprise on Reservations, Marketing and Business Planning, Housing and Community Facilities. Due to timing, what we're going to do is ask Leslie Wheelock to give the Office of USDA Tribal Relations updates beginning at 10:30 to 11:00 instead. And then beginning at 11:00, we will then have the Fostering Private Enterprise presentation. Arthur Neal from the Agricultural Marketing Service will speak on that topic from 11:00 to 11:30.

At 11:30 to 1:30, we will take a lunch break. For those tribal members of the council, you can go to the IAC luncheon banquet. We do ask that you be back promptly at 1:30 so we can resume our meetings.

And at 1:30 to 2:00 we will pick up the end of the Fostering Private Enterprise presentation. Tony Hernandez, the administrator of Rural Housing Service for Rural Development, is

unable to join today due to a family emergency. So Tedd Buelow from Rural Development will speak in his place. That would be from 1:30 to 2:00. Then beginning at 2:00, we will have the public comment period. That will be from 2:00 to 4:00. We'll have a break for 15 minutes, from 4:00 to 4:15, and then at 4:15 we'll begin the CNAFR working session. That will continue until 5:30. At 5:30, as you can see, we'll recap the day and also possible recommendations that may have been promoted during the course of the day. And then we plan to adjourn at 6:00.

Mark Wadsworth: And did you have dinner for afterwards to come?

Dana Richey: Oh, that's right. So dinner reservations were made for those that expressed an interest in joining the group this evening. Leslie, do you know when that is? Is it at 6:30?

Leslie Wheelock: It's at 7:30. It can be changed. I actually need a headcount to make sure that we have the right number of reservations. For dinner, we're back at the place we were at last year, Carmine's, which is at The Forum Shops at Caesars Palace. The easiest way to get there that's not walking all the way around and through the casino is to walk down to Margaritaville and go cross the street into The Forum Shops. And Carmine's is pretty easy to find. If you need directions, I can get you those. It's also on your cellphones. I'll get you

all that information. But I do need a headcount to know who's going to join us.

Mark Wadsworth: That's for dinner?

Leslie Wheelock: That's for dinner tonight, yes. It's the same place we were last year. Jerry, are you coming with us?

Jerry McPeak: I can't. We have [indiscernible] before I knew about it.

Leslie Wheelock: All right, so I've got seven council.

Gilbert Harrison: Mark.

Mark Wadsworth: Yes, Gilbert.

Gilbert Harrison: Mark, I'd like to request -- I sort of know how sardines feel like when they're [indiscernible]. Can we get another table at the end so we can have a little elbow room, please?

Leslie Wheelock: Right.

Gilbert Harrison: Thank you very much.

Dana Richey: We definitely will.

Gilbert Harrison: I know we want to have a close working relationship. [Cross-talking]

Dana Richey: So at noon hotel staff will be coming in to actually shift the layout by 90 degrees, so that the opening of the U-space is facing the audience. At that time, I will also ask that they add a table or two to this configuration so that we can spread out. I did make that request earlier, but we have

to wait actually until they have some staff available at noon to help with the reconfiguration. But thank you for that good suggestion. We are a little packed in here.

Leslie Wheelock: Can we add a request for an extra table at that time?

Dana Richey: I already did.

Leslie Wheelock: Thank you.

Mark Wadsworth: We're about 15 minutes ahead of schedule here.

Dana Richey: I think we can jump to the first presenter, Leslie.

Office of Tribal Relations Updates

Leslie Wheelock: Right. I'd like to introduce to you Victor. Victor is helping us out today with all of our sound needs making sure that we're recorded and getting our stuff taped down so we don't fall all over it. Thank you, Victor.

The OTR updates. So I'll give you a little bit of information about what's been going on. We've been sending out to you a version of the monthly updates that we provide to the secretary. Those get modified slightly before we send them out. But in general, those are the monthly reports from our office. If you noticed, the last one was about six pages long. That covers two months' worth of information. They're usually about that long.

We've got a tiny staff, otherwise known as the small but mighty Office of Tribal Relations within the department. In addition to reviewing all of the regulations coming out of the 2014 Farm Bill, we support this council. We support the department. We support Indian country. We hit as many conferences as we possibly can and talk to as many tribes as we'll make time, and an agenda to help us fund them and facilitate their meetings with other folks in USDA.

For all of the work that you do out there, talking us up and getting our name out there and telling people that we are the first point of consultation, the primary point of consultation for tribes within the USDA. Letting them know that we're there in case anybody ever has any questions or is having trouble getting access to a program, wants more information about a program, would like them to come to D.C. with or without an attorney. We prefer without attorneys because usually they just get in the way and bill the tribes. We don't really need them.

The middle men, we're finding that we're getting more and more people who are signing up with our tribes to facilitate conversations with USDA. If you run into tribal leaders who are talking about their tribal facilitator within or with USDA, would you please ask that tribal leader to get directly in touch with us? Because usually those people are charging fees to our

tribes in order to get access to us. You all know how to get access to us. You pick up the phone and call, you email. We are available. Our teams are available. Our staff is available without the need to pay somebody to get access to us. If you can get that word out, we would appreciate it.

It's getting a little strange out there. As a result of that, we've had tribes cancel meetings because their facilitator could not be in the room. I just want to let you know that I want you to help us break through that because we're not quite sure -- well, we have an inkling of what's going on out there. It's called good hard cash, but we think that our tribes are losing the benefit of access to the USDA as a result of that. We think that the tribes will pay and eventually USDA will pay. So I want to make sure that you're all aware of that. Jerry, did you have a question? Mr. McPeak.

Jerry McPeak: Yeah. You said the tribal facilitator couldn't be in the room? Is that what you said?

Leslie Wheelock: The tribal facilitator for the tribe could not be at the meeting, so the meeting was cancelled. The tribe did not come to the meeting. This is something that we're trying to make sure that all people know. All they have to do is pick up the phone or email us and we can help out with any meeting they need.

Hiring, as you all are aware, John Lowery has gone back to North Carolina. He and his wife are expecting a second child. I'm not quite sure when. It's been on Facebook. So if you're on Facebook with John Lowery, you know about it. We are, hopefully, about to fill the GS-12/13 program specialist slot that was left open with John's departure. We've got one person we've chatted with already and another one that we hope to be chatting with soon just to kind of get a general feel for things. If we went by what's on paper, we'd have already hired the person by now.

Additionally, within Appropriations there's a request for an FTE, a full-time employee, to come in as a deputy director in order to make sure that there is some cohesive actions not only with this council but for the Office of Tribal Relations and in the Office of the Secretary throughout whatever administration changes there might be in the future, and in order to maintain the Office of the Tribal Relations at the level that the Congress expected when they made us permanent.

We have made a request for a deputy director who would be a non-appointee to come in and essentially run the office and be the second in command even when there is a director in place. That is up in the air right now with all the appropriations up in the air right now. We hope that we have some ideas or some authority for moving forward on that pretty soon.

In addition to our office, our office often gets detailees from other parts of the USDA, as well as interns through the WINS Interns Program, through the GW Internship Program. These are tribal youth students who come to town, come to D.C. and desire to work in our office. If you know folks who are coming in on a WINS internship and they're looking for a job, please let us know about them.

I'm going to introduce my staff here for a second. Josiah Griffin. One of his jobs, in addition to getting out the newsletter, is helping us manage these internships and get people placed in USDA. I'll talk more about that in a minute.

Sedelta Oosahwee. Sedelta is coming to us from the White House's special program on education. That's not it. You do it.

Sedelta Oosahwee: White House Initiative on American Indian and Alaska Native Education.

Leslie Wheelock: There's a reason I can't remember it. Sedelta came over on detail and will remain with our office through the remainder of this administration or until she leaves, whichever comes first. We're very delighted to have her. Sedelta is coming in with a focus on education, youth, internships, and programs in that area. Education is her specialty and background. We're delighted to have her to help us close the loop on some priorities that the secretary is

helping us with and that we have been unable to really kick off because of the fact that we're totally overloaded.

Michael is in the doorway. Michael Gruits [phonetic] is from the Office of the General Counsel and has been on detail with our office for a couple of months. As a result of which, we've been dragging him around to every conference that happens in the last three months of the year. As you all know Indian Country has conferences, these back-to-back conferences beginning in October. Michael has helped us with that, as well as with some contracting points, some regulations that we've been looking at, some of the details of USDA that we've been trying to get a handle on. Michael's primary work right now is with FNS. Is that right?

Michael Gruits: FNS and FSA.

Leslie Wheelock: FNS and FSA. So we've been delighted to have Michael join us and help us with some of the OGC pieces of information that we need. Mary Ann, you have a question?

Mary Ann Thompson: Yes, please. Leslie, which conferences have you been in attendance in respect?

Leslie Wheelock: We've been to National - you had to this to me - NCAI. We've been to the Oneida Food Sovereignty Summit. Sedelta, which conferences did you go to?

Sedelta Oosahwee: AISES and FALCON.

Leslie Wheelock: There have been special conferences at Pine Ridge as well on youth and education that Sedelta has attended. I know I'm leaving a couple out, but those are the main ones. We also attend the regional conferences which include USET and ATNI. I can never remember because I want to put a Pacific Northwest in there. We didn't get to AFN this year because we managed to get to Alaska the month before and couldn't go back for AFN. But that's the level of conferences we go to, and those are the conferences that we've been to since October.

Mary Ann Thompson: When was the last NCAI Conference?

Leslie Wheelock: The last NCAI Conference was in San Diego in October.

Mary Ann Thompson: And the next one coming up?

Leslie Wheelock: And the next one coming up is -- I don't know where it is.

Sedelta Oosahwee: The national conference?

Leslie Wheelock: No. The next regional would be the one in D.C and that should be in February/March.

Mary Ann Thompson: Will the Office of Tribal Relations be presenting?

Leslie Wheelock: It depends on the conference. Typically, at NCAI, we do a number of things. We have a booth set up. We walk the floor. We have one USDA presentation. NCAI has a

focus for its keynotes on Senate-confirmed folks from the government. I'm not so that tends to get bumped up to other personnel at USDA. Typically, they want the secretary. Sometimes if the secretary can't come, they don't want anybody. I worked at NCAI; I've watched this happen. So in order to get on the main desk, you have to be somebody pretty special.

We have participated in a number of sidebars. We worked the last one, I think, in conjunction with BIA on tribal homelessness. We've worked with the Red Cross and FEMA on disaster and disaster preparation and relief. So we do sit on the panels along with the other government folks when we have special sessions on topics of interest.

Mary Ann Thompson: The reason I asked about NCAI is because I believe some of the tribes in the Southeast particularly have listened to some of the presentations or gathered some information and come home with the wrong impression. Like some of the folks in my council who were encouraging farmers to apply and reapply for, and I think they were misunderstanding, the cy pres funds. But the application closed --

Leslie Wheelock: That didn't come from me.

Mary Ann Thompson: -- in December of 2010 or '12. But for some reason they thought they could still apply. That misconception I think is in several places. So as these

presentations are going on and as you're attending these conferences, I think that that should be cleared up.

Leslie Wheelock: Okay. Thank you.

Mary Ann Thompson: Thank you.

Leslie Wheelock: That's a very good point. I appreciate that, as well as any other points like that that you know are going on out there. As you know, that's closed. We're waiting for a decision. We're not sure when we're going to hear a decision on Keepseagle and the cy pres funds. We don't have an update that has been shared with us. We know they're working on it. We know everybody's working on it. We know there's some agreement, but I don't have that update.

Mary Ann Thompson: Is there a specific contact person for the Office of Justice? Where is it at now?

Leslie Wheelock: The DOJ?

Mary Ann Thompson: The DOJ. Do you have a particular contact person at DOJ?

Leslie Wheelock: Sarah, is there one person at DOJ?

Sarah Vogel: The person that we've historically been working with at DOJ has changed a bit over the years. I wasn't 100 percent paying attention. At first I thought you were asking who it is we dealt with at USDA. I think if we dealt with Rick Gibson, Rick Gibson would get us to the right person. However, the likelihood of anybody from the DOJ having anything

public to say, I would say would be nil. But I think Rick, if anybody has any question, Rick is a good person.

Leslie Wheelock: Thank you. And you all know Rick. He typically has been at our meetings. I don't think he's planning on coming to this one. I don't know. So he is our best point of contact. And also, the other thing is you can always funnel questions through me and funnel people through me. That's what we're there for.

Mary Ann Thompson: Thank you.

Sarah Vogel: One more thing. As soon as something is public, I would expect that a notice would go out from OTR. Because we would be the first people to know within USDA, I think, and then something could go out.

Leslie Wheelock: Right. We'll be the second people to know after the Office of General Counsel, well, third and the secretary and then OTR.

Sarah Vogel: But you'd be right in there. So people can sit tight as we all do and wait for public notice.

Leslie Wheelock: Thank you, Sarah. One of the reasons that I introduced you to staff and talking about internships, the WINS interns, when you've got youth that you know are coming to Washington on a WINS Internship, oftentimes they don't know where they're going to work yet. We like to pull as many of those youth, those students into USDA as possible. Josiah also

has tried to help place students at the Department of Energy and the EPA. Our primary goal is to keep them in the land-based agencies and departments rather than to, for example, have them go work in the Office of Social Security. If we don't place them, that's where they will end up. I don't like that.

So we work very hard along with our Office of Advocacy and Outreach, Carolyn Parker, to get those kids placed both within the department and outside of the department in our tribal offices. So if you've got youth coming to town, just let us know. We've already gotten three or four emails from people who have said my kid is coming to town or somebody from my tribe is coming to town. We got a call from Osage the last day of the placements last year with a young man from Osage who wanted to work in Energy. I think we got him over to EPA because Energy couldn't get all the things in motion fast enough. But that's the work that we do out of our office.

Food Distribution Program on Indian Reservations, I don't know if you know, but our tribal leaders have asked the secretary for a working group of tribal leaders, tribally elected officials, on the Food Distribution Program. This is in addition to the FDPIR Food Package Work Group and is at the tribal leadership level. The Food and Nutrition Service has elected to convene that group on Tuesday, February 23rd. The request was for 10 to 12 elected or appointed leaders. We're

going to try to get 10 in the room with those appointments needed by December 31st. If you are very, very interested in the Food Distribution Program, get to your tribal leadership and ask them about this. They probably will have to contact Joe Van Alstine at NAFDPIR. If you need points of contact, let me know and I will put you in touch with folks.

Jerry McPeak: Just a thought. It's happening with our tribe right now, but I bet it happened to all of us. We change administrations or change tribe or your contact people. And your phone numbers and those kinds of things. I think you got it pretty good about keeping us informed about it, but that doesn't help all the other tribes around the country. But if we can be notified, we can at least help ours or maybe in our own areas when we know of those changes.

Leslie Wheelock: Actually, Jerry, that's a good point. Josiah helps us keep that tribal leadership list current. If you all have elections going on out in your area, whether they're your tribe or local tribes, if you could get us the new information, the newly elected official information or help us at least know who the people are, what the names are and the new titles, that would help us a long way in keeping those lists up to date. We probably go through a quarter to a third of our tribes every year in terms of new leadership, and it's really hard to keep track of folks. So if you've got changes in

leadership around your area, your tribe, your state, if you could let our office know that and particularly if you could let Josiah Griffin know that, that would be a huge help to help us keep up to date and keep those leaders informed.

Jerry McPeak: The point is if you let us know those dates, those are so liquid. I couldn't give you the numbers now because I just don't know them. We'll have to go find the people. But again, if you keep us posted, we'll try to get them. We'll try to get them. We'll get you those other numbers as soon as we can. If you give us some time, we'll get it. We may have reached the [indiscernible] and the chain of command, but we get a chance at least to reach someone.

Leslie Wheelock: We understand how that works, sir. Thank you. The other thing that this office participates in, as you all know, is the White House Council for Native American Affairs. We've had two things that have kept us really busy this year. One is the Generation Indigenous or Gen-I initiative which is focused on tribal youth. The other one is the Tribal Nations Conference which convened last month. We had the secretary in a town hall meeting which is pretty much an open mic meeting where he talked about a number of things including the Tribal Leadership Working Group for the FDPIR program, as well as our youth education and STEM initiative.

We have been touching at the edges of a tribal youth education and STEM initiative for as long as I've been there. You all know Janey [phonetic]. Janey doesn't touch at the edges; she goes right for the heart of it. But what we've noticed is a fractionation of the 1994 program, as well as tribal extension within USDA. It's scattered around. And then we have additional agencies that tend to create a program for tribal colleges where they want to, or when they can, or kind of willy-nilly. Some of them have terrific programs. But if you didn't know they were there, you wouldn't go looking for them.

So what we're trying to do is to focus on a strategy for the tribal colleges and universities, as well as tribal youth as a whole because as we all know they don't all go to the tribal colleges and universities. So we're trying to make sure that we've got within USDA some sort of a home for them, a point of entry for them and a concentrated strategy moving forward. We've got Estelle Bowman, who is from the Forest Service, who will be coming in and talking to you about a project. She's also key to working on the strategic plan for this youth initiative. So as you can see, we've got people from all over the department kind of scattered around being asked to participate.

Mark Wadsworth: Leslie.

Leslie Wheelock: Yes, sir, Mark Wadsworth.

Mark Wadsworth: On the extension funding, that was one of our biggest priorities at the beginning of this council. Have we made any progress in solidifying [sounds like] that?

Leslie Wheelock: On the FRTEP funding?

Mark Wadsworth: Uh-huh.

Leslie Wheelock: Actually, we had a meeting two weeks ago to talk specifically about a number of programs including FRTEP. What we were told in the meeting, and I've been asked for some support of this, is that there is a statutory cap on the FRTEP program. In order to remove that cap, you know who has to remove that cap. So what I'm trying to do is to get somebody to give us the language, show us where that's stated within that statutes. We don't know right now whether it's in the appropriations or whether it's in the Farm Bill. So we're trying to track that down, and we'll get that back to you as soon as possible.

Along with that, there was a recommendation to the secretary to remove the 1994 program into the Office of Tribal Relations. That also is statutorily mandated to remain where it is, in the Office of Advocacy and Outreach, so that is where it will remain. The secretary had asked me to get back to you on that as we walk through all of the steps to fully answer and address your question. That is another statutory requirement.

Did I go too fast? I sometimes talk too fast. I don't mean to do that. Yes, Sarah.

Sarah Vogel: Also on FRTEP, there is the requirement that that program go back in every two years for re-funding and keep getting reauthorized and the people having to reapply and so on. And I tried to get some traction with the North Dakota delegation. I know there were meetings at USDA on that, and then it seemed to drop off the map. So I'm just wondering. I think it's not just that there's a cap on appropriations. There are other problems with the way that operates compared to other extension programs.

Leslie Wheelock: Right. I understand.

Sarah Vogel: Yeah.

Leslie Wheelock: Sorry.

Sarah Vogel: So do you have an update on any of that?

Leslie Wheelock: I don't have an update on that, but I think we will have one for the next meeting because of the work that I am seeing is in about four different places. We're kind of the hub in all of this and trying to make sure that all of the different groups are understanding what each other one's doing. But this, the most recent one actually was stood up. I'll tell you about this in Dr. Bartuska's time if she doesn't. This most recent meeting was a result of AHEC disassociating itself from the APLU, from the other land-grant university.

I'll call it what I see it, as a lobbying organization or convening organization. And that has created within USDA a concern for the 1994 tribal colleges and universities and some concern about how USDA works with them or doesn't at this point in time, and how we could work better with them.

Dr. Bartuska probably could have answered that a little bit better, but for sure we'll be able to answer it. We're putting together a strategy and trying to answer that in the future.

Sarah Vogel: This came back to me recently because I was watching a YouTube on a U.S. Senate hearing. Senator Heitkamp was talking about making sure that extension services like the ones we have in the U.S. reached like countries in Africa. And my immediate thought is how about here at home?

Leslie Wheelock: Right. Right. As you know, we do have some state extension offices that work pretty well with their tribes, and we have a lot that don't.

Sarah Vogel: Yeah.

Leslie Wheelock: We also have the land-grant colleges and universities at our disposal in terms of asking for support in this area. Again, we've got land-grant colleges and universities that are extremely helpful to our tribes, and we have others that aren't. So trying to create an agenda for them, initiatives for them, in order to kind of push that

support out a little bit better will probably also be part of the plan. Thank you.

So the other thing, as part of the White House Council for Native American Affairs, one of the things, there was a resolution passed at the National Congress of American Indians asking for a natural resources working group to be set up. That natural resources working group is to focus on what I call, what I refer to as our natural resources and cultural heritage. It's everything that kind of gets overlooked when we start talking about economic development and energy development and all of the things that we've been working on in terms of the economic development side of things, leaving out the focus on the natural resources, historic preservation, cultural heritage and the like.

With a convening last week of the Treaty Rights at Risk, tribes from the Northwest Pacific area, we are going -- that natural resources actually belongs within one of the working groups that's already set up that has been focused primarily on climate change. And what we will be doing is creating, either at that group level or the lower group level, something that focuses on natural resources.

When I look at concerns about cultural heritage and natural resources, every single one of our working groups under the Council for Native American Affairs has that focus in the

background. It's not stated, but we all know it's there. You've got tribal people working on these issues, and they all bring their own tribal backgrounds as well as the history of their work with the tribes to the table in this area. So there are not meetings that occur within the White House Council that do not have natural resources and cultural heritage on the table at all times. This is just heightening the need for a focus on it.

The other couple of things that we're working on, there are several Pine Ridge initiatives. Pine Ridge is our most recent Promise Zone finalist, allowing them access to a lot of programs and priority points. We also have a White House Count, White House initiative on Pine Ridge that kicked up; I'd like to say it that way. When we started seeing the youth suicide spike on Pine Ridge, we all know, tribal people know that it's not just Pine Ridge. It's pretty much all of our reservations.

So to the extent that we can take what is working at Pine Ridge or what we can get working at Pine Ridge and move it into other spaces or to the extent that we can take things that are working in other spaces - Cheyenne River Youth Council and Alaskan group whose name I cannot pronounce -- Tanana. Tanana chiefs' 4-H group, those are the kinds of things that we'd like to showcase to Pine Ridge to give them an idea of what other

kids are doing in other places to help themselves and their fellow youth.

We're also working on trying to get better 4-H initiatives. Moving forward, 4-H National is really desiring to work with us and it's just a matter of kind of ramping up our capabilities and our capacity in order to get those 4-H programs out there. They do have a program on health and wellness and suicide prevention so if we can get those kinds of programs moving forward. Typically, we don't have enough leadership, but 4-H is also experimenting with six-week 4-H programs. I think that with a six-week program, it looks a little less scary to our potential tribal leaders. It's a little bit easier for our FRTEP agents to tack on, even though I hate tacking stuff on their already pretty full and overloaded plates. And it's a little bit easier for a couple of moms or a couple of dads to kind of walk in and say six weeks. I can do six weeks. So that's what we're hoping for. We're going to be working with 4-H to build a program around that and hope to have something that we can start talking to tribes about.

The Promise Zones Initiative, we're about to announce the next round, third round of promise zones. We will be selecting one more promise zone - tribal promise zone - and we'll likely have one more finalist for the promise zones. And then there will be a huge push and effort to get stuff moving for that

promise zone because it's going to be near this administration and we've got to get everything in place because those are ten-year programs overlapping multiple administrations.

Mark Wadsworth: Hey, Leslie?

Leslie Wheelock: Yes, sir.

Mark Wadsworth: Is there a timeframe or is that passed for application?

Leslie Wheelock: No, the applications have not opened yet. Those will be in our newsletter when they do open. Everything's being predicted right now. We are expecting those to open in the January timeframe. But as far as I can tell everything's ready to go. We were dotting i's and crossing t's in the last meeting and I think we're ready to go. It's just somebody has to hit the button.

The other thing that I haven't mentioned before to this organization - I don't think - is the Arctic Executive Steering Committee. With the United States taking over the leadership of the Arctic Council for the next two years, one of the things that happened in January was the president issued an executive order that pooled the Department of Agriculture and several other of the social departments into the Arctic Executive Steering Committee. We had not been in it before. It was primarily a defense and transportation focused organization

before we got there. We've been running really fast trying to keep up with them.

The deputy secretary is the sitting member of USDA on that committee, and the Office of Tribal Relations director is the person in fact who's sitting on that committee. We're given a plus-one but we haven't figured out that yet, so I'm kind of the chair and the plus-one. But that organization is focused on the Arctic region in Alaska, which is the Arctic Circle plus the diagonal created by the Porcupine, Kuskokwim, and Yukon Rivers which stretches pretty much across Alaska from the ocean up to Canada. So you might have seen a bit of an uptick in the work and the announcements coming out of USDA concerning Alaska. We hope to have more of those. Certainly, the focus is increasing.

We had somebody come up to me yesterday from St. Lawrence Island and say you know we're having some trouble getting some traction. People don't think we farm out there. They don't think we grow anything. So we'll be putting him in touch with some folks in Anchorage to see what we can do to help in that kind of a situation. Same goes for anybody you hear talking about that. "We need some help. We're not sure how to do it. We don't know where to start." Those are the folks we like to see come in.

We've got a new beginning farmer and rancher website that's just set up. I think it was last month, two months ago, and

we've presented that. That's been presented to you before, I think probably last year, the first iteration of that. It's a tool to help folks who are interested in getting started in farming and ranching, get started in farming and ranching, learn about USDA and its programs a little bit better than trying to dig around on our website.

Additionally and finally, one of the things that we're working on as part of our outreach is creating material that is focused on Indian country so that it looks, smells, feels, talks and walks like us. It makes it a little bit easier to access the programs, what we're talking about and puts them in categories that we understand. I'm looking forward to trying to get that work done first quarter of next year so that we actually have some materials, because if you've been to our conference tables, we do double-wides. We get a whole bunch of USDA people in two or three booths, so sometimes we have triple-wides. But when we put out all our materials, it's a dog's breakfast, full of stuff.

For anybody walking by the table, they don't know what to pick up. You have to be there, you know, talking to people about what they're looking for and then you have to look on the table. We're going to try to make that a little bit easier for our customers and put together some materials that they actually

can look at and figure out what it is they want to do with them, and which materials to pick up. Mr. McPeak?

Jerry McPeak: Just for the information, of course. I went to Alaska. What is raised on that island and how much?

Angela Peter: Oh, no. It was actually Prince of Wales.

Leslie Wheelock: Oh, it was Prince of Wales. Sorry, thank you.

Angela Peter: We just went down there. I didn't see nothing raised there. We had --

Jerry McPeak: That's my point.

Angela Peter: They did have a garden, a community garden. It was very small, but they're interested in rejuvenating and growing more. But what they have is they have trees - because there's a lot of timber harvesting - trees going into the water, warming up the water, and the fish are dying. So that's one of the issues that they're having there.

Jerry McPeak: Yeah, [indiscernible]. So you say the trees, are they harvested trees or these are trees that are just falling into the water? How did the trees get in the water?

Leslie Wheelock: Climate change?

Angela Peter: They're there.

Jerry McPeak: Okay. So the trees are standing there. They happen to be falling in the water?

Angela Peter: Yeah.

Jerry McPeak: They're creating the rotting to be increasing the temperature.

Angela Peter: Exactly.

Jerry McPeak: But they're just falling in the water?

Angela Peter: No. Well, it's from harvesting the --

Jerry McPeak: Excess.

Angela Peter: -- the logging companies.

Jerry McPeak: The excess that they cut.

Angela Peter: Yes. So I know that's all we talked about, I think.

Leslie Wheelock: And you asked what they grow there, but I would ask Angela Peter what Tyonek grew there ten years ago, five years ago before you got started, because I think you've made a huge difference out there with the work that you had done in conjunction with NRCS. And Jerry's not listening to me so I'm going to shut up.

Jerry McPeak: I'm still back [sounds like] on the answer to the question. What was that?

Leslie Wheelock: No, I just said that you should ask Angela what was growing in Tyonek before they got started. So because --

Angela Peter: Oh, watermelons this last year.

Leslie Wheelock: They've got squash blossoms [sounds like] growing there.

Angela Peter: Watermelons.

Jerry McPeak: I was thinking about raising them in Alaska, I would say you can raise them, get them cold at the same time. Cold, raise cold watermelons, the whole deal.

Leslie Wheelock: Are there any other questions for the Office of Tribal Relations? Thank you very much.

Gilbert Harrison: Leslie?

Mark Wadsworth: Leslie, can --

Gilbert Harrison: Hello?

Leslie Wheelock: Yes, Gilbert?

Gilbert Harrison: Mark, I have a request maybe to make of OTR. I remember the very first council meeting in D.C. We had a bunch of programs under USDA that came before us. All of them were saying that they were going to go ahead, make improvements in delivery of services on tribal lands. I wonder if we could get maybe a short report from each department to really say how much difference have they made in terms of delivery of services and goods to tribal lands. Because we get these blurps saying this is what we're doing but we never get feedback. I think it's important to get some feedback to see if they've actually made changes in terms of how they deliver programs, some of the policy changes that they've made so that we have an understanding and an idea of how much good has actually been done. We always talk about NRCS. But other programs within the

USDA in terms of basically removing some of these barriers at the individual department levels, what have they actually done?

It would be nice to get maybe a very quick overview, maybe an executive summary of some sort by each department because we don't know. You know, because the settlement was based on the farm services and others but it also covers other programs within the USDA, I think. So it would be nice if we could get - maybe at the next meeting - get some sort of a written report. It doesn't have to be 20 pages, just very basic maybe one or two paragraphs to say since that time, this is what we've done. We've made these changes. We're now in a better situation to provide these services. I think that would be something that we can use. Thank you very much, Mark and thank you, Leslie.

Leslie Wheelock: Thank you, Gilbert.

Mark Wadsworth: Yes, Sarah Vogel?

Sarah Vogel: I'd really like to echo that request, which I think is brilliant of Gil. I remember that meeting at USDA - our initial meeting very well - and agency after agency after agency came in and talked about how they interacted with Indian country. I really had the impression that as for some of them, this might have been the first time in a long time at that meeting that they had thought about Native Americans.

So asking for an update, you know, what have you done? And I think while they're at it, it might be a good idea, too, to

say what are the barriers that these agencies encounter in doing more with Native Americans? It might be a statutory provision like the ones we mentioned earlier. It might be just a problem with outreach that the agencies may not know how best to make contact. It may be any number of reasons, but you know, is it regulation? Is it statutory? Is it just awareness? I think that would be really good and as Gil said, it doesn't have to be long. But I think just having these heads of agencies thinking about it will automatically create a better environment.

Leslie Wheelock: Sarah and Gilbert, thank you very much for that recommendation. We know at this point in time, people are collecting a lot of data, but that data is kind of backwards to what you just requested. That data is how much have we pushed out into Indian country and not so much of what effect have we had on Indian country. I know anecdotally, I could sit here and talk you through a whole bunch of stuff. I think it's a fair request, and I think that we can challenge our teams back in Washington to put that report together.

Sarah Vogel: The talk this morning about NRCS having those, a massive, massive increase under the Obama administration in conservation programs. Holy moly, if every agency could report that, that would be wonderful.

Leslie Wheelock: Right. Thank you.

Mark Wadsworth: Thank you, Leslie.

Leslie Wheelock: Thank you.

Mark Wadsworth: I think we'll move on with the agenda for Arthur Neal, is that correct? Yes, Gilbert.

Gilbert Harrison: So we will ask the departments to provide something to the council.

Leslie Wheelock: We'll do that.

Gilbert Harrison: Thank you very much.

Leslie Wheelock: You're very welcome.

Dana Richey: Yes, Arthur Neal is the next speaker and the documents that Mr. Neal provided in advance are in tab 4 of your binders.

**Fostering Private Enterprise on Reservations, Marketing and
Business Planning, Housing and Community Facilities**

Arthur Neal: Good morning everybody.

Dana Richey: Good morning.

Mark Wadsworth: Good morning.

Arthur Neal: You have to forgive my voice. I have a little sinus drainage, but we're going to do the best we can. What you have passing around the table right now are just some one-pagers on the Agricultural Marketing Services programs and services that may be more relevant to you. Leslie's helping us out getting all those around. Thank you, Leslie.

Dana Richey: Is this different? Arthur, is this different than the ones in the binder?

Arthur Neal: Oh, it should not be.

Dana Richey: Okay.

Arthur Neal: I may have forgotten that we sent them to you.

Dana Richey: Yes, I think they are the same.

Arthur Neal: Okay.

Dana Richey: But please, please go ahead.

Arthur Neal: All right. Thank you. So my name is Arthur Neal. I'm representing the Agricultural Marketing Service. On behalf of Anne Alonzo, our administrator, I bring you greetings. A quick question for you: How many of you are familiar with the Agricultural Marketing Service? Non-USDA folks. Okay.

Male Voice: A little bit.

Arthur Neal: That's kind of what I thought. And primarily, one of the reasons why you mean --

Jerry McPeak: It should have been the very first meeting we had.

Arthur Neal: Look, I just show up in the place and people just find how valuable I really am, you know, but seriously.

Dana Richey: And one thing I want to point out before Arthur starts, and in relation to what the comment that Jerry just said, is the reason that this topic is on the agenda is

because it was actually requested at our September meeting. People requested to know what technical assistance is available from the department in terms of developing marketing plans, business plans and how to foster business on reservations, and so that's why this topic is on the agenda.

Arthur Neal: Thank you, Dana. And just FYI, one of the reasons why folks are not that familiar with the Agricultural Marketing Service - and I'll just refer to us as AMS - is because we don't have a field presence. Our field employees are mainly those employees that are out in processing facilities and grading facilities, grading beef, inspecting eggs, grading fruits and vegetables. We don't have field officers such as Rural Development and the Farm Service Agency and NRCS. Yes, sir.

Jerry McPeak: Do you oversee the graders?

Arthur Neal: Yes sir.

Jerry McPeak: Really?

Arthur Neal: I'll let you stew on that one for a minute.

Jerry McPeak: No pun intended about the stew on, right?

Arthur Neal: No, no.

Jerry McPeak: Go ahead.

Arthur Neal: The other thing about AMS is that I think, even internally, inside of USDA, sometimes we're overlooked because we don't have a field presence. So when meetings may

take place with stakeholders that are looking to stimulate economic growth in their community, sometimes we're not thought of because we're not the first line of defense in counties or on the ground.

And so when I found out about this meeting through Dana's request, you know, I volunteered. I said I want to be there because one of the things that we do in my program area, which is the Transportation and Marketing Program, we really work closely with our stakeholders trying to make sure that they understand the programs and services that we have available to them, that they may partake in.

The Agricultural Marketing Services set up by a commodity group is different from most other agencies. We're set up by what used to be called the Fruit and Vegetable Program is now called the Specialty Crops Program; Livestock, Poultry and Seed Program; the Dairy Program; Cotton and Tobacco Program; the National Organic Program, which oversees all things related to organic food. You've got my program, which is Transportation and Marketing, and you can't really determine what we stand for, what we represent based on a title, but in essence, we help to support the growth of local and regional food systems. We also analyze, perform economic analysis of the movement of agricultural products via barge, rail, train, and ocean vessel.

But today, what I wanted to do is share with you a few programs in the Agricultural Marketing Service that may be of most interest to you. There is one handout called Grants & Opportunities. And here is where we think that you'll find a significant amount of interest in that we have two programs particularly. It's one program that we administer in two separate ways called the Farmer's Market and Local Food Promotion Program. Right about now, I think we're about \$26 million. It was authorized at \$30 million but every year we get a rescission by the Office of Management and Budget. So right now we're about \$26 million. We'll see what we have in 2016.

Those programs support, one, in the farmer's market side, direct farm-to-consumer marketing initiatives. So it may be farmer's markets, community support agricultural programs. It may be roadside stands. It could be agritourism. And then on the local food promotion side, we support those businesses that are involved in the aggregation, distribution, processing, or storage of local food that's going to be marketed locally.

So for the Farmer's Market Promotion Program, there's no match required for that program. The max amount is \$100,000. On the Local Food Promotion Program, there's a 25 percent match required where the max for a planning grant is \$25,000. The max for an implementation grant which would be, say, for instance,

if you have a wholesale market or food hub that you're looking to expand, the max for that one is \$100,000.

In those programs for 2015, there were tribes that received grants through the program - at least about seven. One was - you have to forgive me if I don't pronounce all the names correctly - Tohono O'odham Community Action. They received \$94,000. They're going to be installing a solar-powered refrigerator mobile trailer with global revitalization, traditional local food cultivation, and consumption across Southern Arizona.

There's the Seneca Nation of Indians. They've got a grant for \$65,000 to develop and implement Iroquois White Corn Project for their tribal community. The North Leupp, I think Leupp Family Farms, which is a West Navajo Nation community food promotion program. They received about \$25,000 to conduct a feasibility study. There's some more.

So one of the things we're talking about today is how do we help facilitate business planning economic development? Our grant programs do that. If there's a desire, if you have a need to conduct a feasibility study on your reservation to find out if a certain local food business could be established, our grant programs help to support that type of study. If you've done that study and you see that you need some funds to purchase refrigeration equipment for, let's say, a food hub or a

community kitchen that's going to facilitate the sale of local food there on the reservation, our grant programs help to facilitate that as well.

So we want to point your attention to our grant programs as an opportunity for you when you're thinking about establishing or expanding your local food system. This is all about helping to facilitate local marketing opportunities for your farmers. Okay? That's our focus here. Do many of you all have organic farmers on your reservations? Certified organic farmers?

Female Voice: A few, yeah.

Arthur Neal: A few. So if you do, one of the things you want to make sure you are aware of is that the Agricultural Marketing Service also facilitates a national organic cost sharing program, that for those producers who have received organic certification can receive up to \$750 of their certification cost back to them. All they have to do is show their organic certification receipts and they can receive up to \$750 back on what they paid for their organic certification cost. So that's just something we want to make sure that you are aware of. So that's been going on for probably at least 10 to 15 years now.

Mark Wadsworth: Sir, could I ask you a question?

Arthur Neal: Yes sir.

Mark Wadsworth: My name's Mark Wadsworth. What I'd like to ask you is that, under your certification for organic, have you any large cattle operations or anything, certified their rangeland as organic?

Arthur Neal: There are certified organic livestock operations going across this country. And part of the requirement for organic certification of livestock is that you have to also make sure that they have access to pasture. And so that pasture's going to be part of that organic systems plan.

Mark Wadsworth: Well, I was just thinking out loud here. If the tribe had its rangelands certified organic, we would contact you or how would that work?

Arthur Neal: You wouldn't necessarily contact us, but you would find out who's the nearest accredited certifying agent to your reservation or you can choose any certifying agent that's been identified as accredited on USDA's website. Yeah, you contact anyone of them.

Jerry McPeak: These are non-government agents?

Arthur Neal: These are non-government agents.

Jerry McPeak: That's what I thought.

Male Voice: But the grants are typically dispersed by state departments?

Arthur Neal: That's correct.

Male Voice: So Mark, you may want to contact the State Department of Agriculture and see if they're participating in this program.

Joe Leonard: When you said state, you know, in some cases that is kind of a boundary.

Arthur Neal: They're two different things. So the states administer the cost share program. Meaning they're a disbursement location or a fiscal agent for USDA that a farmer can go into the state so, you know, apply for their cost share funds and receive reimbursement.

Certification is different. Certification accreditation is another lengthy process in which a third party entity has to go through a very rigorous paperwork and inspection process by USDA to say you are eligible to certify whether or not a farm is able to produce organically according to the USDA organic standards. There are some states that do that but there are not a lot of states that do that.

Mark Wadsworth: So utilizing what you're talking about here, an application could go to find somebody to do that for you, utilizing these grant opportunities?

Arthur Neal: For the grant opportunities I talked about earlier?

Mark Wadsworth: Yes, that you're talking about.

Arthur Neal: So you would go to your state to get reimbursed for the cost share. But you will go to a third party entity that will be identified on USDA's website for organic certification.

Mark Wadsworth: But you're saying that these tribes got \$60,000 [cross-talking]?

Arthur Neal: They did that on their own. So that was through my program. Those are competitive grant programs and I guess I probably didn't say that. They're competitive grant programs. Just to give you some idea of how our competitive grant programs look and operate. We received about 800 applications across the country for these programs. We farm out the review of all the applications to what we call peer review panels, which we have about 60-plus panels across the country to look at these proposals and rank them based on evaluation criteria that we've established. Then they make the recommendations to us based on how well the proposal was written and how well it met the criteria. And then those recommendations are reviewed by USDA. The budgets are reviewed by USDA whether or not they're feasible and then the awards are made.

Mark Wadsworth: Okay, I just need to get this straight for myself here. So, this food market - you're helping out the local economy, right, correct? The funds you were talking

about. To me, it would make sense if a tribe went in, did an application to certify their rangeland as organic to help their producers out, that they could now claim that what's operating their cattle on there. Wouldn't that be an appropriate application to you on one of these grant opportunities that you were talking about?

Arthur Neal: I think it would be from a business standpoint, you know, if you're applying to USDA. It would be ideal for them that you apply one time to get access to everything. The challenge is everything is managed differently. Our organic program is authorized through a different law. So are our grant programs. They're managed by different staff. There was a White House Rural Council meeting a couple of weeks ago. One of the comments that was made by a nonprofit was that, you know, it would be great for us to apply one time to one agency and we get access to everything. And you know, we have a hard enough time internally communicating all of our programs to each other inside of the USDA, we understand how they operate.

FSA's got awesome programs, but do I understand how all of them work? No. And so that's the difficulty there. There are so many nuances to the programs, it would not be efficient for us to, you know, you applied for organic certification and you just get access to the grant program.

Joe Leonard: Joe Leonard, let me add one more thing. USDA has 245 different grant-making or loan-making programs. And Mr. Wadsworth, you're combining the organic program with the farmer local production program. Those grants actually -- let me take one step back. AMS is important, because you're going into an agency that heretofore, I don't know, in 2009 when I came on board there was a lot of Native Americans utilizing AMS. Everyone knows FSA. Everyone knows NRCS. Everyone knows the 47 programs, grant loan programs that RD has. But AMS is really like a -- it's leading in this area. One question I have for you, Arthur, the Farmer's Market and Local Food Production Program, when did that begin?

Arthur Neal: 2006. It started by \$900,000.

Joe Leonard: And it's grown. It's grown to what?

Arthur Neal: It's grown. It's grown now. I said it was authorized to \$30 million.

Joe Leonard: So in that ten-year period it's gone from \$900,000 to \$26 million and you're beginning to have outreach. Going back to the barriers to the Native American community. You're beginning to have meaningful outreach in these areas now.

The other issue that you have to know and Arthur kind of -- states said it, but it is an issue and that is not only do they not have field representatives but on this specialty block grant program, the states make the determination on who receives the

grant. USDA provides the money in a very similar way that SNAP is done. But the state makes the determine on who receives those grants so they don't have a field operation nor are they the decision-making person. But this is a very important agency of the 17 agencies that we have.

Arthur Neal: And that's another program, the specialty block crop block grant program, which right now is about \$63 million, administered in block grants to the State Departments of Agriculture. Each State Department of Agriculture around about early -- even in winter, they will put out a request for applications for individuals residing in the state, with specialty crop producers, specialty crop organizations, to submit proposals for projects that will solely enhance the competitiveness of specialty crops. That will be your fruits and vegetables, your nuts, dried nuts, tree fruit, ornamentals, horticultural crops.

Each state receives a block grant based on prior sales receipts, specialty crop sales receipts, for their state. If they don't have a high-level specialty crop production, they'll receive a standard amount. So when those states announced those requests for applications, they're supposed to be doing outreach to make folks aware of the availability of those applications or the request for applications, and they also administer those programs competitively.

So people submit the applications to the states. The states facilitate the review of the applications and make awards, or they make recommendations to the USDA. Grants & Opportunities, we're still on that page. And so those grants typically look like training to farmers on food safety and GAP certification, research hard core, specialty crop research. How do we improve the resiliency of certain specialty crops in various climates? How do we research disease? What ways to address disease issues, specialty crop production? They have marketing projects that have been funded to enhance the competitiveness of specialty crops. There's been education and training projects that have also been funded through specialty crop block program.

Now I will share this with you, and this is for all of our specialty grant programs. There is a need for us to demonstrate greater impact through all of them. So when these awards are made to the recipients, the trend that we see is that not all of the recipients are capturing the true impact of the grant and reporting that up to the chain. What we cannot afford to do at USDA is lose access to the resources for these communities because of poor reporting. So if anyone receives these funds, we're modifying our programs now to be very much more, we're going to require much more from my applicants regarding reporting so that we can communicate economic impact from our

grant programs. So that's just the FYI and this also will be required in the submission of the applications. Yes, sir.

Jerry McPeak: By the way, my opening statement was one of bragging on you and what you are doing rather than [indiscernible]. We like the fact that you're aware. We had our first meeting but people were not aware. I think they didn't know though.

Arthur Neal: About the inspectors?

Jerry McPeak: That's pretty cool, yeah.

Arthur Neal: I appreciate that because I was a little bit concerned for a minute.

Jerry McPeak: No. Right on, brother.

Arthur Neal: We're trying.

Jerry McPeak: My next question though is one specifically -- forget the food things, like a processing plant. Not a processing plant because we have animal agriculture mostly. But the processing plant for animals, would that qualify for the food?

Arthur Neal: Local food?

Jerry McPeak: Yeah.

Arthur Neal: Yes, sir.

Jerry McPeak: Because I meant, would it be of any -- I recognize I'm asking you for an opinion or comment. May I continue?

Arthur Neal: Yes sir. That's not an opinion.

Jerry McPeak: Would it be of any advantage if that were, if we made that very much Native American if we process these foods a lot for Native American producers or do you think that's an advantage about it? I would like to make it -- in our area we'd like to make it where everyone has access, but would it be an advantage? No?

Arthur Neal: No. So the goal is, under our program the local farmer's market and local food promotion program, is to support the establishment and expansion of local and regional food markets. And so if your market is serving Native Americans, Hispanics, white, black, if you can show the impact through your proposal of who you're market serving, that makes the proposal stronger because you're having that much of an impact in the economy.

Jerry McPeak: I might follow up. So with this processing plant, I'm not trying to think about a great big hollow quarter in my center. They're going to build it big enough, but we can process 35 or 40 head a week. Some of that is used within the households themselves, and some of that would be sold within the state. First off, do we have to sell it? Will that be something that we could ask a grant for?

Arthur Neal: It's got to be the market that we're targeting, so local market. We're targeting the local market.

And the local market could be regional, but what's going to have to be demonstrated is the impact on the farmers themselves. So it can't be like, you know, one or two farms you are working with and you're requesting a boatload of money. What you want to try to do for the reviewers is demonstrate how you're working with multiple farmers to enhance the market opportunities for the area.

Jerry McPeak: I wanted to ask you that. So could it be just for custom processing for the local farmers and ranchers? But then you said like regional areas or do we have to sell for that, or we have to buy from people beside us, farmers, ranchers themselves?

Arthur Neal: Meaning products that you're going to sell directly to the farmers?

Jerry McPeak: We slaughter beef. Can it be custom slaughtered where they are using it for their own use? Or we have to be marketing?

Arthur Neal: It's got to be marketed for sale. That's exactly right. Yes, sir.

Jerry McPeak: Thank you.

Porter Holder: Porter Holder, Choctaw Nation of Oklahoma. Just a short version - what qualifies as organic beef?

Arthur Neal: I can't give it to you right off the top of my head from a summary perspective. There's a lot of

regulations that a producer has to follow. Some of them would include a 100 percent organic feed, including access to pasture. I'm not a part of the program, but it's at least -- I can't give you the percentage. But they have to feed off grass as well. That grass, that rangeland, that pasture has to be managed organically. The medications or anything used to treat the animal can only be used from an approved list from the National Organic Standards Board. So antibiotics is not one of those things that can be used. You know, there's a lot that goes into it but you have to look at the National Organic Program's regulations to find about everything that's required.

Jerry McPeak: We sell some grass-fed beef this last [indiscernible] that mortal thing. But it's got a premium to it too. When you said you want governmental people to set up the standards, and they will certify that that's grass. When you said organic, I always thought grass-fed.

Arthur Neal: Right, and grass-fed is not nearly as rigorous as organic.

Porter Holder: This is just a point for everybody to ponder on. I've run a hundred cows for grazing in Oklahoma. For me to go strictly organic and graze to grass-fed, I would have to cut my herd in half: save half at my place for the summer, half for the winter. I'm not making an argument. I'm just making a statement. To me, that's pulling us in the

direction that we don't need to be going. We've got to double the nation's food supply by the year 2050. I understand organic, but in order for us to do that, I've got to double my herd instead of cutting it in half.

Arthur Neal: May I comment on that?

Porter Holder: Yes, sir.

Arthur Neal: This is the beautiful thing about USDA. We serve everybody. You know, nobody's being forced to sell organic. Nobody's being forced to sell grass-fed. The thing that we do at the Agricultural Marketing Service, our primary goal is to facilitate the marketing of agricultural products. So for organic, the way that the organic regulations came about is that consumers went to Congress and said they're too many people using this term "organic" different ways, and we don't know what we're buying. So Congress authorized a law and required USDA to promulgate the regulations because there was a lot of fraud taking place.

And so the same thing with local food, people have been buying food locally forever. But what's happening is that the small to medium-sized farmer can't typically compete well with the large producer that has got the, you know, retail market cornered. So how does AMS contribute to marketing opportunities for those producers that can't enter into the traditional market? If they're just selling, let's say growing soybeans and

cotton and corn, how do we create alternative marketing opportunities for them where they can diversify their farms, and then compete in a different market?

The local food market is now valued by the industry to be about \$12 billion, and it's growing every year. The thing about it is not all communities are thinking about their local food system. They're just thinking about going to the grocery store and buying the food. I know a certain thing about how do we make sure that farmers that are growing the same product in this area can get their foods into the stores that are in this area. How do we have conversations within the retail community here where we live to encourage them to provide those opportunities for the growers?

Not only them, when I think about some conversations I've had in places like Chicago, where local food is just growing by leaps and bounds is also attracting the young people to the farm because now these young people whose parents are livestock producers, I mean, they can hardly produce enough bacon, because they got now, I think in Chicago O'Hare, there's one or two companies that are supplying all of the bacon for the local food bacon for the airport. And so when these kids now walk in a grocery store, walk in the airport, they know that's bacon from our farm. And then now it instills pride in them and makes them want to stay on the farm.

Same thing that if I'm a specialty crop producer and I'm working with the food hub, and the food hub is like a business that is working with a lot of small growers locally, aggregating their product and marketing it for them locally, I know that my products are being sold in these certain stores. When I go on to these stores, it's got the company of the farm label on it. It keeps the identification of the farm all the way through the sale. And now that instills pride in those youth, and they're staying on the farm.

So there are different impacts for thinking about local food systems beyond just the dollar. The dollar is important, but it also helps to keep the youth involved as well.

And my time, do I got five minutes?

Dana Richey: Five minutes.

Arthur Neal: Oh, Leslie.

Leslie Wheelock: I have a very quick concern. AMS is the buying entity, am I right, for commodity procurement programs? AMS recently achieved a successful bison purchase for the food distribution program from KivaSun, a tribally owned enterprise. They also recently had a blue corn purchase but not from a tribal entity that we know of. It was through a consolidator based in Indiana and the providers were not in tribal areas.

The concern that I have is that we've got folks who are out there trying to get our tribal producers that have the capacity

signed up for the program, and the tribal producers are not accepting the assistance for one reason or another. And I think at some point, we're going to need a little bit of help from AMS. It's as easy as it could possibly be, but I think that the benefits of signing up are not significant enough or well enough known for the tribal producers to participate in our programs. Thank you.

Mark Wadsworth: Dr. Leonard.

Joe Leonard: I think the point you made at the end was as well taken in that I was in Louisiana about six or seven years ago and I saw about 500 acres of crops. And in this small town the largest business entity was the schools. I asked them, where do they get their food and they said California. So building that local piece is putting roots down in those communities. And that's why your [sounds like] budget has been just booming and you all had a number of programs in the Farm Bill.

Two questions I should probably know, but I just wanted to clarify for the council. One, are all of your grants -- does the states make up the determination of all your grants?

Arthur Neal: Just the specialty crop blocks.

Joe Leonard: Just specialty grants. So all of the other grants, USDA would make that determination. That's important in civil rights because if in many of your states, if someone

denies you all, that becomes an assisted -- someone, you don't get the grant, if you file a complaint, it's an assisted complaint if it comes from the state. The state made the determination. However, if it comes directly from USDA then that is a conducted complaint. That would come here. The second thing --

Arthur Neal: Let me comment on that. The thing about decisions that are made --

Joe Leonard: Because in some of their states, I know they are going to have concerns about who's making the decision.

Arthur Neal: Well, the state is different. But from USDA --

Joe Leonard: You do the peer review.

Arthur Neal: That's one of the reasons why we do peer review, and we provide the feedback to the applicants regarding the review of the application.

Joe Leonard: The last part is do you have any, for want of a better word, set-asides for historically disadvantaged farmers on any of the grants?

Arthur Neal: We do. The law requires us to ensure that we are funding projects in virtually low-income, low-food access areas. That's our priority, which pretty much encompasses the targeted group you're speaking about.

Joe Leonard: Thank you.

Mark Wadsworth: Mary Thompson?

Mary Ann Thompson: Thank you, Dr. Leonard. I was just going in that direction right there. Because as I understand, that the federal funds are -- the block grants are funneled through the states, and they're making recommendations about the USDA to set aside for federally-recognized Indian tribes. If they're not there -- with the federal mandates I guess, when it's filtered to the states, are the states allowed to set up their own policies as how to interpret the federal statutes when they make those recommendations?

Arthur Neal: So the deal with the specialty crop block grant program, which is administered through the states is that the only main requirement from the law there is that those grants solely enhance the competitiveness of specialty crops. So the states decide what are the priorities for the state based on their specialty crop production. That's how they set up their priorities. What USDA does is we recommend or we suggest certain priorities for the states to consider but we cannot control what their priorities are.

Mary Ann Thompson: Well, and so that can be a problem because there are many tribes who maybe don't have the best working relationship or the priorities are not the same as states. So that could eliminate the barrier for Indian tribes whose priorities are not the same as the state.

Arthur Neal: I won't argue with you there, but I do believe that through conversation and in discovering what those priorities are, whether or not there are differences, and then letting us know, "Hey look, we had these conversations with the state of so and so, and we realize that their priorities don't match what's going on in our state," there can probably be a facilitated dialogue about taking those types of things into consideration.

Mary Ann Thompson: Well, the problem with that though, even though that's a great golden ambition is that through the bureaucratic process it takes so much time to get those changes in place. And that in itself can be a barrier to Indian tribes or individuals who are doing the specialty crops and the organics. I know where I'm at, and we're in the mountains of Western North Carolina. So the Piedmont and the coast, the priorities are totally different in everything, you know. I guess I'm just looking at that as a possible barrier and hope that we can eliminate that really quickly, so that any of these tribes, especially if you are trying to target the youth and the women in agriculture and the beginning farmers who, you know, what all of this is all about at this point.

Arthur Neal: A lot of efforts were put to target a lot of groups and a lot of priorities in the USDA. And I think we're making some significant progress. But for now, concerning those

things, I do suggest though having that conversation with the State Department of Agriculture regarding what are their priorities for the specialty crop block grant program, letting them know that there's interest there for the tribe, for the reservation. One of the things though - and that's for all of these programs - be organized and be strategic when you're ready to have the conversations about the projects that you would like to pursue, because it will impact the review of your projects.

The last thing I'll share with you all, we can have a conversation after this is over, is that AMS is also in April going to launch a group GAP certification program where farmers won't have to seek individual GAP certifications to access certain markets. But under a certain management, they can pool their resources together. All operate, agree to produce according to one standard and receive a group certification versus an individual certification. We can talk about that.

Mark Wadsworth: Sir, just one more comment from Sarah Vogel.

Mary Ann Thompson: I just need to follow up with one quick comment. I appreciate your recommendation that we sit with the states and discuss these priorities, but I could more appreciate something coming from the AMS program up here in D.C. down to the states, suggesting that they be accommodating to Indian tribes whenever they need to --

Arthur Neal: That's a requirement.

Mary Ann Thompson: -- is a requirement. Then maybe there should be just a highlight to make sure they know it's there, okay?

Arthur Neal: And that's what Dr. Leonard was talking about. If there's an issue, there's the assisted complaint process.

Mark Wadsworth: Sarah.

Sarah Vogel: I'm a former agricultural commissioner of North Dakota, two terms. I'm the former president of the Midwestern Agriculture NASDA, whatever that is, and I was obviously on the board of NASDA. I can tell you that the states, to my knowledge and what I'm following, they do not think about tribes. And what I did, when I was ag commissioner, in order to see that any of the programs or funds that I administered got down to the tribes, I told all the people that worked on pesticide, giving away pesticide money or, you know, stuff like that - if they didn't talk to the tribes, there was going to be no program.

Now I'm like completely a hundred percent on the same side that Mary just expressed. And it's going to take -- obviously tribes have to start thinking about State Departments of Agriculture but there is such a gap. They don't know each other. And I've spoken at the NASDA meeting not that many years

ago. I said, why don't you invite the tribes in on an annual basis and tell them all about your programs so you could help them? And I got 50 blank stares, including from my state. I don't believe this goes on.

So I think USDA is light years ahead of recognizing the need for diversity, supporting tribes and so on. And there are many good examples out there among states, but it's not routine, or they deal through counties. That's another thing. That's a problem. They deal with counties, and then the counties -- I can tell you if money goes through certain counties in North Dakota with Indian farmers and ranchers in the populations, their money is just going to just stay. It isn't going to hit.

So, I think some strategic discussions on some sort of guidelines, like a condition precedent, if the state wants to participate in a state block grant program, then a condition precedent is that you demonstrate that you have been in touch with the tribes. You've explained the programs, and you have a relationship with them, so that the word gets out. And you couple that historic problem that people have with the incredibly -- like there's an ag organization for every single thing. There's going to be a statewide council for navy beans. And the navy bean people they all know each other, and they know what to do. But they're not going to be thinking about, could there be a Hidatsa bean grown on a reservation? They wouldn't

even know about it. So there are so many opportunities but they do think, Mary, is that that it shouldn't just be the tribes, that there should be like a carrot and a stick.

Mark Wadsworth: One quick comment.

Joe Leonard: One quick recommendation, if you don't mind, Mr. Chair. I want to kind of second what Ms. Vogel and Ms. Thompson are saying. Two things, one, I absolutely agree, and that's why my first recommendation would be that persons on the council utilizing the peer review as well, persons on the council. There's only one AMS grant alone that actually has the states. All of the rest are administered by USDA, but I'm not sure how many Native Americans are on those peer review to have an appreciation. That would be the first recommendation.

The second would be also if AMS could look and see if states, large populations of Native Americans, if in subsequent years, one or two or three years, if grants and especially block grants have been given to tribal entities.

Mark Wadsworth: And last and final is that --

Sarah Vogel: One very small thing, too, is that, historically, I think Native Americans are much less crop-oriented so there may not be a lot of grants to go through this program to Native American crop producers. But there are some, and to highlight and bring out and shine the light on those opportunities I think would be great.

Mark Wadsworth: Just for everybody's information too, could you briefly go over how you're monitoring the commodities with tribes? I think currently right now AMS just has one basically crop that they have on the internet through the Wild Rice Program that they monitor basically that commodity for tribes across the United States.

Arthur Neal: In terms of the verification programs or price? [Cross-talking]

Mark Wadsworth: In terms of price on the market.

Arthur Neal: Oh, the market news.

Mark Wadsworth: Yes, if you wanted to explain that.

Arthur Neal: Well, honestly, I don't know all of the commodities that are being reported on through our market news program. There's an effort afoot to expand some of those. One of the challenges with that is that we have to be able to have consistent data coming from these reporters in order to sustain these types of reports. And so, I wouldn't be able to get into that type of detail with you. However, I can connect you to the individual who runs our market news programs, particularly for whatever commodity group you're looking at so that the conversations can be facilitated if there's interest in doing some more reporting.

Mark Wadsworth: Thank you. I think everybody wanted a break to go to the luncheon. So we need you to be back here promptly at 1:30.

Dana Richey: Thank you, Arthur.

Arthur Neal: Thank you.

Joe Leonard: Good job, Arthur, thank you.

Dana Richey: Yes, we're going to finish now and promptly be back here at 1:30 when Tedd Buelow will speak. And we will have a hard stop at 2:00 so that we can begin the comment period. Thank you, Arthur.

Tedd Buelow: Good afternoon everyone. My name is Tedd Buelow. I'm the Native American coordinator for Rural Development. Dana wants to say something.

Dana Richey: I would like people to get seated if you are a tribal member and are able to, that way we can give Tedd our full attention.

Tedd Buelow: I think we are ready. Once again, my name is Tedd Buelow. I'm the Native American coordinator for USDA Rural Development. I live and work out of Denver, Colorado. It is a pleasure to be here today. I unfortunately I'm pinch-hitting for the administrator of the Rural Housing Service, Tony Hernandez, who was going to be here but he had a family matter that presented itself over the weekend and he wasn't able to make the trip. So if you guys want your money back, I

understand. It is kind of like an understudy on one of those Las Vegas shows, but I'm not going to say anything to that --

Over at the National American Indian Housing Council meeting earlier today, I also represented Tony. Have any of your met Tony when you've been in D.C.? Tony Hernandez. He is one of the most ebullient, upbeat, energetic gentlemen you will ever meet. So for that audience, I tried to summon my inner Tony and I'm going to try to do the same for you and be as upbeat and energetic as I can be.

I passed out his slides that he had one of his folks prepare for his remarks, and really it's just a -- it starts off with a catalog of our most recent investments and what we've done throughout Indian Country and Alaska during this administration as far as dollar investments that have directly impacted American Indians and Alaska Natives. Reflecting on those numbers, I feel really very lucky and fortunate not only to be here but to come on after the luncheon. The luncheon where they honor the SAS is probably my favorite part of the IAC Conference. It is a great conference in general, but it chokes me up a little bit and it reminds me of why we are all in this business.

Looking at the future of Indian Country always inspires me and grounds me in the work that the department needs to do in the Indian Country. Not that everything that Rural Development

does is perfect. We have our challenges as you guys have known and brought to our attention, but we want to listen again to what those challenges might be and what is on your minds and how we can continue to improve things at Rural Development.

Specifically, folks wanted to hear a little bit more about our economic development programs and how it can work directly with ag producers and ranchers. So I'm going to talk a little bit about that. I can also answer any questions that you might have about those particular programs.

As you might know, Dr. Leonard already said we have about 47 programs. Most of what Rural Development does is in the lending environment where it provides direct loans to either tribes or individuals for projects. We also guarantee loans, like the Farm Service Agency, for projects as well. And then we have a small amount of grant dollars. When you look at the impact of our programs over the last seven years, you'll see that our rural housing service and our utility service are really leading the pack as far as the dollars that are impacting Indian Country, and that is to a great extent based on those large infrastructure type projects - community facility buildings, water and waste environmental projects that we do directly with tribes.

And then in our rural business service we have a smaller footprint which means we have I think more opportunities for

improvement, but also rural business services where a lot of our grant programs are located in which dollar for dollar are much smaller than our loan programs. But I do want to spend a little bit of time talking specifically about our business programs. Are there any questions right off the bat that the council would like to ask?

So the first program -- if Tony were here, he would lead with the Home Ownership Program. So I'm going to honor Tony and do that as well. Our largest single program in Rural Development is our 502 Guaranteed Loan Program. It is very similar to HUD's 184 Program. I think I maybe mentioned that a little bit when we were all together in Oklahoma. I wanted to thank Jerry for being such a gracious host and working with our staff bringing us to the capital. That was quite a memorable day and event, so I was very fortunate and thankful to be there. But it is very similar to the HUD 184 Program.

In any given year Rural Development gets about \$36 billion worth of program money appropriated through our programs for programs and projects that we can finance. Two-thirds of that is available through the 502 Guaranteed Program nationwide. It is a \$24 billion program. We've done about nearly 8,000 guaranteed loans to Native Americans across the country. Very few of those are actually happening on tribal trust land. There

are a couple of reasons for that. One, because of the HUD 184 Program provides more of a guarantee to the lenders.

But I think there is a healthy room for improvement there because, unlike the HUD 184 Program, the 502 Guaranteed Loan Program does not require a down payment. So you can do a hundred percent financing. You can also roll in some closing costs. So you might have someone with a good job, they might be low to moderate income but they don't have that \$5,000 or \$10,000 nest egg requirement for a traditional home loan. HUD's 184 Program does require a down payment, but the 502 Guaranteed Loan does not. Like I said, it is the largest program that Rural Development offers hands down. It's pretty much multiple times bigger than any other program within the Rural Development's program authority.

Sarah Vogel: Who are the participating lenders with you in the 502 Program generally?

Tedd Buelow: Generally, your local bank. It can be a credit union. We rewrote the regulation to include more community bankers within the last few years. Big national banks tend to do the most guarantees - your Wells Fargos, your Citibanks. But there are a lot of local lenders. That is one way where there might be some opportunity for improvement - it's if a local lender or rural lender specifically is comfortable

using our program that can be leveraged for doing more work with folks in Indian Country.

It can be done in tribal trust land or off. But we really only provide the guarantee in that situation and the borrower, the homeowner, and the family is working with the bank on underwriting the loan. So, our guarantee is only 90 percent like I mentioned, which it seems like a pretty good deal. HUD is a hundred percent for lenders. So it's taking most of, if not all, the risk off the table. We are taking a large portion of the risk off the table.

Gilbert Harrison: Hello. Gilbert Harrison from Navajo. I have a question. Do you have any data how many housing loans you've been able to make or work with on trust lands? Because I'm particularly interested in trust lands because I know we have -- if you're on trust land, it's an extra effort just to get loan of any kind. Thank you.

Tedd Buelow: Yeah. And I have data that I am willing to share with the council through whomever is the best person, Dana or Leslie, that tracks our activity going back to 2000. With the 502 Guaranteed Program we have less reliable data, but really it's one or two a year within the bounds of a reservation we're guaranteeing a loan. In our Direct Program we have better data. The Direct Program is what I was going to speak about next. That's where Rural Development is the lender and we can

subsidize a loan as low as 1 percent. It also can be a 100 percent financing.

Since 2000 we'd done 343 loans, direct loans on tribal trust land out of about 3400 to American Indians or Alaska Natives. So, about 10 percent of those loans to Native Americans over the last 15 years have been on tribal trust land. That's low. This last year, fiscal year '15, it was 19 direct loans on tribal trust lands. The previous two years, it was 12 and 10. Excuse me, or ten and seven. I can get you the data. But the point of it is in fiscal year '15 we had a slight uptick. And I think if you knew Tony and you knew his commitment to working with tribes and tribal housing authorities, I think that is a big part of it. The attention he has brought to the issue, as well as the pressure then, that flows down to our staff not only in the National Office but in the field.

Gilbert Harrison: Mark.

Mark Wadsworth: Yes, go ahead.

Gilbert Harrison: One final comment. You do have some numbers, very low numbers on these home loans. To your knowledge, what have you experienced as the biggest barriers to making these loans? Thank you.

Tedd Buelow: I have my own opinion and I'm going to share that. I think it is based on my experience on working with Rural Development.

So our 504 program - which is our Housing Repair Loan and Grant Program - which if we do a loan that is less than \$7,500 or if we do a grant, we don't have to take a leasehold interest in the land. When we're doing our 504 programs to Native Americans, the percentage of loans and grants jumps up to about 37 percent during that time period. About 37 percent of those investments for home repair have been on tribal trust land. You do not have to take a mortgage. There's not a leasehold interest and the process is much simpler. The borrower, basically it's like getting a loan for a car, they sign a promissory note that they will pay us back.

Now the reason why that is happening, I think, is because the leasehold process is difficult. How we can improve that, I think we can improve that through training which would fall back on Rural Development and myself, making sure our staff knows how to navigate that process. I think there is a role for the housing authorities and the tribes to help guide those people whether it's through financial literacy or just making them aware of the different options, HUD 184 or 502. I think part of it is outreach, but I think part of it is definitely structural. That's out of USDA's control in that when we are doing a loan on

tribal trust land, the collateral cannot be the real estate. The collateral is actually the leasehold, the right of that person to live on the property.

I don't know the exact why's or exactly how we can jump that number from 19 to 50. At the peak of the program, we did about 43 or 44 loans on tribal trust land in the early 2000s. So it's never been in my estimation high, but we have seen some more activity in the past. It could also be about folks not having the income and finding eligible borrowers on tribal trust lands. So it's another role that the tribes can play.

Mark Wadsworth: Jerry McPeak.

Jerry McPeak: Thank you, Mr. Chairman. As part of that route, I often thought about what would we suggest if we can't use the land for collateral. What are the alternatives other than what they are doing? Is there another --?

Mark Wadsworth: Mary.

Mary Ann Thompson: Thank you, Gilbert, for those comments as far as reducing barriers so that Indian families can work for homeownership. I think this 502 Program is a good program. We've used a little bit -- where I'm from, the barriers were the leases, the leasehold interest through BIA. We finally did work out, and it took years to do this. But I got things worked out and words and verbiage put in place for contracts and such.

The other barrier that we dealt with was not being able to use the land as collateral. The way that the tribe did that was to -- the tribe itself guaranteed the loan, and that worked out. I don't know if that would work with other Indian tribes. My home was done. I signed my property over to the tribe until that mortgage was paid in full. Then once it was paid full, the tribe turned around and put the land back in my name. I don't know if that would work for other Indian tribes, but it was a matter of working out the processes with BIA.

Tedd Buelow: I was going to mention two things. I'm glad that you mentioned that because, one, it was something that Josiah asked me about in preparation for this meeting, what we've done with the Bureau of Indian Affairs, I think we can do more structurally both in D.C. and in the field. But our staff in North Dakota -- I don't know if you were there, Sarah, or made aware of it. If not, my apologies for not telling you directly. But our state director and his staff brought out the BIA staff from D.C. to do HEARTH Act training. And HEARTH Act training --

Sarah Vogel: Thanks a lot to Tony [phonetic], I was invited.

Tedd Buelow: Okay. Good. I had not extended the invitation personally, but I'm glad you were invited. But the whole point was to show, I think, that Congress has done some

good work through the HEARTH Act to improve that process. The HEARTH Act really is returning the right of tribes to lease their property of their own accord. They have to have their leasing regulations. And we have folks here from the BIA. The tribes have to get their leasing regulations approved by the Bureau of Indian Affairs. Once they do that, you no longer have to go back to the bureau to get that individual lease from the tribe to that individual person for energy projects, for business projects, for housing projects.

The point of what Rural Development did just this past November, it was on November 10th, they brought the BIA staff to North Dakota to do a joint training not only on the HEARTH Act but the BIA's leasing regulations. I also tip my hat to the BIA again for revising their regulations - which regulations are never going to be perfect, USDA included. But they really did a lot of work and finally got over the hump to do some leasing improvements. But that does not mean that the Rural Development staff has internalized how the process has improved, and I think those types of training opportunities can share how things have gotten better even with the way the land can be worked.

Mark Wadsworth: Gilbert.

Gilbert Harrison: Thank you, Mark. Gilbert Harrison from Navajo. I was going to say something about BIA, but Kathryn is here.

Kathryn Isom-Clause: It is okay.

Gilbert Harrison: Anyway, I think the issue of trust has a lot to do with it. There has been some success on how we manage to go through these policies, procedures and all of that to make a loan or something, an assistance happen which is all within - quote - our guidelines. It would be nice if that information is shared between not only USDA, but the bureau and the Navajo Nation and the people. That way you don't rediscover the wheel every time. Because it is a pain to try to work through it, but somebody has already developed and walked through some of these steps. So I think if that information, that knowledge is shared on a piece of paper, it will make things a lot easier. Thank you very much.

Tedd Buelow: The other thing I wanted to respond to is Mary Ann mentioned this idea of tribes guaranteeing or working with the borrower to help mitigate the risk for tribal home ownership. Something that was just done on November 23rd is Rural Development South Dakota signed a memorandum of understanding with the Sisseton Wahpeton Oyate tribe on the eastern side of South Dakota, right next to North Dakota and Minnesota. In that MOU, that's exactly what Sisseton Wahpeton are doing. It is not a requirement to use our program.

But frankly over the years, part of the issue has been what to do to transfer or foreclose on a property when a loan goes

unpaid. In this instance, the tribe was willing to put cash upfront in what they call a risk pool. So the borrower comes to Rural Development, and Rural Development makes a Certificate of Eligibility. They check the person's income to make sure that they're not making too much to not be eligible, but they're also making enough to repay the loan.

Then we hand the person back off to the Housing Authority. The Housing Authority makes sure that they're eligible for the program and can provide home ownership services and education to that individual. And then if that loan goes bad, if that person was admitted not only to our program but the tribal program, the tribe has signed that they will pay off the loan if that person doesn't pay it either the net recovery value or the payoff value of that particular loan.

Once again that is not required, to use our program. But that takes a lot of the backend question out of what's going to happen because when we are doing a loan on tribal trust lands, we're pretty much a hundred percent dependent on that tribe's goodwill if that loan were to go unpaid. So having that sort of agreement upfront, like I said, it's not required but it is a healthy partnership and it is something that the tribe and their leadership agreed to, to help facilitate home ownership - to Mary Ann's point.

Mark Wadsworth: And Tedd, I think you hit the nail right on the head. But I think we're missing the boat a little bit. The whole issue is of tribal people who want to build a home on the reservation. If they have a homesite lease, whatever, they're pretty much just stuck with going to a manufactured home getting whatever manufacturer rate is at that time - 8 percent to 10 percent - when housing and lending right now is at its lowest in history, 4 percent isn't uncommon. But the biggest barrier is that trust issue, and it is just a matter of --

As Rural Development, maybe you ought to rethink this other barrier, I think, where you have this income limitation on your lending. Why won't we make an exception to that for just trust land issues on tribes to have that opportunity to do that? Because we're talking about -- even when I tried to get a home loan on my homesite lease several years ago or 20 years ago, they had the 184. I went to you guys. The whole issue was about the foreclosure agreement between the tribe and with the separate agency. I went to VA too because I had my VA guarantee, but they didn't have a foreclosure agreement with the tribe either. So I guess, and this has been one of my comments before, it's that your federal agencies and staff maybe ought to have a uniform foreclosure agreement also with tribes in that scenario. I don't know if you require individual agreements

from every single tribe that you have, the one with foreclosures?

Tedd Buelow: So the VA requires that an MOU be in place. We do not require that an MOU in place, but our general counsel will review the ordinances of a tribe to make sure that you have a mortgage ordinance in place and a foreclosure ordinance in place just so that there is an institutional way that we could collect on a debt if it were to come to that. So we do require that that be reviewed first and be legally sufficient in order to provide our 502 assistance on tribal trust land.

Mark Wadsworth: So I went through and got the foundation, the cement foundation in order to meet every requirement that was required by either you or HUD. But the barrier was that they just wouldn't have that agreement with the tribe so they were --

Tedd Buelow: Sarah, if I could say one other thing. To your point about income limits, no promises but our staff right now is actively looking at NAHASDA because when tribes utilize Indian housing block grants, they're able to choose either tribal data, local data, or national data - whichever is higher - to determine the maximum income to be eligible for the program.

Rural Development, historically we haven't had that luxury. Our data has been tied to county data so it's only the option of

using local data, but our staff in D.C. is actively talking to HUD. Our general counsel has told us internally that we can use data that HUD provides because that's the data we use. That's the local data we use. That's what the legislation says that we need to use data provided by HUD for local income determinations. Whether or not we can find a way to allow higher incomes that way or another way, that gets to the point of finding those eligible borrowers. It's tough because, once again, you have to be poor enough - pardon the language - to be eligible for the program, but you have to make enough money to be able to pay back a \$40,000, a \$60,000, an \$80,000 mortgage.

Mark Wadsworth: Any more question? Then we do have to break it too for public comments. Go ahead, Leslie.

Leslie Wheelock: I don't have a question, but I do have a comment to Gilbert's point about putting things in writing. Tony, I know has been working very extensively or occasionally with Mike Black over at BIA. And I think that one of the things that we could do is to put something in place that actually, maybe it's an MOU or maybe it's an agreement that they've already reached, but something that memorializes what they've already done so that people coming along behind everybody don't have to think that they're reinventing the wheel. That wheel is already moving down the road. Thank you.

Mark Wadsworth: Yes, Sarah.

Sarah Vogel: I have a question that's kind of a legal question. Over the years the Farmers Home Administration, now called FSA, has made numerous loans to Native Americans secured by their land. And my understanding of this was that there was a statutory provision that allowed -- well, or maybe it was even constitutional. But in any event, when the federal government needed to foreclose, they simply went to federal court and filed a lawsuit against people and would foreclose if they needed to. Actually in the '80s they acquired lots and lots of land through foreclosure and sales in lieu of foreclosure. Some of that was sold back to tribes under the Farm Bill and so forth.

I've always been struck with the contrast between the Farmers Home Lending - now FSA - and Indian Country [sounds like] and the lack or the comparative less activity by Rural Housing when theoretically the U.S. Attorney could do those foreclosures in federal court, a federal agency doing federal foreclosures.

And I've never really researched it, but -- and I remember one time I stopped by the Rural Development office, this was long ago. I said why is it that there are no rural housing loans on the reservations? And at that time, the guy, he just said to me that HUD does that. And I know that's not -- that was long ago. That's not the case anymore. But has the OGC answered that question, whether there are federal laws?

Tedd Buelow: There are federal laws. I mean I'm not aware of Rural Development ever extending a loan on tribal trust land where the land itself is part of the collateral.

Sarah Vogel: But they do it with farms all the time.

Tedd Buelow: Yeah. And I'm not aware of farm loans. I'm just saying with Rural Development.

Jerry McPeak: We're trying to make this loan on livestock [sounds like] who were on tribal land?

Jim Radintz: Mr. Chairman, Jim Radintz with Farm Service Agency. Yes, we do take trust land as collateral. We have to go through a process with the BIA to do that. It would take someone from the General Counsel's office to address that. But I think - and Tedd may already know this - I think part of the reason is there are two separate authorizing statutes. There's a Consolidated Farm and Rural Development Act that we've always operated the farm loan programs under, and I know that gives us the authority to do exactly what Sarah has just described.

The housing programs under the Housing Act of 1949, and I suspect there may be some different language in there, but you very well explained it, Sarah, we do make farm loans on trust land routinely. There are provisions now also in the statute to safeguard against the loss of land out of tribal hands in the event that the loan fails. We utilize that provision

fortunately relatively rarely, but we do of course follow and comply with that.

The only other thing is I know sometimes in some regional BIA offices there gets to be delays when we work with them on the trust land issue, and that could also be maybe a potential issue that probably something could be worked out with an MOU or something perhaps. But we do do that. And Mr. Chairman, I think it's time for a public comment period.

Tedd Buelow: Well, I honored Tony and spoke about the housing, but I didn't get to the economic development. I will save that for another day. I wanted to just thank the chairman for allowing Rural Development to address the council again.

Mark Wadsworth: There might be some time after. We don't know how long this comment period will go, but we will go ahead and break right into that. Dana had an email first she would like to read it.

Dana Richey: That's right. This is Dana Richey. Before we begin the comment period from those people who are present with us here today, I want to read into the public record one comment that I received by email. I'm just going to read it verbatim, and I'll begin that now. The email is from Lamar Jackson. His email address is restlesssavag@gmail.com. This was received on Friday, December 04, 2015 at 2:17 PM to me, Dana Richey. The subject title is Cannabis in Indian Country.

Jerry McPeak: Ma'am, do you have an idea where he's from?

Mark Wadsworth: I think Warm Springs is correct.

Dana Richey: Yes. He has signed it Lamar Jackson, Post Office Box 637, Warm Springs, Oregon. Okay?

Jerry McPeak: Yeah.

Dana Richey: All right. And so here begins the email.

My name is Lamar Jackson. I am the community representative for the Cannabis Project Exploratory Committee of the Confederated Tribes of Warm Springs, and founder of the Cannabis Coalition. I'm writing you in regard to several issues I have with the following - Measure 91, House Bill 3400, House Bill 844, House Bill 460.

My concern is that Oregon tribes were not consulted when Measure 91 was written. The current language of the bill seems to, in fact, exclude tribes from all aspects of cannabis. While I doubt this was intentional. It is an issue that needs to be resolved. The Confederated Tribes of Warm Springs has always had a great relationship with the State of Oregon, and we would like to continue that tradition. Earlier this year Senator F-E-R-R-I-O-L-L-I [sic] initiated an amendment that would allow the tribes and state to enter into agreements on cannabis, but the language was not included in any amendments.

The proposed change was as follows, quote, notwithstanding anything to the contrary otherwise in this act, a license issued

by a federally-recognized tribe located in the State of Oregon may satisfy the licensing requirements for purposes of section blank through section blank provided the state and tribe have entered into a memorandum of understanding related to the regulation of production, processing, wholesale, and the retail of marijuana items. End of quote.

We are a rural economically-depressed community with an unemployment rate of 70 percent. With drought conditions and wildfires, our natural resources are threatened. The massive fish kills this year had a catastrophic [sic] on salmon, one of our traditional foods. Fires have damaged fish, deer and elk habitat to the extent that they are competing for food sources.

This is why we, as a tribe, are excited about the potential of medical/recreational cannabis as a source of revenue, as well as the environmental/economic benefits that industrial hemp could provide our people. It is our sincere desire to work with the state to ensure an integrated system that preserves our sovereignty and the integrity of the state's regulatory system. We are hoping for your support in the next legislative session as we move forward on our path to economic recovery. Thank you for your time. Respectfully, Lamar Jackson. Post Office Box 637, Warm Spring, Oregon 97761.

That's all, Mr. Chairman.

Mark Wadsworth: Any comments?

Jerry McPeak: All the Creeks probably wouldn't do this, but I know Choctaw members are raised [indiscernible]. Their tribe would be the one.

Mark Wadsworth: To me, it just sounded like this is more of a legislative issue in the state.

Sarah Vogel: Yeah.

Mark Wadsworth: We've taken a stance on this, that we don't really support individual efforts in that arena. I guess that this had to do with the USDA prohibiting -- it wasn't something we could kind of work with. Yes, Sarah.

Sarah Vogel: I think our practice has been to respond to comments, and perhaps Dana could draft a response saying that the council just doesn't have any jurisdiction over something that is really occurring within a state. Because that's what that measure was, right?

Dana Richey: Yes. If the council would like me to do that, I will do that. I will prepare an email response to him. I'll circulate that for comment or edit among the tribal members. And I'll also let the individual know that the text of his email was read into the public record of this meeting.

Mark Wadsworth: I guess we do have a microphone in the audience right there. If anybody else would like to do a comment, this is the time.

Jerry McPeak: Well, I've always wanted to get a forum. Probably we can adjourn.

Mark Wadsworth: I like to introduce one of my tribal members from the Shoshone-Bannock Tribe. This is Ladd Edmo. He sits on a Land Use Policy Commission as an elected official with the tribe.

Ladd Edmo: Good afternoon all. It's an honor to be here in attendance with you all. I'm not sure if you guys are aware of some of the programs we have going on there, but we are entered into the program with the NRCS which is our Conservation Reserve Program. So we have, I'm not sure on the number of acres but we have in the thousands of acres of CRP, CCRP, and the SAFE program which are all NRCS programs. We've been in the program since the beginning. The chair from the Land Use, he explained it to me. This is my, I'm going on my second year in office and I've been learning. I'm willing to try to say what I know.

So the chair tells me that the way this tribe has gotten involved in this NRCS program is that, we had to find out the hard way and it wasn't brought to our attention. We found out that some tribal lands were being leased by - above all people, you would figure they wouldn't - this seems unethical but they were trustees of the NRCS programs in different counties. So they'd come and secure a lease and turn it into CRP and kind of

profit off the tribes' ten-year program. So they take this and reaped the benefits more or less.

Sometimes some individuals, they may be farmers that are farming on the reservation. They'd get in some land and put it in CRP. What they would do is they'd graze it and they'd hay it, and those are restrictive practices to do on this Conservation Reserve Program lands.

So anyway, the battle went on to finally come into play. The tribes' leadership finally figured it out that, hey, there's a way to utilize this land to conserve it, to preserve it and get some kind of compensation in it. The compensation is more for allotted lands where you got the membership that have their property in that program. They're the ones that get this payment. So anyway, the program goes on to where when you get the money, you maintain it. So part of the money stays in the program for maintaining like maintenance of fences and whatnot.

So through the whole process we finally got to the point where we've got all of the lands from the different individuals that were benefitting off the tribes. Some became, you know, they made hundreds of thousands of dollars. So now the tribe is doing it. The thing is we're going to -- we've got like seven different tracts that are in violation. Some of these tracts are way off the beaten path and they're out in the mountains where the only people that really know about it -- and I didn't

know about it, but some of the people that have these lands out there --

We had a whistleblower incident where we presumed it's one of the local representatives in the NRCS programs or the FSA, if not the USDA programs. So they reported these incidences. The tribe is responding that this is not so. Land Use's position on that is, "Hey, you guys are going out there way off the beaten path. How do we know you're going to the right place? You're not telling anybody that you're going out there so what kind of proof do we have? It's your word against ours." So anyway, we're going up next month to the NAD, and I forget what that --

Sarah Vogel: National Appeals Division.

Ladd Edmo: Yeah, National Appeals. You're right. So we're going in front of them in Idaho Falls next month and we're going to appeal it because we believe we are not in violation. The people down in the office down there tell us, in Pocatello, they're telling us, well, all you have to do is pay this money back. It's in the hundreds of thousands of dollars. All you have to do is pay it back and then you can reenter your land back into the CRP program.

My chair, the chairman, he says that doesn't make sense because, on one hand, they're telling us we've violated and we pay this money back. And then on the other hand, they're saying, well, then you're eligible to reenter it. So our stance

is why do we have to go to that extent when we believe we're not in violation? And we're going to take all our facts and findings on the violations. What they have to do with it is either reseeding or the seed intake, and I'm not sure if it was plowing or whatnot. But what they required for us to do in some of the tracts is to plow down sagebrush that was six-foot tall, and we didn't agree with that. It was plowing down sagebrush, and chokecherry bush, and bitterbrush, and all the habitat that is ideal for wildlife and ideal for CRP.

But anyway, that's our stance on that. We just don't agree with what they're trying to do to us. To end it all, my chair always tells me that, you know what? These programs, they tell us, you Indians, you go out there and you be farmers, on one hand. And then an incident like that, then they say -- well, they come back to us and say, well, you Indians, you're just poor farmers. We try and we are stewards of the land, and we do our best, and we do care. We don't believe we're that, but that's what we have to deal with with some of these programs. That's pretty much what's going on with what we have.

Other than that, we do have other tracts that are nice. They're pristine lands. They're abundant with wildlife. We used to have a lot of dry farm, mostly that's CRP now. The only issue we have is maybe there are cows in there grazing during the grazing season, but we have personnel that will come and

take care of that. So hopefully I hit what Mark was asking me to speak about.

And then, also, we're also going to enter some of our tracts into this National Grassland range where you can graze it. It's an NRCS program where you can put it -- it's in rangeland and you could put it in the program, and you could still get the benefit of grazing this land but also it can be in the program. So that's a new thing that's come out this year, and we're willing participants. Like I said, we're stewards of the land and we do care about all the resources - our water, our air. As a tribe over there, we have to fight for a lot of that. Because we have two super fun sights on our reservation, and there lies another battle with EPA and the DEQ and the Department of Justice and all of them. So we're going to continue to battle. Thank you.

Mark Wadsworth: And Ladd also too is -- a lot of our, well, like our rangeland, we have about 330,000 acres. I would say the tribe owns about 185,000 of it and the remaining is allotted. And one of the requirements within the Bureau of Indian Affairs, and you know this, is you have to let your allottees know in 90-day consent forms if you want to do something on their land such as participating possibly into this CRP-Grasslands project. Well, we found out about the Grassland project and it was due the next week. So we weren't able to

contact our people to see whether they wanted to participate in this with their lands because of the timeframe.

I think that's one of the things that USDA, and the FSA, and NRCS, and the tribes, and BIA need to start to talk in the same language because it was quite an experience. Because when we decided to sign up this land, we had certain range units that the majority was owned by the tribe. So we picked that particular range unit to try to enroll as many acres as we could into this program. But the situation was when we called up FSA, they said, well, yeah, we need to map this out as a farm. I said, farm? It's a range unit. They said, well, how do you want us to map this up? And I said, well, we just wanted to be able to enroll the tribal acres because we don't have permission to do the allotted. And they looked at me like what's allotted, what's tribal, what's tracts?

It's just these guys, we've been trying to work in the local end of it, but we're still not even talking the same language yet. They're not understanding what we're wanting and they're not understanding what they're trying to get across. And in some cases, if you told me a tribal tract, I could look it up real quick and I know what you're talking about. But when they say, well, you're farm 202. What? I don't have that information? How do I know what you're talking about?

And that's kind of like one of the situations, I think, that they ran into with our CRP violations, was we didn't know which exact areas they had within their area when we were addressing some of those issues. But I guess if there is something that we can express to people in this is that there are rules that we have to follow when we're dealing with allotted land. And USDA, you've got to give us that amount of time so we can get our job done to improve the lands for all of our tribal members. Jerry.

Jerry McPeak: Thank you. I have a question. When you said you're required to plow down the sagebrush, and that was CRP land?

Mark Wadsworth: Yes.

Jerry McPeak: What are the qualifications for a CRP land, to put in a CRP?

Mark Wadsworth: It had to have been farmed previously within the last five years in sort of farm records. And as the CRP, it has to meet all these, what they call index for conservation - the soils. Basically, it has to score kind of high in highly erodible land situations which --

Jerry McPeak: But you got that sagebrush growth and --

Mark Wadsworth: Yeah. Well, that's a crazy thing. As I say, okay, CRP has these regulations. You put your stuff into sagebrush or maybe in this case the bitterbrush, but now CRP is

no longer authorizing or actually reducing the number of acres nationally, hasn't it, on the CRP national level?

Jim Radintz: Yes. Jim Radintz from FSA. Yes, my understanding is the number of total acres in the program has been reduced.

Mark Wadsworth: So when we went to try to re-up [sounds like] prop our land again, they said no because we're above the cap nationwide. So we weren't able to reenroll it back into CRP. But then they come along with this new program called SAFE. What is that? Sage-grouse something initiative. But it's sponsored by FSA, I guess. But anyway, SAFE says we don't want sagebrush, you got to plant this other thing. So they're really requiring us to plant in a different native species due to the SAFE requirements versus the CRP requirements.

Jerry McPeak: Is that the same [sounds like], Jim, just doing that?

Jim Radintz: Jerry, I can't be sure. I'm not familiar with that at all. But there are several special conservation initiatives going on I know periodically, and it's entirely possible that that could be. But I just have to go back and find out. Yes, Jerry.

Jerry McPeak: That probably will come down to -- well, I guess later on we'll talk about it at the working session. But from years ago when we first started sitting here, the thing

that we found was the people we had from Washington, D.C. many of them had - like Jim - had great empathy and sympathy for us. But somehow the translation from say in Washington, D.C. getting to where the guy was sitting outside your reservation, it didn't seem to get there. My suspicion from my experience sitting here listening to this is that might be -- is that not true, Mark? I mean, Ladd, what you think?

Ladd Edmo: We don't like to assume the worst, but we always know there's -- I don't know if it's right to say anything like this, but the word is from the way we see it is --

Female Voice: In your opinion.

Ladd Edmo: In my group's opinion, the Land Use commissioners -- like I said, I'm new in office. When I got in there, they said we got to be ready and prepared to fight these battles. The word that's used is the modern day Indian fighters is who we're fighting against. So that's leads to whoever that is that is trying to keep us down, keep these programs down or what have you.

Jerry McPeak: Have you had the experience?

Ladd Edmo: Just what this most current event here. And then from what I've been learning, the process has gone on since it was initiated.

Mark Wadsworth: Yes, Jerry.

Jerry McPeak: Have you had any face-to-face with these agents dealing with this?

Ladd Edmo: No. When it gets to that point, it's more like our representative in Idaho who is Mark Samson, oh, yes, we did meet with him. And then we met with Curtis Elke. He's the same. I think he's FSA.

Jim Radintz: This Jim Radintz. One of the complicating factors is that FSA administers the program, the CRP program. But NRCS actually makes -- they're the scientists and the experts, and they actually make the technical decisions. So I am pretty sure in this case what's happened is NRCS has made a technical I guess compliance decision, you might say, which is I think what I'm hearing. I know there have been a couple of teleconferences, and there has been some headquarters engagement. Unfortunately I think I was out of the office on travel and was unable to participate in any of those. Our conservation folks aren't here, but this is something we can certainly take back and continue to work on and see where we can go with this. And also, it sounds like certainly NRCS is going to have to be engaged as well. Now, you mentioned that - one of you gentlemen, either it was Mark - that you do have an appeal pending with the National Appeals Division here in a few weeks. So that may bring some conclusion to it as well.

Mark Wadsworth: And also too, just for your background, I guess, more knowledge base about this, they actually met with those county committee from FSA about the situation of what it was and what needed to be done and they went through. I wasn't a part of those meetings, but the Land Use met with them, with the BIA or superintendent and they felt really good about that. Then they went back and in about three weeks later got a letter that you're violated on everything. It was just that communication between working together and then what was the result was I think kind of borderline.

Jerry McPeak: To go along with where you guys are -- I'm probably going to say this for the working session. But when Secretary Vilsack was in there and we're talking about the double cropping in Oklahoma, he says, well, I don't know about that and I'll take care of that. He did. He did his part.

However, by the time it got to Oklahoma and the people who are going to implement it got the word, it was considered a suggestion or perhaps we need to do this. The two men who were the wheels in that then said they don't know, that there are no regulations like that, we set-up no regulation like that. BIA said that. USDA said that. But by the time we got down to the people who were implementing it, it was well, there may be some suggestion of that. So being a quiet guy like him, I sent him a letter that said damn it, listen.

Gilbert Harrison: Welcome, Jerry.

Mark Wadsworth: And Sarah, Sarah Vogel.

Sarah Vogel: I just want to make a few comments about the National Appeals Division. Those of us who have been around for the last 40 years in this stuff think that the National Appeals Division was an enormous addition to the whole USDA structure. It's a method whereby you have a neutral hearing officer. They work for USDA, but they are not connected to the agency. They've got no skin in the game. It was a massive change in the way USDA did business. It happened as a result of Coleman v. Block, the '87 Credit Act, and a whole bunch of fights since then.

That said, it is a hearing. You have to present evidence. You have to follow all the rules of that hearing. If you are two weeks out, you probably received multiple requests for who are your witnesses going to be, turning in documents. So it is an opportunity for you to present your case as to why you think it isn't. If you're not ready to do that or if you think there are weaknesses in the other side's evidence that they've presented, you should try to get an extension of time because it is -- you do have one further appeal to the head of the National Appeals Division after this round. But after that and then if you go to court, the court is going to give a lot of credence to what the National Appeal Division officer say.

So if you want to talk about that a little bit later -- but this is a really grand opportunity for you to go in and win or reverse these accusations against you. But if you don't have your ducks in a row, it could be very difficult. The times that farmers and ranchers win compared to the battle days, in the battle days they said farmers lost but the agency won 97 percent of the time, that proved the agency was right. Well, you put in a neutral hearing officer and all of a sudden the agency, one dropped down to like maybe 60 percent or 55 percent with just the addition of a neutral hearing officer. Jim remembers those battle days, and the good old days are here. We do have a neutral hearing officer. I don't mean to -- you probably thought of all of that. You're working on that.

Mark Wadsworth: Did you want to respond?

Ladd Edmo: Mr. Chair and members, yes, everything you said, Sarah, is exactly right. We are prepared. We do have our ducks in a row. We do have our witnesses. Actually, we've been prepared and the meeting has been changed two to three times already. We should have been done already, but we're not. A lot of these programs are time-framed where you got a plan at a certain time of the year. Just last year we had to sublease some of that to have -- or not sublease. We've had to contract with a local farmer to plow because that was one of the requirements. We did meet it. They said we couldn't do it, but

luckily our winner wasn't that bad last year. We could plow all that over 1,500 acres of CRP. So, yes. And I hope I didn't offend anybody. I wasn't here to try to mock or make fun of anybody. It's just the words, they're very effective actually for me.

Mark Wadsworth: Dr. Joe Leonard.

Joe Leonard: I just want to clarify. You said that there was misuse of CRP, that some farmers were misusing CRP?

Ladd Edmo: Oh, yes. Yes. There are some individuals that -- we have four counties on our reservation. The misuse was -- they finally found out that these representatives in a different county were, like I said, leasing the tribal land. There was a recent article in I think September or within the last four to six months back where it talked about the CRP programs misuse. It was in our local paper. I don't know if any of you are aware of that, but I think it's probably not just an isolated incident. It might be across the nation. I'm not sure but I know a lot of people rely on that and that is a very good program. It's an excellent program. It's just that just like anything, there's bad and good.

Mark Wadsworth: Dr. Leonard, just to give you a little bit more information background on that. The Conservation Reserve Program was passed and enacted in law back in 1985, I believe. We did not even hear about that program properly until

1992. I think that our first sign-up was maybe in '94 or '95. At that time, we were denied the opportunity to participate because the counties and every one of the four counties that intersect the boundaries of our reservation had exceeded their 25 percent and actually had petitioned for a bigger percent of enrollment into CRP in those counties.

So when our tribe went knocking on the door and said, hey, we'd like to participate, they said, well, there's no more land available. So we asked the question, well, how much of that land in these counties -- put the tribes' boundaries over the top of this, how much tribal land is in the CRP? And they came out to be that these counties had like 34, 35, 36 and some percent into the CRP. And when we looked at the tribal, we only had 46 percent. That meant that they were using tribal land for their benefit in the basic accounting for that CRP.

What Ladd is alluding to is that we had tremendous struggles with our agriculture for a long time with the good old boy network and ability with BIA. They used to - I know this for a fact - used to lease our dry land farm acre for \$2 an acre to \$12 an acre. But then they turned around and enrolled it in to CRP and were getting \$45 to \$50 an acre for the program. It was wrong and that's what Ladd was alluding to, that some people made some huge profits off of our tribal lands in that base.

But we started I guess getting in our ducks in a row. I think at that time we had a very good lawsuit against USDA about discrimination in black and white about us not being able to participate within CRP at that time. It worked out and we were able to enroll I think about 16,000 acres. That has been quite a huge monetary impact on our tribe for several years and we want to maintain that. So we're just trying to, like Ladd's doing, get along to be a part of it.

Porter Holder: Porter Holder, Choctaw Nation in Oklahoma. Dr. Leonard, can we get counties in line for Mr. Ladd and check any of this to see if this has been misused? I mean, do you think their civil rights has been --?

Joe Leonard: Well, he's already established he is going to NAD so we can't really form shop [sounds like]. But that is what he would provide to the NAD, names and the evidence. NAD has the same evidence, the evidence as our office does, as the district court does. I'm not sure how you mean to get the names. He probably has the names, the local names.

Porter Holder: Right. The council will get the names.

Joe Leonard: Oh, the council will get the names and file a discrimination case.

Porter Holder: Right. It's just that --

Joe Leonard: What you did, did take place because to file a complaint of discrimination, it would have to occur in the

last 180 days, and it doesn't sound like it's occurred in the last 180 days.

Porter Holder: Has it not, Mr. Ladd?

Ladd Edmo: It hasn't. I believe each cycle is a 10-year program. So that burden, we have to wait 10 years for it to be over to get us to take over on them leases. And as Mark had indicated, the individuals would lease the land for minimal and the program pays a decent wage or price per acre and; therefore, they proceed with their madness.

Porter Holder: All right. Thank you, Dr. Leonard.

Mark Wadsworth: Mary.

Mary Ann Thompson: Thank you. I can appreciate that we have been able to get the ear of the Secretary of Agriculture and that he has been able to sit with the BIA to address individual issues as they come to our attention. But whenever I hear words like it has been suggested or fighting this battle, then I share the concern that Gilbert expressed earlier about the accomplishments of this board and the effectiveness of the USDA programs when it gets down to individual farmers and their families.

Even this technical compliance issue that Mr. Radintz just mentioned, we discussed that in a lot of depth with Gilbert's project over there, the engineering of the water pipelines. And it seems like we're getting more accomplishments done on

individual issues as they arise, but we're not getting to that point of major accomplishments within the USDA programs. Maybe that's where we need to really start focusing attention in these last couple of years of the existence of this board. Thank you.

Mark Wadsworth: We are still within the public comment period, so if anybody else would like to make a public comment.

Dana Richey: Anybody else? I know there's one other person who has mentioned to me that they'd like to talk a bit.

Mark Wadsworth: Miss, if you'd like to come up to the microphone. I think we can go ahead, Miss.

Dana Richey: Please go ahead. If you would say your name and spell your name for the record, I'd appreciate it.

Elizabeth Bihn: My name is Elizabeth Bihn. Last name is B-i-h-n. I'm a senior extension associate at Cornell University, and the director of the Produce Safety Alliance. I came to this open comment period to just make sure that this group is aware of the Produce Safety Alliance and what we are doing. As a little bit of back history, since 1999 I have been working with fresh fruit and vegetable growers to help them implement produce safety practices on farms. This is for the reduction of microbial risk to fresh fruits and vegetables.

Our program works with not only fruit and vegetable growers, but farm workers, packers and anyone involved with fruit and vegetables production at the farm level. We've also

done outreach and education programs for people that are doing community gardens, as well as children developing gardens in their schools. So essentially, any group interested in fruit and vegetable safety, we have developed extension materials for in the area of microbial safety of fresh produce.

In 2010 the Produce Safety Alliance was established through a cooperative agreement with USDA, with funding from FDA and USDA. The primary objective there is to create a foundational education program for fruit and vegetable growers nationally so that they're prepared for the Food Safety Modernization Act regulation regarding fresh produce. Many small farmers will be exempt from the regulation because of the size of their farms, but growers are being pushed to implement food safety practices because the markets that buy their products are insisting that they have food safety practices.

So I wanted to bring to this group the attention that our program has extension materials to help farmers implement food safety practices to enhance the safety of what they're growing, as well as to provide an option to get into markets that demand food safety practices; and, if they are subject to the regulation, help them meet the regulatory requirements.

Our smaller farmers will probably start with something a little bit below the PSA curriculum because it's seven hours of dedicated instruction and that can be a little much, but the

Produce Safety Alliance is prepared to work with all farmers who are interested in produce safety. We have extension associates throughout the U.S. so there are human resources and expertise to help people who want to conduct trainings. We also have a train-the-trainer program for anyone who is interested in becoming a trainer of farmers which may be extension people or other people in the organization who want to be trainers of other farmers. So with that, I'll stop and I'll take questions if there are any.

Mark Wadsworth: Mary Thompson.

Mary Ann Thompson: I'm just wondering how you are distributing your education materials to other extension -- and especially to FRTEP agencies.

Elizabeth Bihn: I went to the FRTEP meeting yesterday and I'm starting to make connections there. Our educational materials are available online, but primarily where that interface is going to come is through the train-the-trainer sessions where we will train other people. The other relationships and collaborations are helping extension educators who maybe have not worked in the area of produce safety a lot, helping them understand the transition that farmers go through when they first learn about produce safety practices.

For instance, if you start with farmers that are typical farmers, i.e., the ones that are 55 years old and have been

farming for a very long time, they don't always understand why produce safety is important because it hasn't been something that's been part of the process all along. New farmers, they're learning everything. It's just a piece of what they learn. So - helping extension educators or other trainers to understand the transition that growers go through in understanding and developing practices on the farm.

Mary Ann Thompson: That's great, and with getting your context and everything lined up. Because as great a conference as this one is here, there are still so many FRTEP agents and other extension agents that would be able to utilize this information if they can get it.

Elizabeth Bihn: Right. And I think the other thing that the PSA does is through collaborations, there are other collaborators throughout the country for people to interface with, so being able to make educational materials regionally specific for what's going on in certain locations. The example I'd like to give is strawberry production in Florida does not look like strawberry production in New York. And making sure that we can have practices that resonate with the growers because it's what they recognize as a typical practice in their area.

Mary Ann Thompson: Thank you.

Mark Wadsworth: Thank you.

Elizabeth Bihn: Thank you very much.

Mark Wadsworth: Next speaker. Do you have a list?

Dana Richey: I have a list of people that signed up to give public comments and we've heard from two. Additionally, on the list I have Lawrence Shorty. Do you want to come forward and give public comment? Did you sign up on the --?

Lawrence Shorty: Oh, no. I just signed in --

Female Voice: I have a couple of comments that were given to me just a little --

Dana Richey: Oh, okay. Let me ask -- and this may be the case for our next person who signed in as well because he's with NRCS, Robert J-a-i-e-s?

Female Voice: Jones.

Dana Richey: Jones? I'm sorry, Jones? Okay then.

Leslie Wheelock: Is that it?

Dana Richey: I'm not sure. Josiah?

Josiah Griffin: Samantha Benjamin-Kirk.

Dana Richey: Samantha Benjamin-Kirk is here to speak publicly.

Samantha Kirk: Good afternoon everyone. It's an honor here just to come to the board. I wanted to bring updates on the USDA Food and Nutrition Service. I'm Samantha Benjamin-Kirk. Please call me Sam. I prefer that acronym. It really eases the tension because my name is so long. I'm with the Farm

to School program. I just want to make sure that the board is aware of the three memos that were just published that concerns traditional foods.

The first one was the Child Nutrition Program for Traditional Food which simply clarified that traditional food items that are grown within the native community can be served in child nutrition programs. This has been one of the barriers as to -- because they did not see the items in the food nutrition guidebook, that they cannot be served. The guidelines are just the guidelines. So the memo helps them to identify the items and how to do proper substitutions.

The next one was Service of Traditional Foods in Public Facilities. Folks know that they can receive donated traditional foods into child nutrition programs, child care programs in public facilities. The last one was the procuring of local meats and poultry, game, and eggs. So that really clarified the stipulations and the safety rules around getting buffalo into the child nutrition programs. I just wanted to make sure that everyone is aware of these new memos that are out. If not, I do have some copies. I can pass them out at this time, and my comrade back there. I just love him, Bob.

Just to make sure, we're set up in the exhibit hall. Feel free to come by and talk with us more about the Farm to School Program and how we're trying to make sure that we're helping out

the local ranchers and farmers getting their foods into the child nutrition programs, and letting the directors know that it's okay. Thank you.

Mark Wadsworth: Before you go, could you just give us for instance one of your traditional food that has worked or that you are aware of?

Samantha Kirk: Sure. For blue corn, very traditional food, we've been able to get that type of food -- well, those foods are in the STAR School now. They're serving that as a part of their child nutrition program. Buffalo bison is going into the schools, in Eastern Band of Cherokee in North Carolina. So now school nutrition directors are at ease of making that connection with the ranchers or going even through the distributors. Because Farm to School is really bringing that local product in and so sometimes there are so many different avenues in which the school districts can inquire of those local foods. Sometimes just going through a distributor and then having that local farmer go to that distributor, and the school purchases it that way. So there are so many different ways - either direct purchasing, through farmers markets. There are so any different ways.

Mark Wadsworth: Have you worked with BIA schools?

Samantha Kirk: I have not.

Mark Wadsworth: Mary.

Mary Ann Thompson: I just wondering if I heard you correctly on traditional foods were being included in the child nutrition programs with Eastern Band of Cherokee.

Samantha Kirk: Right. Eastern Band, they've been able to get some bison in there and I think they did some blue corn. Actually we had some bean bread the last time I was up there. So just whatever is traditional to that tribe, you know, every tribe has their own traditions.

Mary Ann Thompson: I don't know. I guess buffalo used to roam there. But do they have elk roaming there?

Samantha Kirk: No elk. They did ask me about bear though when I was visiting the other day.

Mary Ann Thompson: That's good to hear. I didn't know that. I wasn't aware of it. Most of the traditional foods that tribes have utilized in all these centuries are high in nutrition and good to eat, and a lot of the greens come up in early spring before your gardens come in, and a lot of food we put up and everything. Anyway, so that just makes good sense.

Samantha Kirk: Yes, it makes good sense.

Mary Ann Thompson: Although I'd like to go back to the daycare dinner and get me a piece of that buffalo.

Samantha Kirk: Definitely.

Mary Ann Thompson: Thank you.

Porter Holder: Ed Soza.

Edward Soza: Yeah, we have a BIA school on my reservation. It's middle to high school. We were looking at -- well, the administration is looking to the Farm to School Program. They were worried about inspections. They're local into the town and into the area. You go to your local farmers that are growing whatever - vegetables, ground crops, the beef. I couldn't answer it. Is there some type of a guarantee to this program that will make that food safe? With all the E. coli coming out, I mean, you've got to be kind of careful.

Samantha Kirk: Exactly. And so even though we encourage it, but whatever the state or the local health rules and safety rules are, they have to follow those rules. So it just depends on where they are or what the rules are that cover those safety rules. We do have some guidelines. We have a school garden. We're trying to incorporate those foods into the school nutrition program. We do have some guidelines which they can follow. But still, even at that point, it's best for them to get in touch with their health department or whoever their local authority is when it comes to food codes that govern that to get into the school system.

Porter Holder: Leslie Wheelock.

Leslie Wheelock: You were at the last meeting. Janie Hipp came in and talked about her Food Code project, which is what Sam was just talking about, in terms of making sure that a tribe

has its own food code, because food codes are kind of trickle-down processes. The federal government issues a guideline for food codes and each state adopts its own food codes. They can alter. They can accept full-blown what the federal guidelines are or they can alter however they feel they want to alter it.

A county or another governmental entity can then take those state codes and alter those for the county. A tribe can take any code they want and say these are the codes for my jurisdiction, and that's why Janie is working on food codes for tribes. The tribe itself can say, well, the state says that I can't do this, but I'm the tribe and this is my sovereign jurisdiction and we can do this within my jurisdiction.

Typically those are negotiated with the state just to be sure that there's not some real problem down the road, but that's one of the things that we're starting to see within the tribes - is the tribal food codes. Janie is working on the Tribal Food Code Initiative, for lack of a better word. I know she's got a better word for it.

Porter Holder: Jim Radintz.

Jim Radintz: Thank you. Hi. Yeah, Jim Radintz with the Farm Service Agency. I just wondered if you have the data that shows the scope, like the number of pounds of food or the number of producers or anything like that.

Samantha Kirk: Oh, yes. In 2013 we did our first Farm to School Census information. The information is on the website. But we just did another one so we're getting ready to release it, I think, probably February. Because we just did another census that really captured not only the nation, but we really had some questions geared just towards the tribal community so we can really get some good numbers as to who's actually doing this work, how much are they spending. But, I mean, there's billions and billions of dollars when it comes to local purchasing.

Schools in general spend about \$10 million on foods. Other than that \$10 million, about \$42 million are just within local purchases. And that was before the census, before the first census that data came out. So just now we're looking for some great numbers.

I did want to just touch real quick on FNS, Food and Nutrition, USDA. Within Food and Nutrition there are 16 different programs. So we take care of you from the time you come into the world, until it's time for you to leave the world. We pretty much take care of you from our WIC program. We do WIC. We do the SNAP. We do child nutrition programs, Breakfast and After-School Programs, Summer Programs, Special Milk Programs. So anything dealing with nutrition and feeding you,

those are kind of the programs which are covered under our umbrella. Thank you.

Porter Holder: Thank you very much, Sam, for the comments.

Samantha Kirk: Thank you. And come by the table.

Leslie Wheelock: Mr. Chairman.

Porter Holder: Yes, ma'am.

Leslie Wheelock: This is Leslie Wheelock. We have a lot of USDA folks in the room I know you're all looking at here and wondering what all these people are doing here and why they're not talking. I'd like to ask them all to introduce themselves so that the council has an idea who's in the room. And then I think we've got some more tribal folks who've come in who might want to talk. Thank you.

Porter Holder: I want to start at the back. Introduce yourself, USDA people, please.

Sharon Nance: Good afternoon. My name is Sharon Nance. I'm with StrikeForce program in the southwestern portion of the country.

Jennifer Perez Cole: Good afternoon. My name is Jennifer Perez Cole [inaudible].

Gilbert Harrison: Mics are off?

Leslie Wheelock: Hold on. You're going to have to do it again.

Kristine Tapio-Harper: I'm Kristine Tapio-Harper. I am the Alaska tribal liaison for USDA Natural Resources Conservation Service, and I'm Tlingit and Lakota [phonetic].

Sharon Nance: Good afternoon. My name is Sharon Nance. I'm with USDA StrikeForce. I grew up in NRCS and I work the seven states in the Southwest.

Jennifer Perez Cole: Good afternoon. My name is Jennifer Perez Cole, and I'm a member of the Assiniboine tribe. I work for USDA Farm Service Agency in Montana, and I also assist the State Food and Agriculture Council on outreach in the State of Montana.

Joanne Dea: Hello. I'm Joanne Dea. I'm with USDA. I'm the USDA ombudsperson. My office is to help minority farmers and ranchers raise access issues to USDA programs.

Robert Jones: Good afternoon. I'm Bob Jones. I'm with the Natural Resources Conservation Service, and I work with Kristi up in Alaska.

Robert Gorman: Good afternoon, I'm Bob Gorman. I'm the Farm to School regional lead for the Mountain Plains Region.

Lawrence Shorty: Good afternoon. My name is Lawrence Shorty. I'm the program director of the 1994 Tribal Land-Grant Colleges and Universities Program at the Office of Advocacy and Outreach.

Barry Hamilton: Good afternoon. My name is Barry Hamilton. I'm the NRCS National Tribal liaison officer out in Washington, D.C.

Linda Cronin: Hi. My name is Linda Cronin. I'm with the Farm Service Agency. I work for the Outreach Office.

Tedd Buelow: Tedd Buelow once again, USDA, Rural Development.

Carolyn Parker: Carolyn Parker, director of the Office for the Advocacy and Outreach.

Keisha Tatum: I'm Keisha Tatum, the NRCS state conservationist for Arizona.

Carl-Martin Ruiz: I'm Carl-Martin Ruiz, director of the Office of Adjudication with the assistant secretary for Civil Rights.

Josiah Griffin: Aloha. My name is Josiah Griffin. I'm the program outreach assistant and assistant designated federal officer serving under the USDA Office of Tribal Relations. Since Jerry is not here, I'll just throw this out. Because I can't fit it all on my card, it just says staff assistant.

Sedelta Oosahwee: I'm Sedelta Oosahwee. I'm the acting deputy director of the Office of Tribal Relations at USDA.

Leslie Wheelock: For those tribal members and tribal leaders who are in the room who haven't yet spoken, this is your chance to come in and talk. Ask us questions or pretty much say

anything you want to. If we don't have tribal leaders coming in to talk --

Jerry McPeak: I've got a question.

Leslie Wheelock: You've got a question? All right, Jerry has got a question. Oh, I'm sorry. I'm not the chairman of the --

Jerry McPeak: Madam Chairman.

Mark Wadsworth: Yes.

Jerry McPeak: You folks that are here waiting for the USDA, do you not want to defend yourself in any way or say something about some of the comments we've had? Feedback means that, it means exchange of information. Have you all experienced something different, what we say is way off base? How does it sound? Maybe we're right on target. Whatever it is, I know you're saying you've got some kind of feeling like that's right or left, bull, crap or whatever. Do you have some kind of feedback on that? Hmm, interesting.

Male Voice: Hello, Jerry. I worked in Oklahoma for a while. I just wanted to say in Alaska most of what you're talking about here does not relate to us too much, but I am interested to hear what you have to say about concerns with the USDA and the agency. So thank you for just the comments and allowing us to sit in. Thank you.

Mark Wadsworth: Go ahead, Mary.

Mary Ann Thompson: Thank you. I appreciate all you USDA folks coming and sitting in. Usually, if you are interested enough to come over here and participate, then probably what you've got going on in your areas is working. It's probably the ones that are not here that the communication breakdown seems to happen. I don't know. Maybe Bob over there, if we can get him to just move to each state and work for a little while, we could get everything fixed. Thank you very much for your participation.

Mark Wadsworth: Gilbert Harrison.

Gilbert Harrison: Gilbert Harrison from Navajo Nation. Mark and members of the council here, I have a concern here. I know on Indian land there are many needs and in a way they're not being fulfilled because of all these barriers that surface here and there. Even through our discussions here, we talk about them. But somehow, when we have this opportunity to address the council, we fail to get a lot of people to address their concerns, and so I don't know how we can improve on that.

As an example, I've heard on Navajo that they're going to go ahead and close down some offices because there are no activities. The reason there are no activities is because we have so much bureaucratic red tape that exists that nobody wants to at least try to address their needs. So somehow we got to get the information out to the public, the clients that come to

the USDA for service, to let them know there is an opportunity to address this national council. I think I do have a concern on that, I don't know how we're going to improve it.

I think maybe one of the things that -- Josiah comes out with a monthly meeting, a monthly note on the internet. Maybe on that it would be a continuous announcement that we're soliciting comments. Those can be gathered here and presented to the council when we meet. I think there's another way of doing it. I know that the Office of Tribal Relations, they go out and they visit tribes. Why can't we have open hearings, those little hearings, those stops and say, okay, let's talk. I think that needs to happen.

Finally, what I'm saying is we have a communications failure for some reason or another between us, between what USDA is trying to do in terms of getting help out to the tribal nations and tribal people and the actual users that face these problems. I think we need to take a look at it and be a little more innovative. Just to have a one-liner in our Federal Register apparently is not cutting it.

I believe that the Office of Tribal Relations, they probably have a database within the computer system where all the tribal leaders, their email addresses are. Maybe their announcement can be made through that media. It doesn't cost a lot more money nowadays to just send an email out. I think

somehow it bothers me because we don't get a lot of participation. I think at this council here we sort of need to scratch our chin and our forehead, whatever, and say how do we improve the message we're trying to get out. Thank you very much.

Mark Wadsworth: There's a gentleman ready to do --

Bruce Tornado: My name is Bruce Tornado [phonetic]. I'm just a parent chaperone for one of the kids at the Youth Council. I was talking to Mary there, and there are a lot of things here. We go to the classes too. We've got our own agenda we're supposed to be doing. And I got to notice there's a lot of these programs I've never heard of. We're not trying to be big time farmers or anything. We're just small. We grow our gardens, raise a few animals. But the loans and things like that, they're kind of -- a lot of it is, hey, I've never heard of it. So I told Mary, I said, how are we supposed to get the information?

[Speaks in a foreign language] My son is interested, you know. I mean, as a matter my fact, we've probably gone and spent \$1,500 to \$2,000 worth of fence in the last six months. We probably could have gotten some help from one of these loans, but it comes out-of-pocket a lot. That's what I asked Mary. She said I heard a friend over there who said, you know, these are the issues you guys need to hear.

You see, I'm from North Carolina and everything that I've been to - these meetings, ranchers, whatever, everything's Midwest and West - I just kind of thought maybe I need to bring it to somebody's attention that we farm too in North Carolina, Florida. There are Indians down there too, I guess, to be addressed as well. Thank you.

Mary Ann Thompson: Thank you, Bruce.

Mark Wadsworth: Yes, Angela.

Angela Peter: I just wanted to say in Alaska there's 229 federally-recognized tribes. There are only 18 of them that I did not get a hold of for our symposium. So if you have somebody that -- if you don't work on the computer, I would get somebody in your state that does, that works in natural resources or the IGAP Program or whatever. That's why Alaska has a lot of comments, I think, all the time - is because I really advocate for that. Our voice is not going to get out there if we don't speak. Thank you.

Shawn Bordeaux: [Speaks in a foreign language] My name is Shawn Bordeaux. I'm in the State House of Representatives in South Dakota. I'm a former tribal councilman from the Rosebud Sioux Tribe. I'm participating in the other workshop, but I stuck my head in here because I'm interested. I do a lot of work in this area. I work at a tribal college, Sinte Gleska University. On the Rosebud, we have a million acre spread out

over five counties. I sit on the land corporation for the tribe. It looks like, you know, I'm going to echo the comments that the other gentleman made that even though you folks are doing a good job at trying to get the word out, this circle needs to be expanded.

I appreciate the comments that the gentleman over there where he said send an email. Maybe the emails are getting to the wrong folks. So I think there's a lot of folks that are interested in what is going on here, but it's really tough to kind of -- like when I worked for the SBA, it was tough for folks to understand some of the different programs and processes and they get frustrated. I was approached hundreds of times about doing a business plan and after the first meeting, they had great ideas but I rarely saw them come back.

And so I think people are little afraid of the programs and the processes. And one of the things that I would try to encourage you is to use our tribal colleges. We got 37, going on 40. Some of them are just coming up and maybe not recognized, but we got a lot of folks in these tribal colleges.

I manage three USDA grants at a tribal college, and so our work is very important. What we find on the Rosebud reservation is a lot of our non-Indian folks that live with us rent our land and get rich off of us. Meanwhile, most of us live check-to-check. So on the land corporation I'm looking at ways that

we've had people exploiting us to where you find a tribal member and you go use him as a front, and you can get all the lands you need. I've talked to other tribes like Cheyenne River and they say we have a cap on it where folks, as an individual, can only do so much because the money goes from instead of going to the tribe where the real need is to where we have a few very rich operators.

I think the time is now to where we try to train the masses to be operators. In fact, one of the program that I run we have 800 bison twice as big as the tribe at Rosebud. In fact, we gave them a hundred pregnant cows and they couldn't handle it. It was too much for them. And so one of the things we're trying to do is do an 18-month program where folks learn how to be an operator for bison, and we're going to give them four cows and a bison after that. We know it's not going to reduce the herd so much, but the fact that we can create operators -- and they're going to need a lot of help, and USDA is where we all turn for that.

I know Mary Scott in our community has done a really good job as a South Dakota tribal liaison, but she's from Rosebud so we're lucky. The other eight tribes don't get to use her like we do. So I would encourage you to continue your efforts, but build some bridges with the tribal colleges and with the other folks that are -- you know, like the land corporation we have.

We have a lot of folks that would love to participate in this. Unfortunately, we can only send one or two people.

And with South Dakota, it's my first year, I'm on the Appropriations Committee and I'm shocked at how much money is available for tribes. A few times in Appropriations I caught myself chewing out folks from South Dakota saying why aren't you helping the tribes? They turn right around and say our doors are open and the tribes aren't coming through them. So if you folks can get your tribe to walk through our door, maybe we can help you spend some of the money that's allocated for your county.

I'm going to leave those thoughts with you and I appreciate you making the public have some opportunity to address you. Thank you.

Dana Richey: We've got another person approaching. And then also I wanted to ask Angela Peter. Did you say earlier that you had some comments from people that you wanted to read into the record?

Angela Peter: Yeah.

Dana Richey: Okay. And we'll do that before 4:00. Thank you.

Keisha Tatum: Hello. I'm Keisha Tatum. I'm the state conservationists with NRCS for Arizona. I just want to make sure that for the record it is clear that we are not closing

offices on Navajo Nation. I just wanted to make sure that was on the record. I don't know what you may have heard, Mr. Harrison, but I don't want really necessarily for that to be on the record. So I just want to clear that up. If there's any discussion about closing offices, that's something that would be the tribe's decision. We've been in quite a bit of conversation with the tribe. I'm glad to see Miss Vangie Thomas here, the deputy director for Natural Resources for the tribe, who we've been in communication with as far as our operations on Navajo Nation. For the record, we are not closing offices on Navajo Nation. Thank you.

Gilbert Harrison: Thank you.

Mark Wadsworth: Yes, Gilbert.

Gilbert Harrison: Mark, one final comment on how to get the word out. I think NRCS and USDA, some of their field offices they have vast information on what some of the issues are that they run across when trying to help their clients. I think we should not exclude them from making suggestions on how to improve the way USDA and its departments carry out their mission. Because right now, the first thing they said is this is what it says in the books. That's what's on the record, and that's it. There's no opportunity for them to say okay, maybe this has to be modified naturally a little bit to make it work.

But right now that's another very big database of information what keeps USDA programs from proceeding. Thank you very much.

Mark Wadsworth: Leslie.

Leslie Wheelock: Gilbert, thank you for that. To the extent that our office is used as a sounding board for things like that, we have actually caused some things to get changed through Janie Hipp's administration of our offices, as well as ours. When things bubble up too, as people will call us and they'll say there's a problem with the scoring method, there's a problem with this application, there's a problem with this whatever, we pick it up and we take it as high as we possibly can in the agency that we're addressing with that kind of an issue.

We've had things that have just been pulled to a screeching halt as we found that there were some problems with them. We've had situations where second and third rounds have been initiated to gather additional applications when there were problems with the applications. And I think my message there is let us know. Let us know as soon as you possibly know. Even if it's after something has closed, let us know. Thank you.

Mark Wadsworth: Ladd Edmo.

Ladd Edmo: I have some more comments. I think there is a communication breakdown. Part of that is like what Gilbert is saying, there's a bit of changes in some of the leaderships -

whether it's the FSA, or NRCS, or USDA. One other thing that I have learned is that I think a lot of these entities or programs, whether they're government or not, they forget that they are the trustee of a tribe or that tribes, that they should conduct G to G occasions. And I think that's where the major breakdown in a lot of these processes is at, like the gentleman that was talking earlier. I think this is the matter of we need to communicate more on a scale that covers all bases and, from what I've learned, it doesn't happen like it should. That's kind of what I just wanted to get out there for now. Thanks.

Mark Wadsworth: Yes, Jerry.

Jerry McPeak: I like what you said. Maybe I'm the one missing it, but when you do these fixes that you guys get done in our report that we're getting, that would be neat if you could -- because sometimes we feel like -- and maybe you're already doing it and I'm not seeing it, is that what you're going to tell me?

Leslie Wheelock: No. Well, yeah, because it's kind of in here, but that's okay.

Jerry McPeak: Okay. Because sometimes we feel like, I think, what the heck did we accomplish? What's happened? But if you guys are fixing things, then maybe it hasn't been for not very much. If you guys are getting to fix it, you find out about it and you get them fixed, someone's listening to you.

Leslie Wheelock: At each of these council meetings -- and I have to apologize for the last. We had some stuff going on with the secretary and I was not there as much as I should have been. But we take notes capturing not just the recommendations of the council, but pretty much most of your conversations. If there's something that bounces up in those conversations that we think that we can pull forward and move along and do something about, we do it.

And you're right. We don't come back to you and say, oh, by the way, at that last council meeting you made ten recommendations. You said ten things that we thought we could do something about and we went off and we took five of those and the other five are still -- we don't do that and I apologize. But I'm not really sure how to capture all that work for you.

Jerry McPeak: That wasn't where I was heading. Where I was headed was you're saying that if there's comments coming from outside us and you fix those, those are the ones I want to know about.

Leslie Wheelock: Okay.

Jerry McPeak: I really don't want you to do it for us, I'm reading that.

Leslie Wheelock: Got it.

Jerry McPeak: What I'm not reading about, what I don't know about is the other things you fix right because there's things you fix right.

Leslie Wheelock: Thank you.

Jerry McPeak: Is that right?

Leslie Wheelock: That's right.

Jerry McPeak: Okay, thank you. We'd like to know about those.

Sarah Vogel: I think this fits into several buckets, but I think it ties in really well with Jerry and the question. This is like part of the reading materials, the monthly report for September. It talks about the visit to the Promise Zone in South Dakota. In here it says there were meetings, multiple meetings with Pine Ridge and Thunder Valley about the tribes' desire to leave the Promise Zone rather than meet documentation requirements of the program, and you were going to follow-up with the White House and so on.

I think having a Promise Zone is something that has been portrayed as really excellent and desirable, lots of focus, lots of attention. But here it says that Pine Ridge didn't like the documentation. So I was just wondering if you wanted to visit about that.

Leslie Wheelock: Mr. Chairman, we can do that. I just want to make sure that we're using -- we don't seem to have anybody standing up at the microphone.

Dana Richey: What we might do, Leslie, after you address Sarah is let's go directly to Angela Peter so that she can read those comments on public record before we get to 4:00.

Leslie Wheelock: Okay. We did have a letter from Pine Ridge regarding the Promise Zone. In most instances, with all of our Promise Zones there is a nonprofit entity that is involved in some cases in terms of the urban areas and the urban organizations or a small municipality will step forward. The Promise Zone footprints in the urban area can't be very big because of the population density requirements and restrictions.

In terms of our rural and our tribal applicants, most of those applications are filed by a nonprofit entity. One of the benefits of the Promise Zone, of obtaining a Promise Zone designation is priority points on approximately 20 different programs of the federal government. Those priority points are available to any entity that is a recognized part of the Promise Zone.

What the requirement was that the Oglala Lakota tribal government was objecting to was there's a paper, a piece of paper that the nonprofit organization has to provide with the tribal application. Oglala Lakota objected to that because it

was seen by them as a question of their tribal sovereignty essentially. It can be recognized as such, and we recognized it, that it was something that the federal government needed to fix on its end rather than subjecting the tribe to going and asking permission to file an application, which is how they saw it on their end. We had not processed the letter at the point when I wrote that note, but that's the objection that was raised. And the fix was an internal fix that we are proceeding with. Thank you.

Dana Richey: Angela.

Angela Peter: Thank you. This is Angela Peter from Alaska. For the most part I am very, very happy with the feedback and working together with us that USDA has done with Alaska. Bob Jones in NRCS has been very instrumental in leading the way to help us to develop tribal conservation districts. When we started the alliance, we had three districts. That was in 2009. In 2011, and right now in 2015, we have 14 districts. So Alaska is growing. I get a little bit impatient because we're so far behind, and it seems like things just don't fit anywhere. I guess my impatience sometimes is taken the wrong way. I don't know.

But I have a couple comments. I've worked very hard as the alliance to get comments from our tribes. The resounding comment is -- like Mark was talking about when the first time

that their reservation participated in a USDA program. Bob, when is the first time that Alaska participated in a program? Was it 2009?

Robert Jones: Yeah.

Angela Peter: In 2009. So we got a lot of catching up to do and that's why I'm so impatient. Because I see you guys, you know. I'm like come on. With the tribal conservation districts -- are any of you guys have tribal conservation districts or are you all reservations? You do? You have an MoU with the Secretary of Ag?

Jerry McPeak: We have one.

Angela Peter: You do? Okay, well, that MoU is very important to us. It provides for a government-to-government relationship with the secretary. The feeling from Alaska is that we need all of the USDA programs to recognize that subsistence is agriculture in Alaska, so we can figure out how to conform the programs or help the programs to help us.

The programs in USDA, they weren't originally designed to address the unique issues in Alaska. If you just take a look at it, it's very, very difficult. There is difficulty there. Alaska is still in the infancy stages, I've said that before, and would like the USDA to respect that. Since Alaska has such agricultural differences, we need USDA to outreach more in order to utilize the programs.

The only reason Alaska is in this growth spurt is because of Bob Jones from NRCS, because of Kristi as well, because of the Office of Advocacy and Outreach has stepped up. I was very, very happy with that because we couldn't even put on our symposium without either one of those organizations who are nonprofit. So they have provided staff and funding for capacity building. Sorry, I was getting text on this stuff in writing.

We, as Alaska natives, are trying to help the tribes to help themselves to get prosperous and healthy. Where there are no fish and game in many regions of Alaska, if in Alaska a traditional native cannot subsist in order to feed their family and there are no jobs, then they may take the decision to leave the village or struggle to make a living and deal with a variety of social issues. Schools are shutting down. There are no people in the tribes. We're in the villages. So what's going to happen? This will further drive families out of the villages. It is really disheartening. This is why my passion is such in my job, it's because I love being an Alaska native. What I do to feed my family means a lot to me. To witness the downfall of tribal Alaska is very, very disheartening. Thank you.

Mark Wadsworth: Yes, Joe.

Joe Leonard: Just one point. Thank you, Mr. Chair. One point, Miss Peter. In 2009 -- can you say that again? Was that

when NRCS first came or was it when the USDA and all the agencies? The other agencies were there. Were they there?

Angela Peter: I am not sure right off hand. Bob, do you? I'm sorry. I know we had NRCS' moose habitat restoration project.

Jerry McPeak: One thing about it, if you're doing anything with them, no matter whether they're there or not, what do you think will happen?

Robert Jones: Part of the reason, because you have to be classified as a producer to take advantage of the USDA programs. Because of the uniqueness in Alaska, the villages and tribes were not considered producers. I'll confess I kind of tweaked the definition of what a producer was.

Joe Leonard: You're on the record, Bob.

Robert Jones: I know, but I'm eligible to retire. I kind of tweaked the definition of what a producer was in Alaska to include subsistence activities - whether it was berry-picking, fishing, hunting for moose, caribou, whatever. I decided that was agriculture in Alaska. I came from Alabama and Mississippi. And we don't grow cotton in Alaska. So I kind of help the agriculture definition in Alaska and that made the villages and the tribes eligible - with the tweaking - eligible for our cost share programs. And so then they became participants in USDA

programs - in NRCS, anyway. That's how it happened. Don't ask me too many question.

Mark Wadsworth: Yes, Mary.

Mary Ann Thompson: Thank you, Bob, I appreciate that comment. We keep talking or we hear the statutes up here in D.C. when Congress passes a bill and writes statutes and everything, then it goes to OMB, or DOT, or ABC or somebody to write a policy to interpret that statute. And then it goes down to the state and down to the county. And a lot of the problems that had been brought to the attention of this board -- the policies interpreting the meaning of the statutes or carrying out the statutes or something like that. If a person's willing to work with the individual farmers, there is it seems to me some leeway there for putting your policies in place to implement the intent of the statute. It seems like you're willing to work with them, and you did.

The problem is whenever you have somebody there that's not willing to work with those individual farmers, be they Indian or non-Indian, that in itself is the problem. We know that and we've talked about it, and talked about it, and talked about it. We've talked about it with the secretaries and deputy undersecretaries and secretaries to the secretaries, but we still have not been able to accomplish that little piece that we need for these programs to be implemented.

We're doing it a little bit, but I don't know. I think we need to take Bob up to D.C., or D.C. needs to come see Bob. I'm not sure what it is there, but it just makes me angry that sometimes you can get the programs that are in place and work great, and then in the other places they're completely the opposite. We can't figure out why and we can't get them to work. This is my personal opinion for the record. Thank you.

Mark Wadsworth: Are there any more public comments? One more.

Jerry McPeak: Is she out there still listening?

Leslie Wheelock: I listened to what Bob -- [cross-talking]

Vangie Curley-Thomas: Good afternoon. I appreciate this time and thankful for this time to come before you. I was just talking to Leslie that, you know, sitting here and --

Dana Richey: Could you please give us your name?

Vangie Curley-Thomas: I'm sorry. My name is Vangie Curley-Thomas. I'm with the Navajo Nation Natural Resources Division. My title there is deputy division director. And my boss, her name is Bidtah Becker. She's the appointed division director by way of our president for the Navajo Nation. I think some of you may know that we just had a current installment this past May of a new administration, so that's when our boss came on board.

But as an individual, I myself, we're supposed to always present ourselves in terms of introduction by way of who we are as an individual, as a Navajo person. So by way of that, [speak in Navaho]. So just to let you know. Thank you so much for giving us this opportunity. It's a lot in terms of knowing the programs and all and utilizing the programs under USDA.

There's a lot of opportunity that's available, and we understand, especially for those of us that are educated and understand, that can read and write. Whereas we heard here that there are a lot of programs available, but we may not know of it. Sometimes it's because of the language barrier. Sometimes it's because our people just don't know how to read and write, much less be educated as to what programs are available.

But I myself, as an individual I'm actually a farmer and also a rancher. I am married and I have five girls. My family, they're all up and about and on their own in terms of being independent individuals. All have college education and went on. Just recently, on Thanksgiving my last child finished college and went to surgical nursing. But considering that the families that we have been educating and all, we have opportunities that we try to tap into these. But it's sad to say that there are a lot of people out there that really don't have that opportunity. But as a rancher and as a farmer, we

utilize the Farm Service Programs in terms of looking in the future as to what can we do with our land that we have.

Right now the Navajo Nation, it looks like a barren desert. But the reality is that when I first met my husband 35-37 years ago or something like that, I told him that, man, you have a lot of opportunity out here in terms of the land. It looked dry, but the reality is you can work that land and get cattle on it, and you're going to be self-employed and all.

The reality is that he had a dream in terms of wanting to produce cattle, quality cattle, and with that we utilized the programs in terms of what can we do. To begin with is going through the application process. We all know the government - many, many forms to complete and all. This is where I say as an individual, along with my husband I got the support to say that we are very thankful for the Farm Service people that are available at the different offices that were in Holbrook and Flagstaff because we're in the Coconino County and we're also located, our farm, at the Apache County. But these individuals that were stationed there, they were very helpful, very patient.

And yes, there are the concerns about people not being available and understanding the natives and the tribal way of life. There was one recently or a couple of years ago, he came from, I believe, it was North Carolina. I was like, oh, brother, why are they bringing this person out here from North

Carolina? He doesn't know nothing about Navajo. But the reality is that - just like we heard the sister here - being impatient, I was one of those individuals. I said okay, come on, come on, you have to understand this is how it is. You have to do it this way. Because we're Navajo, we're different.

But the reality is that that person was very patient. He was willing to learn and all. And it got to the point where we became and developed a friendship with this individual because he took time. That was the thing about it. He took time. He tried to understand the language barrier. He tried to be understanding as to the application process and helping the people to better understand, and it took a lot of time to do that.

But the reality is that working with the programs, working at the different sites, the different offices, I feel that they were very helpful. But I'm a vocal person so if I don't get what I want, I'll say something about it. But a lot of our native people, they won't do that. They're shy. They don't want to come forward. They don't want to ask for many, many reasons.

But just working the program, I feel that wanting to hear comments about what could be maybe improved is a lengthy process in terms of the application - having interpreters, having people that understand the culture, having people available that know

the culture and the application process. Yes, before we can even go to request or apply, we have to be a land user, a farmer, rancher - whatever it is that the law states. And that's one area where we do have a lot of people that have an interest, but the reality is that they don't have that one particular paper that allows them to utilize land for whatever purposes - ranching or farming.

But using the land and having the conservation plans -- you know, way back many of our people didn't know. We didn't know that there was a purpose in having this plan. Our parents or grandparents had all told us that you have to plan. They say all this in our native language - that this is what you need to do, this is what you need to plan for, for future generations. We didn't realize that that was actually a conservation plan. That was a tool to drive us as to what it is that we want to set up as our objectives and goals. But the reality is that the process in terms of the application, it's really lengthy. But my hope is that somehow people will understand that the process, once you start, I feel that it's very useful.

One thing that we found is that, for example, we want to do a fencing project, a land rotation where we can move around our cattle. But the problem we found there is that we had to get the approval from our neighboring permit holders. You may be able to get the consent of the majority of the neighboring land

users, but if only one would say no, that stops your project. We may have our grant approved and all these are great ideas that we wanted, but that's one area that we are being told it's tribal law, and then we're told it's federal law. We're just being pointed this way and that way.

But the reality is that who exactly has that authority to actually give maybe the consensus of the majority of the individuals. But that's one area - is how can we get about passing that so that maybe if you have a greater number or just only the actual permit holders to allow the fencing [sounds like] projects and all, to develop your range management, to develop quality cattle. And again, this is actually a livelihood of the Navajo people. It's not going to be only in terms of your own cattle, but also producers for like sheep. I know the sheep it's really a sensitive area because that not only is a way of life for Navajo people but also, if you can continuously graze, you can damage the land.

Another area is regarding the participant share. Right now, yes, it's at 10 percent. But the reality is that a lot of our people just don't have the means for that. The people that have an interest, they actually have a majority of the time a fixed income. And because of that 10 percent, you have to have that available and cover the cost on a reimbursement basis.

We're just not able to have a lot of people participate in programs that are available.

There are some communities, and I'm fortunate that my community, the community what we call the local government - it's called chapter - they were able and willing to give us some support. That kind of like got the ball rolling for us and we were able to create that where once a project -- we broke it up into phases to get one phase done and get reimbursed and then working with the contractors so we were better able to afford it. Otherwise, if it's a large scale project, then you've got to have your monies available. But we know that there are programs also available out there to help you to start if you can't afford or don't have that 10 percent available for your participant share.

I can go on and on as to what barriers or obstacles that need to be attended to, and then even like the land status, majority of Navajo is trust lands. It's kind of ironic that we, as an individual, want to make an improvement. So we go out and we get a grant, we get a loan to make improvement on this trust land. The reality is it's not my land. It's the federal government's land. It's like where in the world do you do things like that? You pay for someone else's property and make the improvements and all knowing that it's never going to be

yours. The reality is that it's trust land. That is just one area.

We even heard earlier in the other sessions that there were certain areas where land statuses are challenged. There's allotments. People want to do some development there, and there's the idea about people as an individual or families that want to participate in some of these programs; whereas, the Navajo Nation government as a whole also have some interest to develop maybe larger scale projects.

But on the side for the individual participant, individual person or family, we know that whatever grant you receive, whatever project you're afforded, that becomes an income so we have to report that on our taxes. That's another area that shies the participant for actually being interested. So you have to do your tax returns and all of this. I know a lot of times we have a tendency to say that our native people always want handouts, but the reality is that some of them truly have an interest and want to improve their lands or improve the livelihood that they have.

So in those cases there, how can we also address that so that maybe the participant share could be reduced or the land status could be changed? Because I asked a couple of years ago what is meant by property? I was told that it doesn't really

matter as long as the land, if it's trust land, if it's private property, that's what it's relating to.

Another area that we'd like to -- or just based on my personal experience in working the program, is having available programs onsite specifically for Navajo. I know that you know that it might be considering competing with the other tribes, but the reality is that majority of tribes are, you know, they're smaller. Their land base may be smaller. On the other hand, Navajo Nation is a large base. Having that large base, it takes a lot of effort in terms of having the resources available, and having the manpower available because as a government we are very limited also with the resources that we have. It's wishful thinking to have an office out there. We're broken into what we call agencies, five agencies for that 27,000 square miles. Within that is like from barren lands to sands dunes, to nice woodlands and forest areas. There's so much that can happen.

The reality is that Navajo, because of a large land base and large population and people that have an interest, our hope is that we can have the - just like Keisha brought out - offices to continue and have maybe even increased resources available to Navajo. Even the program's participants for whatever project we may have, a lot of the -- I guess let me use as an example engineering aspects in terms of building a dam. Whatever

criteria or whatever specifications that are identified under USDA, NRCS or whoever it may be, they seem to come up with these specifications that apply to areas outside the reservation.

I was just talking to a gentleman yesterday. One thing that was not included in one of our grants was funding for a spillway, building an earthen dam. We had to use our own resources to go to a *mesa* or a mountain range-like, go over there and collect rocks. They have to be so sized, so much diameter and all that. Believe it or not, one by one picking up those rocks, haul it a quarter of a mile or half a mile, labor intense, and also having the dimensions required according to the specification too. I'm sure it was for safety purposes and all. But having those specifications, having those rocks available for the spillway, it took a lot. We're estimating the cost. Probably it was about maybe \$50,000 just doing that. If you apply a dollar value to the labor, the number of hours your laborers that you hired and the equipment that we utilized, all that was not included as a part of the grant. That was our responsibility. So you've seen that as an example.

I guess the other thing too is that if we actually hired a contractor or got a contractor to locate the rocks for us and brought that in, there's the distance that has to be traveled. And bear in mind is that the reservation, we don't have highways. We have even paved roads in some areas that are so

ancient that they may as well be a dirt road. But we have to have those areas to pass to get to the site of the projects.

The bottom line of all this is that it's just to improve a way of life that the Navajo people have, and this is just one participant. So how many are out there that actually want to do something? And on my part as an individual, I'm able to afford it because I have a regular full-time job. My husband is a retired individual from the Navajo Nation government. We are able to afford this, but there are so many people who are out there - like I said - that have an interest but they are on fixed income.

I just wanted to share that with you all today. I wish I could go on and on and share other areas. The Navajo Nation with the recent installment of the elected officials, our hope was that we'd be able to get some formal supporting document not only before you but the other decision-makers. But with my closing, I'd like to state that I'm thankful for the USDA programs that are available because I'm aware working with the Navajo Nation government like Rural Development for example, our utility company, a Navajo-owned and operated utility company was fortunate to get \$30-some million to get the communication tower devices out there on Navajo. That's just one entity.

But beyond that, in terms of the agriculture, we do have a large agriculture business that the Navajo Nation has. And even

that, they tapped into some funding that are available. But internally, with the Navajo Nation we'd like to see because we are aware that there are funding available for tribes that have an interest in these projects whatever they may be. But otherwise, I want to say in closing I'm thankful for Keisha and individuals like her helping and trying to support Navajo. We do work quite a bit in terms of almost on a regular basis communicating, sit-downs and all in trying to develop that and how can we better develop that. And then even Mr. Harrison here being on the Navajo site, him and the support that he has.

I guess one thing I should also share is that with my employment with the Navajo Nation, I have been one of the fortunate individuals to actually work with many, many councils. As the administrations, elections have come and gone, I've been in that one key position working with the Navajo Nation Office of Management and Budget for 18 years. So with that, I got to work with many council delegates that have come and gone. And then even the administration, the chairman, the presidents working with them.

But because I as an individual have an interest in ranching and farming, I also am an active member with my community where the little town is called Ganado, Arizona. And there, because of my active involvement, they asked me to serve on what we call a farm board. So I served out maybe three years ago or so at

their request. And again, they asked me again to run for that office. It's an elected position. So with that, I also am active in my community to help them and let them know what's available and constantly - like a broken record - let them know that all these programs are here not only with the USDA but other federal agencies. But I'd like to express and extend that I'm thankful and appreciate this time and opportunity being given to us as tribal members and individuals that have participation with the programs that exist. Thank you.

Dana Richey: It's now 4:00.

Porter Holder: We have one more.

Dana Richey: Oh. Okay. Please give your name.

Cheryl Lohman: My name is Cheryl Lohman. I'm the president of the Numu Allottee Association out of Oregon. *Numu* means the people. It's a Paiute word for the people.

Dana Richey: Could you please speak closer to the microphone so the recording could pick you up?

Cheryl Lohman: Is that better?

Jerry McPeak: That's a lot better.

Cheryl Lohman: I didn't even hear that.

Jerry McPeak: A lot better.

Cheryl Lohman: Our allotments, we have approximately 11,600 acres located out in Eastern Oregon. The bureau has leased our land for the past, well, 200 years for grazing. Our

allotments are drastically over-grazed. Like the lady said, I really appreciated what she's talked about, was the people don't speak out. They don't say much, so that's why we formed our association. Right now what we want to do is take our land back. The bureau just finished their five-year leases, but we're tired of the non-Indian ranchers making money off of our land and we sit back and we get several hundred dollars a year for our land.

It's going to take a lot of restoration to bring our land back to capacity, and I do need to compliment the Natural Resource Conservation Service for helping us. They did some inventory-grazing plans for us which really enlightened us about the lack of services we're getting from the federal government. I would say the Office of the Special Trustee and the Bureau of Indian Affairs, because the Office of the Special Trustee does the appraisals and the Bureau of Indian Affairs I guess implements the regulations.

I'd also like to acknowledge Katherine Goodluck. She's our IAC Technical Specialist. She comes to all of our meetings. She really inspires us. She's like a light at the end of a dark tunnel, and we really need that kind of help.

And like this lady here, the problem is our land is public domain allotments. We are not in the jurisdiction of a reservation so we're kind of like the lone wolf. If we don't

speaking up, nobody is going to speak up for us. But I just wanted to bring to the board's attention some of the feedback we get from the Natural Resources Conservation Service, is that they don't have enough money to provide all the services we need; that they have counties, states, other organizations to deal with and we're like the new kid on the block even though we've been there for several hundred years; that there's not enough money to do what they need to do for us in conserving our land.

With that I will close. I just wanted you to know we're out there and that we desperately need help. Thank you.

Mark Wadsworth: Thank you. Tomorrow at 1:30 we'll be having the NRCS representative give a speech. It's a public meeting here if you'd like to attend that.

Cheryl Lohman: Okay.

Dana Richey: So that concludes the public comment period. The council will now take a break until 4:15 and then we'll pick up the agenda then. Thank you.

Mark Wadsworth: Everybody agree with that?

Leslie Wheelock: I agree.

Female Voice: I agree.

Female Voice: I agree.

Mark Wadsworth: Okay. Tedd, we're going to give you that time.

Dana Richey: Tedd, what I was thinking we would do is have you give your presentation during the working session, and that's I think in about half an hour. It would be at about 5:30 PM.

Mark Wadsworth: Dana, if you could continue on.

Dana Richey: The next item on the agenda is -- I'm sorry, it is the working session. Excuse me. It is titled the Working Session. But let me begin the report out on several items that are listed on your agenda. The first is the reauthorization update. I know this was a particular interest to Gilbert Harrison who is in the back of the room. But let me --

Jerry McPeak: No, he's not. He's not back there.

Dana Richey: He's not? Okay. Anyway, I know this was a recommendation from the council previously. The recommendation, by the way, stated that the council wanted it to be reauthorized indefinitely. One thing I wanted to point out is that FACA rules prohibit an advisory council from being authorized indefinitely or reauthorized indefinitely. It does have a two-year maximum period.

Now the status of the current council, it does expire on April 28, 2016. Leslie and I are working on a draft decision memorandum for the Secretary of Agriculture as to whether the secretary would like the council to be reauthorized. Once we

have a decision from the secretary as to whether the council will be reauthorized, then what I will do as designated federal official is to follow the procedures that are established by USDA and the General Services Administration to have the council reauthorized. It is about a four to six months process to get the council reauthorized. I have the exact steps if anyone would like to hear that, but I won't go into that level of detail here unless you have specific request. Mary.

Mary Ann Thompson: Thank you, Dana. I guess the question is how far along are you in that four to six weeks to reestablish.

Dana Richey: It's four to six months.

Mary Ann Thompson: Which April is coming up in the next four months down the road, so where are you in the process of getting the council recommendation --?

Dana Richey: We're at the very beginning stage of that process - and that is, as far as CNAFR, the way it's arranged is that it reports of course directly to the Secretary of Agriculture with its recommendations and then the appointments that he makes to the council. So therefore, it is his decision as to whether the council will be reauthorized. We are drafting that letter now and we'll be submitting that to him in short order.

Mary Ann Thompson: I guess because that recommendation has been there for a little while, I would have it has gone further in that process, further down the road. Thank you.

Mark Wadsworth: Derrick.

Derrick Lente: Thank you, Mr. Chairman. Derrick Lente from Sandia Pueblo. I guess a question in regards to the reauthorization for this council. What's the budget to operate this council? Is it terms of just travel or are you paid as well from the program?

Dana Richey: Am I paid for the program?

Derrick Lente: Or whoever. Is someone paid?

Dana Richey: No. I work for the Farm Service Agency. I'm paid out of their salary and expense budget. Leslie, do you want to address that specific question?

Leslie Wheelock: Yes. There is no budget for the council. There is no authorization for spending for the council. We walk around the Department of Agriculture with a hat in our hand and ask for money. I asked for an authorization and was told that, A) there wasn't one, and B) that we were probably better off the way that we are without one because if our expenses fluctuate upwards we could be limited by the authorization that we are given. The expenses that we have cover all of your travel per diem, the daily rate that we pay, as well as the hotel expenses,

the room rates for places like this, the transcriptions, pretty much everything connected to the council.

We are authorized also to charge our travel against it, but we don't. We pull that out of different places in order to make sure that we have as much coverage for the council as possible. And Josiah, I'm going to have to ask you how much approximately we budget per meeting outside of Washington, D.C. Do you recall?

Josiah Griffin: Per John's [phonetic] notes in the charter, it's estimated at \$35,000.

Leslie Wheelock: So we try to get \$35,000 to \$40,000 per meeting. We have some agencies within the Department of Agriculture that are very supportive of the council, and they provide the funding for the council.

Derrick Lente: A follow up to that. If you're going to ask for reauthorization for this council, will the stipulations be the same as they are now in terms of where we have to have meetings at - for instance in Washington, D.C. - or would there be more flexibility in terms of being able to take the show on the road, so to speak, and actually get out to native country?

Leslie Wheelock: I don't recall actually that the charter requires that the meetings be on the road or in Washington, D.C.

Where we decide to have meetings is not a function of the charter.

Derrick Lente: I always thought that we had to have a meeting in September or March in Washington, D.C. or one of the places.

Mary Thompson: I remember that too.

Porter Holder: That's so we can have access, supposed to be, with all of the USDA's programs right there.

Dana Richey: Following on with what Derrick Lente was just saying, I am in the process of reviewing the charter for edits. So if any member would like here and now or by email or phone to reach out to me with some questions or suggestions about changes to the charter, I would love to hear from anyone with their comments.

Leslie Wheelock: I have a follow up. There is nothing in the charter right now that states that we need to have a meeting in Washington, D.C. It has been historically scheduled in September to have the best access to the USDA's staff that we can get. I know that, but beyond that there's not a stated reason or requirement to have our meetings in Washington. This is Leslie.

Mark Wadsworth: Gilbert.

Gilbert Harrison: Excuse me. This present council, when is our term over?

Dana Richey: The term of the council members expires at the same time as when the council expires, and that is April 28th, 2016.

Gilbert Harrison: April 28th, 2016. Wow.

Dana Richey: Any other questions?

Gilbert Harrison: The question I have is that, you know, these are two years' assignments. But we got so late into the last term, I mean the last cycle, now our term is going to be over early. It looks like there were only 18 months or so assignments instead of two, I think. We should take a look at that and say, okay, is it two or is it whatever USDA decides. Thank you.

Leslie Wheelock: Josiah.

Josiah Griffin: This is Josiah Griffin with the Office of Tribal Relations. Based upon the current charter for the Council of Native American Farming and Ranching, council members are allowed - and by council members, at this point I'm referencing to non-ex-facto members who will be the tribal members - up to three terms which equal six years. Up to this point, all but two members have served two terms, meaning that assuming that the council is reauthorized, any currently standing member is able to reapply. Thank you.

Mark Wadsworth: Angela.

Angela Peter: When is the application or --?

Dana Richey: Once we have the decision back from the secretary and assuming that the secretary asks us to proceed with the reauthorization of the council, there are a couple of things that I will undertake simultaneously. I've actually already begun some of the paperwork for that. One is review of the charter to see what edits we may want to make to the charter. The second thing is the application process. So simultaneously we'll be releasing the *Federal Register* notice asking for applications. It's 45 days that the *Federal Register* notice is published and then applications are due.

As I was suggesting, I'll be doing a couple of things simultaneously. One is to get the charter reviewed not just by the Office of Tribal Relations and myself, but also people within the department. And then once we have the charter such as it's finalized, we have to publish in the *Federal Register* notice that the council will be reauthorized. Then 15 days after that, the charter is submitted to the Library of Congress. That is the filing date. When the Library of Congress receives the charter, that is the filing date. So that charter will be then presumably in existence for two years. If the secretary asks us to reauthorize for two years, then the charter will be in place for two years.

Simultaneously, that *Federal Register* notice will be published requesting applications and that you have 45 days to submit an

application. And then the review process by myself and I imagine people from the Office of Tribal Relations and probably agencies from the USDA will come together to review applications. There is a vetting process that has to happen, security clearance vetting. And deciding who the next members will be, that slate will be recommended to the secretary for his consideration.

Angela Peter: Thank you.

Mark Wadsworth: Sarah.

Sarah Vogel: I just wanted to point out Section 5 of the bylaws operating procedures. It does say meetings will take place in Washington, D.C. area. However, they can pick a place outside.

Leslie Wheelock: That's pretty ambiguous, isn't it?

Mary Ann Thompson: We could go there.

Sarah Vogel: If the DFO finds there are compelling reasons to do so. I think this is a compelling reason to be here.

Mark Wadsworth: Yes, Angela.

Angela Peter: I think there should be a reason to have it in Alaska.

Mary Ann Thompson: What's the compelling reason?

Angela Peter: Because it's beautiful up there.

May Ann Thompson: I second that.

Angela Peter: If we're going to get reauthorized, I'm applying for the job.

Male Voice: Summer meetings, please.

Dana Richey: Are there any other comments or questions regarding the reauthorization process?

Sarah Vogel: You told us about the different periods of time. If the secretary were to authorize it say next week or January 1, when is the earliest the council could be established? I mean with people coming to a meeting.

Dana Richey: The goal would be to have it place by the expiration of the current charter in terms of the council.

Sarah Vogel: But to meet?

Dana Richey: To meet, I'm not sure. Well, we may be having a meeting in March. And I right? There has been some discussion about having a meeting in March. I think John Lowery was pursuing a meeting in March.

Leslie Wheelock: I think the next meeting, I don't know if this is a good time to talk about it, but we have to plan something before the expiration so that it's on the record so maybe get the *Federal Register* -- sorry.

This is Leslie. We have to plan something that occurs prior to the expiration so that it's on the records. We can get the *Federal Register* filed and make sure that everybody who wants to attend can attend.

Dana Richey: So in answer to your question then, Sarah, having a meeting in April so soon after March may not be what we would want to have.

Sarah Vogel: Right. So if this group met in March, then when would the new council be seated and potentially have a meeting?

Dana Richey: I think being sensitive to the comment that Gilbert Harrison made earlier about -- I wasn't the DFO then obviously, but I want to be sensitive to the point he was making, that there was maybe six months or so delay from the time when the slate was seated until there was a first meeting. So with council consultation, then I imagine that I or whoever the DFO is and the Office of Tribal Relations would endeavor to get something scheduled sooner. Is that too ambiguous for you, Sarah?

Sarah Vogel: Yeah.

Dana Richey: It's hard for me to project and answer you definitively.

Sarah Vogel: It just seems to me when you're running through you have to get this approved and then you have to go here and there, that when we add up all those different timeframes and allocation period and all of that, you're talking probably six months and that's what I'm trying to verify. Because I didn't make all those notes and add all that time up.

Dana Richey: It is approximately four to six months.

Mark Wadsworth: Yes, Gilbert.

Gilbert Harrison: Gilbert Harrison from Navajo. I have a question here. We talk about reauthorization. But from what I understand, it was part of the agreement that the council be formed. So why do we have to have it reauthorized? I mean if it's part of an agreement which a judge signed, then there should be no question about reauthorization. It's a done deal. Thank you.

Sarah Vogel: I can answer that, Gilbert. The settlement agreement provides it shall be in effect for five years. The fifth year is up in 2016, and that means I think actually the secretary gave us a year's grace. I think he allowed a year extra. Right now it's up to USDA. But I think that from the standpoint of an attorney, the Keepseagle case and USDA, in the negotiation we were envisioning what council actually could do. I think it has done a lot of good. If the goal is that USDA wants to remove barriers to Native American participation in the long run, then I think this council is a very good vehicle. I think we had passed a resolution to that effect before. Even though the compulsion isn't there anymore, the hope is that the secretary will - at least before he leaves office - give it another two years run at least.

Gilbert Harrison: Thank you, Sarah.

Mark Wadsworth: I guess this is a question on your fact. As part of that four-year agreement through the court judgment, did you have to reauthorize our FACA every two years that's dated in here?

Dana Richey: Yes, that's right. It was reauthorized in 2014.

Leslie Wheelock: I do have a recommendation for change. I'm afraid that I'm not even looking at the bylaws. I'm looking at the charter. The statement of the charter is that members shall be appointed by the secretary and shall serve no longer than six years. I think that there might need to be an accommodation recognizing that the term of the second appointed council is less than a two-year term given the expiration of the council and the need to reestablish it. So we may need to find some language in there that accommodates that term and also match it up with the six years. It may be that there is an exception that we have to write in order to accommodate that. Thank you.

Dana Richey: Thank you, Leslie.

Mark Wadsworth: So Leslie, if we have this occur, then I imagine our term will be extended until September when we first started.

Leslie Wheelock: If you're imagining that, I'm going to have to imagine the answer. What we're trying to do is to make

sure that we live up to the original expectations. If we have to make some modifications to this to do that, we'll do that.

Male Voice: Will those modifications have to go back to the judge?

Leslie Wheelock: No. They're part of this package that we're putting together.

Mark Wadsworth: Do you have anything else, Dana?

Dana Richey: Not under reauthorization update. No. The next item is the recommendations status review. Leslie, is that something that you wanted to speak to?

Leslie Wheelock: Tag 21 is the list of recommendations that the council has formally made to the secretary, the current status, the date of resolution and additional notes. The one request that I have is to move those items that we believe have been completed to the end of the stack so that they're no longer on top but so that they stay on the record. Thank you.

Dana Richey: I also like to do an update on the status of recommendations that were made in March and September's meeting. That letter has been drafted for signature by Mark Wadsworth and is currently under review by him for his signature. When we have those edits, we'll incorporate them and provide a final letter back to him for signature. I believe, Mark, you told me that you wanted to then circulate that within the council for review prior to your signature.

Mark Wadsworth: Yes. I have to apologize, I was very ill last week. Actually, that timeframe I was just sick. I was in bed so I couldn't review it, but I'll get it done as soon as possible.

Dana Richey: The letter, I mean it takes essentially verbatim out of the public record what the recommendations are from the council. But I believe what Mark intends to do is to add some additional language related to one or two or maybe more of the recommendations. That would provide additional background information to the USDA secretary.

Mark Wadsworth: And I guess if you guys would like, I brought a copy of that. We could distribute copies if you want tomorrow.

Dana Richey: Will you have your edits ready tomorrow?

Sarah Vogel: What numbers are those?

Dana Richey: Those are the items where the date of recommendation is March and forward. That would be beginning with number 25.

Sarah Vogel: I have up to 25. If I just shuffle this one and --

Dana Richey: Are you within the page?

Sarah Vogel: Yeah.

Dana Richey: It's on pages 12 and 13, and in the back of page 13 which is 14.

Sarah Vogel: I'm missing pages 13 and 14.

Dana Richey: Is anyone else missing those pages? If you are, let me know.

Mark Wadsworth: I guess one of the things, as I was reviewing the letter, was to try to beef up a little bit more language on item number 27. Item 27: The secretary discussed with the BOI secretary to have the BIA allowed the use of double cropping. I don't have any problem with that - current - but I would like to strengthen it more. I guess we need to get down to where we have BIA and USDA talking on the same language. And we need to get some sort of strategy or some sort of plan available that gets these two talking on the same page in Indian Country. I would just like to beef that up more as a recommendation in addition to the double cropping issue. Yes, Jerry.

Jerry McPeak: And follow up to that, the fact that they discussed it than do anything, if they discussed it and came to conclusion, that does something for us. But I say my impression that they agreed; they came to a conclusion there was nothing that should be in there. So if that's what we say they discussed, they go out there in the farm, out in the -- [indiscernible] say, well, they discussed this. So what, it doesn't mean anything to me.

Mark Wadsworth: Yes, Mary.

Mary Ann Thompson: Thank you. I'm wondering if some of the programs that are immediately affected or should be included in this such as Forest Service or NRCS or whichever program is this going to affect, that they be a part of it at this point - from the beginning. Thank you. Okay. My suggestion then would be to include the other programs affected by this.

Dana Richey: This is part of recommendation number 27, Mary, that you're referring to?

Mary Ann Thompson: Yes, the double cropping issue.

Dana Richey: Yes. Thank you.

Mark Wadsworth: Sarah.

Sarah Vogel: I guess I'm just a little sad that the council is operating under such a slow calendar in terms of getting these recommendations in. I know about a year ago we were unhappy with the secretary taking about six months to get back to us on a recommendation. Now, it's taking us I think an excessive period of time. It's not because you were sick last week, Mark, but something is wrong with our workflow that we would adapt resolutions at a meeting and that they not conveyed to the secretary within a short while. I'm not trying to find blame or anything, it's just I think this is a problem that we need to address in terms of the operation of our council.

Mark Wadsworth: Yes, Gilbert.

Gilbert Harrison: Gilbert from Navajo. There are a number of our recommendations which says "in progress" and have been in progress for a while. Do we have any idea when some of these things may be resolved? Is it non-resolvable? They can be. So it's just for information. And then maybe the organization of this chart, the completed one, should be at the back section so we just go right to what's still outstanding. Thank you.

Mark Wadsworth: I believe, Leslie, you were mentioning something about having the completed moved to the bottom of the stack. Or what was it you were reading?

Leslie Wheelock: Right. This is Leslie. Aligned with what Gilbert just mentioned, I think that we should move the completed ones to the bottom of the stack. I think the other couple of comments; we lost some history when John left. We've got to figure out how to bring some of these back on track, as well as our letters of recommendation, one of which I was under the wrong impression that it had already gone out. So I apologize for that. That's my fault. But I think that we have the in-progress items on here. We're going to have to track them down and pull those back together again. We will do that before the next council meeting. Thank you.

Gilbert Harrison: Thank you.

Dana Richey: If there's nothing else on the tracker, the last administrative item that I wanted to point out to the

council, I didn't receive any comments on the minutes of the September meeting, the September 2015 meeting. Several of you, I believe, wrote to me or called me to say that you were planning on reviewing them. You'd have it done by this meeting. If you do have any changes, please let me know as soon as possible. My intent is if there are no changes or I can get those changes from you this week, I'd like to work with the Tribal Relations office to get the transcripts posted to its website next week.

Mark Wadsworth: Sarah.

Sarah Vogel: I think I shared this comment with you the other day, is that when it's everybody's business, it's nobody's business. So maybe there could be a rotation, rotating assignment to a person saying you're the designated here to review these very lengthy minutes. But I know that I looked at it and I did once or twice in years past, but I didn't this time. I think one of us needs to be assigned, and then if questions come up like who is the unnamed man or who is the unnamed woman who said something, then we could just send the question out on that. But again, I think that's something in the operations side that we need to address. Because minutes like this, I don't have trouble reviewing minutes and I go to many meetings that last for two days. But the minutes are a page-and-a-half long because they cover the topics that are

talked about, they cover the resolutions made, and then they wrap up and it's like two pages long. Those are the minutes. Those are the actions taken. In our case, this is like a transcript.

Dana Richey: It is a transcript.

Sarah Vogel: Is that required?

Dana Richey: Yes, a transcript is required by FACA rules. By the way, this is Dana Richey speaking. The transcript was over 300 pages from the September meeting. I did review it word-by-word and line-by-line, and I know it took me actually a couple of weeks to do that because I did it when I wasn't doing other things. But one thing I did - and I circulated this by email and if you haven't seen it, I'm happy to send it out again - as I was reading through the transcript line-by-line, I made a record of every action item that an agency member/speaker committed to provide an Internet link information to research something that a council member ask or a question that a council member had has been recorded in here. I know it's not a page-and-a-half, but I did record more than 20 action items which is about ten pages. But it's a table. It's very easy to read. What I've been doing then is going through each action item and noting which agency speaker is obligated to respond to that action item. If it was something that was requested by a tribal member, if you will, in passing and maybe during our working

session and not when somebody from USDA was speaking but they said, you know what, I'd like to have more information on XYZ topic, I put that in here. So I've been identifying people at various agencies in the department who have responsibility for that particular topic or area or program to nail down who can respond to that. I am working that list so that each action items, each of the 20-odd action items from the September meeting do get addressed.

I mentioned earlier that we had Arthur Neal speaking today, because that was actually an action item that came out of the September meeting. Someone wanted to know, in fact, I think it was Mary who wanted to know about Group GAP. So Arthur didn't speak at length about Group GAP, but he did have a handout that's in your binder about that. He did say that that training would commence in April. And other speakers, including Barry Hamilton who will be speaking tomorrow from NRCS, that is a result of the action item list that came out of the September meeting.

Sarah Vogel: That's good. It came with our materials. My material came last week. So if we wanted to follow up, I'm just saying that we don't have a secretary but maybe we should draw straws and see who gets to review the minutes. The minutes came up pretty quickly, but none of us reviewed it. So I think this is something we should address because now the world at large

isn't going to be aware of what we did at our meeting. The secretary hadn't received the recommendations for some time. We're on the edge of dysfunction.

Mark Wadsworth: Yes, Angela.

Angela Peter: Can I make a recommendation? I don't know if this is something that we can do, but can we make like regular legal minutes with all of the motions and all of that stuff and then have a transcript follow? So people could actually see that this is what we did, but here's the legal document to back it up.

Dana Richey: This is Dana Richey. Are you suggesting that it just be the two or three or four or five recommendations?

Angela Peter: Any action items in minutes. Any legal action is supposed to be in your minutes. I was the tribal secretary, so I mean that's all in our minutes. We don't put anything else, just the action items and that's it.

Jerry McPeak: You're saying that we don't need to go back and be informed about what we said during the whole meeting. You just want to know what the action items are.

Angela Peter: Well, have them first to see this is what happened, the actions that were taken. We called the order. We did the roll call. We did this action. We adjourned. And then do the regular transcript after.

Sarah Vogel: And maybe it should be a negative option. If people don't get back to you within ten days, bam, it hits the public record and so be it. It's better to have it hit the public record in an inaccurate form or not totally 100 percent vetted by all of us than to not have it yet for -- when was our last meeting, September? So I guess that's three months.

Dana Richey: This is Dana Richey. Let me repeat back to you what I understood that you would like to see. What you want is minutes that reflect the roll call at the start of the meeting, any formal recommendations made from the council to the secretary, then the specific action items, and then the adjournment. So that will reflect, if you will, a summary.

Angela Peter: Yes. I don't know if that's what some of you want to do, but that would be something at least if we're going to do this --

Dana Richey: I'm happy to do that as long as I am clear about what it is that you would like. The reason that I came up with this table of action items -- and I have been a secretary of councils before, not FACAs but other councils that exist within USDA of USDA employees on topics. But it's not a transcript that goes 300 pages. My point is that trying to summarize a 300-page transcript into minutes that reflect who said what or digest what was discussed would be difficult, I think. What I can do is what I just replayed back to you.

Angela Peter: That's exactly what I was talking about. You just follow the agenda and all the action items you put on there.

Dana Richey: I'm happy to do that.

Leslie Wheelock: The additional thing is possibly instead of going through doing the condensation that you did which I find very useful, but those minutes have to be read and they have to be edited and corrected for spelling and name errors and things like that the transcriber doesn't hear. That's not the job of the council members. That needs to be done by us.

Dana Richey: Yeah, I did do that as I read the transcript. With something I thought was unclear, it wasn't known who was saying what. I did go through that for that kind of review.

Sarah Vogel: This is Sarah Vogel. So for this meeting, for example, you will not be sending us the transcript for review but rather just sending us the minutes.

Dana Richey: If that's what you want.

Sarah Vogel: I think that would be speedier.

Angela Peter: And at least you could send the transcript with the option - sorry, this is Angela - to read it. You know what I mean, at least the general gist of what we did is agreed on.

Leslie Wheelock: My perspective of that actually allows us to make the flow better and move faster and keep track of things

better. I think it's well to take that under advisement. Thank you.

Dana Richey: As the DFO, I would be more comfortable sending you the minutes and then the transcript as well, and then you have the option reading one, both or none.

Mark Wadsworth: All right, I think we got that settled. Before we go on to the next one, Kathryn wants to -- will announce that.

Gilbert Harrison: Uh-oh.

Kathryn Isom-Clause: It's not bad news. It's good news. This is Kathryn Isom-Clause. And I would like to introduce my colleague, Tana Fitzpatrick. She's a senior counselor in our office. She will be joining the council, taking over my role that I've had here with the council. She's going to observe today and then take over fully tomorrow. We've had some new staff join our office. That was after period of us being very understaffed, so we just shifted things around, nothing bad with the council. I loved my time here. It's been great to join the council and come to meetings, and I've learned a lot. But if you want Tana to introduce yourself a little bit, if you have time?

Mark Wadsworth: Yeah, that would be fine.

Tana Fitzpatrick: Hello, council. My name is Tana Fitzpatrick. As Kathryn stated, I just started as senior

counselor to the assistant secretary. I think starting tomorrow, right, I'll probably take over. But it's good to be here. I'm happy to assist in any way that's possible. I'm originally from Norman, Oklahoma. I'm Sioux, Crow, Ponca and Chickasaw, enrolled with the Crow tribe. I came to D.C. by way of Phoenix, so a little close to Phoenix being Vegas. But it's good to be here. Any questions, I'm happy to answer.

Jerry McPeak: From where are you?

Tana Fitzpatrick: Norman, Oklahoma.

Jerry McPeak: Norman?

Tana Fitzpatrick: Yeah.

Jerry McPeak: Oh, God.

Tana Fitzpatrick: I'll take that as a compliment.

Jerry McPeak: Mark, I'd like to point out that at Norman, they've got a place there. If you can't get in to college, you can go to school there.

Tana Fitzpatrick: I didn't go to school there.

Female Voice: Oh, my God.

Kathryn Isom-Clause: Tana, welcome to the council.

Mark Wadsworth: Go ahead, Gilbert.

Gilbert Harrison: Thank you very much, Kathryn. Again, I think the reason we invited the BIA to sit in on this council is because it's almost you have to be here, the BIA. Because many of the projects we talk about and also the land, because there's

a trustee, you guys have the signature through your authority on many of the things that can happen on trust lands. In fact, even a lot of lands. So I think it's very important and we appreciate your presence. I hope we can continue this. I think somewhere along the line we would like to have your boss to come sit down with us.

Jerry McPeak: Which one?

Gilbert Harrison: Instead of sending his lieutenants in here and the corporals out here. We ought to have the general here just to say hello. Because I think we all agree that it is important, and that we do have a working relationship, and that we do coordinate in a lot of things. I almost say a lot of things about BIA, but with due respect I hold it back. Thank you.

Mark Wadsworth: I think we're very much [indiscernible]. Where is this place at tonight?

Leslie Wheelock: Oh, tonight at the restaurant. Excuse me, Mr. Chairman. The restaurant they're attending tonight is Carmine's, C-a-r-m-i-n-e-'s. The restaurant is in Caesars Palace, The Forum Shops. It's across the street. The easiest way to get there is to walk down to Margaritaville and take that stop light, that cross-walk. As you cross the street, you head a bit to your right. If you look up, you'll see something that says The Forum Shops. Enter there. You will have to go

upstairs from that entrance, one flight. Then just walk down the hallway, you'll see it. It's got a great big black and white sign out in front. The party by the time I get there, I hope, should be registered under either my name or USDA. We've got right now a reservation for 12. Thank you.

Jerry McPeak: Mr. Wadsworth.

Mark Wadsworth: Yes, Jerry.

Jerry McPeak: Will we be having statements or general, yeah, statements tomorrow? Is there a time for that that we're supposed to like wind down?

Dana Richey: Yes.

Jerry McPeak: Yes? Okay, good.

Mark Wadsworth: The gentlemen, today, from USDA Rural Development got through the first half of the presentation and he would like to share the other Value Added Producer and RUS.

Tedd Buelow: Where are you going, Jerry?

Jerry McPeak: Yup, if you're going to talk [indiscernible] one day.

Tedd Buelow: I don't blame you. Tedd Buelow, again from Rural Development, I'm going to keep this as short and sweet as possible. I want to thank you for your patience, and your perseverance and stamina, and your dedication. Doggedness might be a good word. You guys have been here a long day, and the council has been going for five years now. Don't forget how far

we've come. Things move glacially sometimes in a day's time at a FACA meeting, but as an organization, as a department, you have moved us.

I did want to talk quickly about the Value Added Producer Grant because I think it provides a good example of how input from tribes, from tribal producers, from tribal leaders did help move us. As being the Council for Native American Farming and Ranching, most of your business is farming and ranching. Very little of what Rural Development does is actually farming and ranching, so I appreciate the opportunity to tell you about our other programs which can help support your tribe, your economic development, your business development, and other enterprises on your reservation or back home wherever you might come from. In Alaska.

So the Value Added Producer Grant, if you don't know, about four or five years ago we were doing zero tribal grants every year. In Fiscal Year 2011, there were zero tribal value added producer grants. In 2012 there were zero tribal value added producer grants. We had done some consultation with Janie Hipp after the 2008 Farm Bill and, as Dr. Leonard knows, our Value Added Producer Grant was changed to drive more grants to socially disadvantaged producers, farmers and ranchers.

After that consultation, we made some internal changes. One of the things that was brought up earlier is, you know, you've got

all these regulations that you implement out of law. And sometimes, our staff forgets what's regulation and what's statutory and nothing changed in our Value Added Producer Grants specifically to tribes. But with our leadership's help, with the Office of Tribal Relations' help, with Ross Racine's [phonetic] and IAC's help we found a path for tribal eligibility in the program. Now actual Native American farmers and ranchers, if you're growing a commodity and you want to add value to that, you're pretty much eligible for the program straight up.

But where your tribes might be operating a farm and ranch enterprise, that's where we really open the window a little bit. I want to share the story just to show how you can move an agency. By no means are we aware we need to be yet at the Rural Development, but we can always do more. So 2011, zero value added producer grants that were tribal, in 2012, the same. In 2013, we provided guidance to our staff, which was long. In the government, we hardly are very short in our written guidance. It was like six or seven pages but explained how we could work with tribes directly. We did three value added producer grant with tribes that year. So that was 2013.

In 2014, we got the number up to five, and a lot of that came through instructions to our staff. But working through the technical assistance network, the IAC Technical Assistance

Network, that really helped because they're on the ground working with tribes and tribal producers directly. This last year, the situation got a little bit better, we did ten. So ten out of the entire number of value added producer grants that we do is not a huge number, but ten is a lot better than zero. It's better than three and it's better than five. So it's one small example. The Office of Tribal Relations and their staff were involved. Tribes around the country were involved in helping us clarify how we could work with that particular program, and there will be another bite at the apple by the end of this year, once again both tribally-owned and operated enterprises and the individual ag producers back home.

The only other way that the Rural Development really has a touch with the ag producers directly, individual ag producers, is through our REAP program, the Rural Energy for America Program, where we can help ag producers with renewable energy systems or energy efficiency improvements to help them keep more of their money within their operation. Both the Value Added Producers Grant and the REAP program have a weak flank, I would argue, in that the most that the REAP grant can help you out with is 25 percent of the project cost. Value Added Producer Grant, same thing; it's a dollar for a dollar match. We can help with up to 50 percent of the cost. But for low income folks, low income producers who might not have a lot of cash on hand, that really

is an ongoing issue. So the agency, Rural Development, has been trying to work with as many not-for-profit lenders, community lenders and other organizations like tribes to help producers get that match so that they can pay for those improvements. Because without that other stakeholder support, the producer themselves have to pay for that match.

We also have business programs. I'm going to pretty much stop there, Mr. Chairman. Our Rural Business Development Grant Program is a really good program for tribes and not-for-profits to utilize alongside your ag producers, to help create jobs, to do more trainings, to help create more businesses maybe to process those commodities that ranchers or farmers might be producing back home. But really, that's a tribal program. What's nice about the Rural Business Development Program is it has set aside for federally recognized tribes, which is about \$4 million. Last year in that program we did more than double that, over \$9 million. So you don't have to limit yourself to the tribal set aside, but really that's for your tribal leaders back home and the not-for-profits you're working alongside with. So I'll stop there. I want to thank the council again for giving me the opportunity to speak. I don't want to stand between anyone and Carmine's any longer. It makes me very uncomfortable.

Leslie Wheelock: Carmine's is not until 7:30, by the way.

Mark Wadsworth: Joe Leonard.

Joe Leonard: Tedd, could you mention Community Facility Grants?

Tedd Buelow: Certainly. I was rushing, but I do appreciate the opportunity to talk about the Community Facility Grants too. Our Community Facility Program is a very large loan program, but we also have approximately about \$20 million to \$25 million worth in grant authority each year. Tribes, in particular Choctaw Nation, Porter, school systems that have put in community gardens have been able to pay with a lot of the equipment for those community gardens. What's nice about that is right there next to the school where Choctaw kids are going to school, they're learning how to garden. It's really cool the last couple of years because in part, through the Promise Zone designation there, we've been able to step that up a little bit. Those types of projects no matter where you're at, in Indian Country or Alaska, can be used for essential community facilities. It can't go for ag production. But if you're offering a community service, they're a great resource. The reason, they're usually used for equipment, it's because the grants are customarily like \$30,000 or less. We do very large loans helping tribes build hospitals, tribal admin buildings, tribal schools. Warm Springs Tribe in Oregon just built a K-8 school with the program. But to Dr. Leonard's point, the grant

is pretty small and usually used for equipment for large range of community services.

Porter Holder: Porter Holder, Choctaw Nation in Oklahoma. I want to comment on that. I've seen that and I've seen the kids in community gardens. When you see that, it makes it all worthwhile. I mean that's no longer about us. It's no longer about me. It's about them. I mean we're teaching them. So when you see something like that, when you see that progress, and you see them kids, then I realized, you know what, maybe we are doing something. Maybe we are making some changes. So thank you all for what you do and look out for us.

Tedd Buelow: You're welcome. Thank you.

Mark Wadsworth: Mary Thompson.

Mary Ann Thompson: Thank you. I appreciate the handouts that you put in here. And I like these actually. They're simple and they're informative. But the one question I haven't found here - the answer - was are any of these programs that you just mentioned, the projects that you were just talking about, are any of those funds block grants that are channeled through states or they all -- like the organic whatever it was grant. Golly, it's 5:00 now. My brain's dead.

Tedd Buelow: I get your question, Mary. This is Tedd Buelow again. The Rural Development has its challenges. Dr. Leonard can tell you about them. You all know them quite well.

But one of our challenges is our money does not run through the state. That is now the challenge that we have with tribes. So we're very fortunate that we can work directly with tribes. We can work very directly with tribal enterprises. We can work directly with tribal not-for-profits. And we can work directly with tribal members. None of Rural Development's funding funnels through a state. Municipalities are eligible for some of our programs, but tribes themselves don't have to go through municipality or a state or any other government to access our programs.

Mary Ann Thompson: Thank you. I'm glad you could read my mind.

Joe Leonard: Let me add one thing -- Joe Leonard. The Community Facility Grant is extraordinary. The loan portion is extraordinary because you're looking at 4 percent, 4.5 percent, 5 percent, sometimes 3 percent loans over 30 to 40-year notes. So if you want to do a city hall for tribal governments or dorms or what have you, it's a very good note. Some of the times on the grant side, you may hit \$50,000 to \$100,000 on the grant side and then 1.1 on the loan side.

Mary Ann Thompson: And those two could be used together?

Joe Leonard: Yes.

Mary Ann Thompson: Cool.

Tedd Buelow: Yeah. And I think the current rate is 3.75 percent?

Joe Leonard: That's exactly 3 [indiscernible].

Tedd Buelow: Which will go up again at the end of the calendar year or could go down, but all signs point up at this point. We'll see. But it is a very affordable deal once again for your tribe to borrow money. And tribes a lot of times will - you don't have to fork out any cash - they'll bring in other resources and save money on leases, pay for the debt service, and actually own and operate the facility themselves. We've seen a pretty good uptick in that program over the last six or seven years. The program itself, the loan program, has doubled in size because the loan portfolio is performing very well. Congress likes it when they don't have to appropriate anymore and all of a sudden you have \$2.2 billion available or worth [sounds like] rather than the billion dollars we had just a few years ago. I think taxpayers like that too. It's good governance.

Leslie Wheelock: This is Leslie. Just a follow up comment and caution, our lingo within USDA is to talk about our folks as state directors and state conservationists. So you might hear somebody tell you to go talk to your state RD director. Not just tribal people but a lot of people around the country think that we're sending them to a state office, when in fact, what

we're trying to do is to ask people to go to the Rural Development director for their state. That shorthand gets confused. A lot of our tribal folks had come up to me and said I don't want to go to the state. So what we try to do is to make sure that we make it very clear that even though our language won't say it, it's actually the Office of Rural Development that is responsible for your state. Thank you.

Mary Ann Thompson: And to follow up though, there is no change there. There is a state con and there is a state RD. So they're two separate --

Leslie Wheelock: Right.

Mary Ann Thompson: Thank you.

Tedd Buelow: One difference is the state conservationists are not politically appointed so they will survive. You guys probably all know that. The RD and FSA ones will change. But that means you have a direct line to leadership with your state director. It's very effective to build a good working relationship with your state FSA executive director, your Rural Development state director and your state cons because they're part of the executive leadership team of the agencies.

Mary Ann Thompson: So those are very good people to know, huh?

Tedd Buelow: Very good.

Mark Wadsworth: I guess, want to adjourn? Anybody want to make a recommendation? Are there any more questions? Sarah, did you have a comment?

Sarah Vogel: No. I was going to add a comment that so many times I've seen the state director, RD, standing in front of Tribal College building holding some great big check that indicates the loan. I mean I think half of the newer buildings - North Dakota, South Dakota and elsewhere - tribal colleges are thanks to RD. So it's a terrific program for those purposes, so hats off.

Tedd Buelow: Thank you. And to your point, there also is a set aside for tribal colleges every year. You have to be a 1994 land-grant institution, but Rural Development gives about \$4 million in CF grants which is pretty much equal to your economic impact initiative grants for the whole country. Those grants tend to be larger, between \$150,000 and \$250,000. But they go directly to those colleges. So you'll see a lot of infrastructures. Really, Rural Development administers the funds, but thanks to Congress for continuing to appropriate those funds specifically for those colleges.

Sarah Vogel: I now move for adjournment.

Porter Holder: I second.

Mark Wadsworth: Moved and seconded to adjourn until tomorrow at 8:30.

[Off topic conversation until end of audio]