

**TRIBAL CONSULTATION MEETING  
USDA FOOD & NUTRITION SERVICE  
MOUNTAIN PLAINS REGION  
RAPID CITY, SD  
JOURNEY MUSEUM  
JANUARY 24, 2007  
12:00 noon – 3:15 p.m.**

In attendance: USDA – Nancy Theodore, Darlene Barnes, Darlene Sanchez, Roberto Salazar, Don DeBoer, Sarah Holmes.

TRIBAL - Floyd Brings Plenty, Patti Carry Water, Roberta Harris, Patsy Valandra, Robert Moore, Jo Colombe, Beatrice Whiting, Charles “Red” Gates, Theresa Lofton, Kenny Chapman, Joe Blue Horse, Brenda Oyloe, Lester Thompson, Linda Freeman, Stephanie Sully, Jesse “Jay” Taken Alive, Forrest Farris, Carl Walking Eagle, Ron Allery, John Steele, Bob Walters, Suni Felter, Mary Greene-Trottier, Don Garnie, Delbert Comes Flying, Randy Marks, Bonnie Ghost Dog, Cyril Scott, Charlie Langdeau, David Pourier, Craig Dillan, Kim Clausen, Gloria Goodwin, and three additional Oglala Sioux Tribal attendees.

Speakers: Darlene Barnes, John Steele, Lester Thompson, Carl Walking Eagle, Robert Moore, Roberto Salazar, Charles “Red” Gates, Nancy Theodore, Joe Blue Horse, Mary Greene-Trottier, John Dasovick, Jesse “Jay” Taken Alive, Gloria Goodwin, Bob Walters, Patti Carry Water, Roberta Harris, Jo Colombe, Forrest Farris.

\*\*\*\*\*

Barnes: We will go ahead and get started and I will ask Mr. “Red” Gates to introduce Jesse first.

Gates: Thank you, Darlene, and good morning everyone and you don’t know how pleased I am to see all of the tribal leaders here. It makes me feel proud of our, of our region that all of you could take time out of your busy schedules to be here with us. Um, at this time, I’d like to introduce a – not only, uh, our tribal leader, but a friend, uh, a person who really supports this program and have him do our opening invocation and prayer. Mr. Jesse “Jay” Taken Alive. He is the Chairman of our HEW Committee and former Tribal Chairman of the Standing Rock Sioux Tribe. Jesse.

Taken Alive: Thank you, Red. [Lakota Prayer].

Barnes: Again, welcome (is this on?). Here we go. I am Darlene Barnes, Regional Administrator of the Mountain Region Food & Nutrition Service and I'm going to kick-off the welcome today and I really thank all of you for taking the time to be here for this important discussion. With me I have Darlene Sanchez, who is the Director of our Child Nutrition Programs at the Mountain Plains Region, as well as Don DeBoer, who is one of our Special Assistants that works with FDPIR Program. In addition, I would like to do a special welcome to our officials from Washington; Roberto Salazar, Administrator; as well as Nancy Theodore, who works with the FBI ... FDPIR Program in Washington, as well ...

Moore: We're, we're pretty familiar with the FBI so we're good ...  
[laughter]

Barnes: Oh, FDPIR – did I say FBI?

Moore: Yes.

Barnes: Okay.

Moore: You had me scared there for a minute.

[laughter]

Barnes: The Food Distribution Program on Indian Reservations. That'd be safest. This meeting is on a key milestone in an important process to address concerns in the way that the FDPIR administrative funds are allocated. The current method, I think many of you know, involves the distribution of appropriated funds to the FNS Regional Offices based on fixed percentages that have been used for many years. Each Regional Office has developed its own method of further allocating those funds to each of the participating Indian tribal organizations. FNS

leadership has heard your concerns over the years about the inequities among the Tribes and administrative funding from participants, which ranges from about \$100 to \$1,500. FNS has taken steps to ensure the changes to the funding allocation are considered in an open process. The involvement of tribal and state officials and representatives of program participants is critical to the success of this process in our common goal to strengthen FDPIR program so that eligible individuals have access to a healthful diet. The purpose of this meeting is to seek your input on a proposal developed by the FDPIR Working Group for a new methodology for the allocation of FDPIR administrative funds. The Work Group members have worked hard to identify a balanced and equitable approach to allocate FDPIR administrative funds in a manner that best serves the program and the individual families it serves. A description of that proposal was mailed to tribal and state officials on November 28 – this past November. Copies of the proposal are also in your packets and in a few minutes Nancy Theodore will walk you through that proposal. The comments presented at this meeting will be transcribed and provided to the Work Group and FNS officials in Alexandria, Virginia. The transcriber is – could you show your hand please? Thank you.

As stated in that November 28 package, written comments may also be submitted and are due March 16, 2007. The address for submission of comments is included in the cover letter of that November 28 package. The Work Group plans to meet in April 2007 to consider all the comments received and develop a final recommendation that will be submitted to our Administrator, Roberto Salazar.

Before I ask Nancy to her brief program on the proposal, I'd like to ask that everybody go around and introduce yourselves.

I'm Roberto Salazar, the National Administrator of the Food and Nutritional Service.

I'm Nancy Theodore, Program Analyst with FNS in Alexandria, Virginia.

I'm Forrest Farris, I'm the Chief of the Food Service Distribution Warehouse in Montana, which serves six tribal organizations.

I'm Carl Walking Eagle, Vice Chairman, Spirit Lake Tribe, North Dakota.

My name's [inaudible]. I'm the Food Distribution Program Director for the Spirit Lake District.

I'm Joe Blue Horse, I'm the Program Director for the Pine Ridge Reservation, Oglala Sioux Tribe.

I'm Kenny Chapman, Santee Sioux, Council Member, and also the Director for the Food Distribution Program at Santee.

Ron Allery, Program Director, Turtle Mountain, North Dakota.

Brenda Oyloe, Trenton Indian Service Area, North Dakota.

I'm Bob Walters. I'm the Council Representative, Cheyenne River Sioux Tribe, South Dakota.

I'm Theresa Lofton, the Program Director, Cheyenne River Sioux Tribe.  
[inaudible], Program Director, [inaudible].

I'm Charles Gates. Called "Red" all my life and I'm the Program Director for the Standing Rock Sioux Tribe. Our tribe is located both in North Dakota and South Dakota.

I'm Bonnie Ghost Dog from the Oglala Sioux Tribe Distribution.

I'm Beatrice Whiting, the Program Director from Crow Creek Sioux Tribe, Ft. Thompson, South Dakota.

Lester Thompson, Chairman, Crow Creek Sioux Tribe.

My name Randy Marks, Council Member, Crow Creek Sioux Tribe.

My name is Delbert Comes Flying, Council Member for Crow Creek Sioux Tribe.

Patty Carry Water, Council Member from Ft. Belknap, Montana.

My name is Jesse Taken Alive, I'm a Council Member from the Standing Rock Sioux Tribe.

Good afternoon, my names is Roberta Harris, I'm the Manager for the Northern Cheyenne Tribe.

My name is Linda Freeman, I'm the Director for the Northern Cheyenne Tribe in Lame Deer, Montana.

I'm Stephanie Sully, Council rep for the Rosebud Sioux Tribe.

I'm Patsy Valandra, Council rep for the Rosebud Sioux Tribe, and good morning.

Good afternoon, my name is Robert Moore, I'm the Council representative, as well, for the Rosebud Sioux Tribe. I'm also Chair of the [inaudible] Affairs Committee. I didn't realize how old this program was until just now when Red said he's been doing this all his life.

[laughter]

Good afternoon, I'm Jo Colombe, Council representative, Rosebud Sioux Tribe.

John Yellowbird Steele, President, Oglala Sioux Tribe, Pine Ridge.

Floyd Brings Plenty, Council representative, Oglala Sioux Tribe.

I'm Darlene Sanchez, Director, Child Nutrition Programs, USDA.

I'm Darlene Barnes, Regional Administrator, USDA Food & Nutrition Service in Denver, Colorado, Mt. Plains Region, and Sarah, I need to apologize to you because I did not ...

Holmes: You know my name keeps changing.

Barnes: I know that's why I said ... I apologize.

Holmes: And, we also ... Gloria [on phone], would you like to go ahead and introduce yourself. I've got a microphone standing here by the phone and I should've had a cutout of you, but I don't. So, would you introduce yourself, please?

Goodwin: Happy New Year. This is Gloria Goodwin from White Earth Reservation in Minnesota.

Holmes: And, I don't think we have ... do we have anyone else on the phone right now? We do have a call-in number for those who couldn't attend in person, they can call in, so Gloria was unable to travel here, so she's on the phone and, Gloria, hopefully, you can hear. If you need us to speak up or put you kinda closer to the equipment – the speakers or something, let me know, all right?

Goodwin: Sure.

Holmes: All right, thank you.

Barnes: Again, welcome, and I think we will go ahead and go right into the proposal, but before that, I would like ask our Administrator to make a statement.

Salazar: Good afternoon. I first of all want to thank the FDPIR funding methodology Work Group for all the work it has done to this point. Their task is not an easy one and they're not done with their work. This is part of the process of the work that they have undertaken and I'll express the importance of that fact. What they have come up with so far is a proposal and that's still in development and they're now going through a process of gathering that information. My hope is that from this meeting and the meetings like this one that we are having around the country, the Work Group will take the additional information [inaudible] to refine this proposal before that proposal formally is submitted. You have seen a draft of the proposal that was sent out last November and I, like you, have many questions, that I, too, will be asking of the Work Group and of my staff to help me understand the concepts. But, again, I want to thank the Work Group because they have done a great deal of work and that's not been easy. I want to thank you for taking time from your very busy schedule and your lives to be here today to participate in this forum and to be willing to have the courage to share your thoughts and your various opinions and that's what these are, various opinions, but they're very important to me and to the Work Group, I'm sure.

We are spread out in this room and so I would ask a couple things of all the attendees, I was certain to be sure I was the first one to it before I asked and that is, if you could silence your cell phone or turn it down so that it doesn't interrupt the speakers out of respect for each other, that'd be helpful. Because we are spread out, and the acoustics in this room are a bit awkward, I would ask that you all – when you do speak, speak as clearly and loudly as possible for the benefit of those sitting across the room from you. It is hard to hear. Some of you are better at projecting your voices than others. I'm looking at Mr. Moore. He's very good

at projecting his voice. We know when he's speaking. Also for the benefit of our transcriber who ultimately we're going to need to turn to when we're done with all this, we'll need to capture everything that you've said. And, so it's important that we do hear and capture what you tell us. It's very important that we hear you, so please make it a point to help us hear you and also, of course, out of respect to the individual, Gloria, who is on the telephone, so that she, too, can hear us, as well. Please do not be sure, I'm sure you won't be, sharing your thoughts with us. My time is your time. We will be here as long as we need to be this afternoon to make sure that everybody has an opportunity to speak. In the event, that you leave here today and you're driving home and you remember something that you just wished you had said that you forgot, please write it down and send it to us – send us your comments, or if you have questions that you didn't get to ask, after you think about this a while and you have a question that pops into your head, please call Nancy, or the team and ask those questions. We really need the benefit of all these things – to hear all of your questions, as well, because you have found something that we forgot. Sometimes the work is so intense, we might forget something in our work and so you might see something – don't hesitate to reach out to Nancy even after this meeting if you have additional information or questions or comments, as I will continue to do, as well. Thank you again for your time and consideration and your courtesy. I can't think of a more beautiful place to be today, certainly more beautiful than Washington, D.C. today – here in South Dakota. Thank you for hosting me and now I'd ask Nancy to present the information that was provided to you back in November. Mr. Gates?

Gates: Thank you, Mr. Salazar. I believe that there may be one or two tribal leaders here that have flight schedules to meet. Nancy, how long is this gonna take? – the presentation.

Theodore: About a half hour.



Gates: President Steele, is that –

Steele: I've got a 3:35. I'll leave a little early.

Barnes: Well, I guess if anybody does have any time limitations, when we finish the presentation, if you raise your hands, perhaps you can speak first in case you have to leave. Would that work for everyone?

Taken Alive: My names is again, Jesse Taken Alive. Before the presentation starts, since there's a record being made of this consultation meeting, it's very important for you to know that we didn't have our players at the table when this was put together and that's crucial to know that as a matter of the record is being established because consultation tends to be something of a nightmare for us in Indian Country, because you're doing your fiduciary responsibility doesn't necessarily mean that it has been met in terms of what we receive and don't receive. And, so I want to state that for the record that we reserve the right to – from Standing Rock – to attend this consultation under protest for the mere fact that we didn't have players at the table when this plan was being put together. That's crucial to know. In our experience with consultation, consultation, of course, is a – from the government-to-government relationship, which is from the nation-to-nation relationship, which is from treaty. So, that's very important to know. If not, if we don't state these types of things, you may get the impression that we are in full and total agreement with the way this process is leading. So, I have to make that as a statement before we commence with this presentation and that is going to be a matter of record. So, thank you very much. I say that respectfully.

Unknown: I agree with him.

Theodore: This meeting is part of USDA's efforts to involve you in the development of the funding methodology for the approximately \$26 million that's available for

FDPIR. In this presentation, I hope to cover some of the questions that you all may have about the preliminary proposal that was mailed out to tribal leaders, as Darlene mentioned, back in November. Some of your questions might be, why do we even need a new funding allocation process throughout FDPIR. Who developed the preliminary proposal? How will Federal allocations be calculated under the proposal? Will my tribe or state agency still be able to negotiate funding for my program? Will my tribe or state agency lose funding under the proposal?

And, I want to briefly touch on this last question. I'll be discussing in more detail in a few minutes – but the Work Group is proposing that there be a gradual implementation plan to avoid any reduction in funds from and ITO and state agency. It's a critical part of this proposal. Also, I'd like to point out that this proposal does not address the allocation of Nutrition Education funding. This is just general administrative funds, it doesn't include nutrition ed. The Work Group supports a separate allocation of funding for Nutrition Education.

First, why do we need a new funding allocation process FDPIR? Although it may not be apparent, the current funding allocation process has created funding inequities that must be addressed. FNS currently allocates funding to its regional offices based on set percentages that were established many years ago. The regional offices then negotiate individually with each of the ITOs and state agencies in the allocation of the available funds. These historical percentages have not been revised over the years to keep up with the changes in participation in program operations at the ITOs and state agencies level. For example, Southwest Region receives about 27% of the appropriated funds each year, but currently serves approximately 35% of participants. Also each regional office has developed its own process to negotiate with the ITOs and state agencies. There is a handout that we provided and it's also on our website that shows – it's in your packet – it shows the fiscal year 2006 Federal Allocations for each ITO and state

agency; the average monthly participation for the year and the Federal per participant amount for each ITO and state agency.

This chart illustrates the wide variations in the Federal participant amounts and raises questions as to whether the current funding allocation process is meeting the needs of all the ITOs and state agencies. As you can see from that chart, funding by individual programs ranges from \$129.00 to \$1,859.00 per participant in 2006.

At the regional level, the per-participant amounts ranged from \$146.00 that was given to the Southeast Region to \$704.00 per person funds that went to the Northeast Region. Although operational differences among the ITOs and state agencies can explain some of this variation, we don't believe that such wide variations can be explained by operational differences alone. Finally, the current budget negotiation process is time consuming for both the regional offices and the ITOs and state agencies. More than 100 budgets are negotiated each year. We need to streamline the process to make better use of limited staff resources. [I need someone to come up here – it's a little tricky – I can't talk and click at the same time.]

Funding Methodology – okay, Work Group was convened in 2005 and was charged with the development of a proposal for a new funding methodology. At that time, FNS envisioned a funding methodology that would allocate funds equitably, that had an objective basis, and would be easy to understand. We wouldn't want anything that was too complicated, and that would be administratively efficient to implement. Again, we're looking to streamline the process.

The current membership includes – of the Work Group – includes eight representatives from the ITOs and state agencies and, included in that eight are the President and Regional Vice Presidents from the National Association Food

Distribution Programs and Indian Reservations. There are also five representatives from FNS headquarters and regional offices in the Work Group. Two additional FNS staff members serve as the facilitator and I provide the staff support to the Work Group. We have two of the Work Group members here today, Red Gates from Standing Rock and also Don DeBoer who's with our FNS Regional Office in Denver.

The Work Group has been meeting regularly for over a year and a half. In a moment, I'll briefly talk about the steps leading up to the development of the preliminary proposal that was mailed out on November 28, 2006, to Tribal leaders. The Work Group also recommended to FNS that meetings like this one be held to allow Tribal and State officials to meet with senior FNS staff. The first meeting was on January 10 in Green Bay, Wisconsin; that was followed by a meeting on January 17 in Oklahoma City, Oklahoma; this is the third meeting; and the final meeting will be held on January 30 in San Francisco, California.

In developing their preliminary proposal, the Work Group began by collecting data. They considered those factors that impact the program's funding need, such as, the ITO state agency's operational expenses; these are the line items in FDPIR budget; their participation levels; their indirect cost rates; matching rates, staffing levels; geographic area; the extent of tail-gating and home delivery operations; and, also salary levels. The Work Group also developed a set of guidelines for the development of a proposal that would best serve the program.

Listed here on the slide are the guidelines. First it was important that the proposal – first given the current inequities, it was important that the proposal treat all the ITOs and state agencies fairly. It is also important that the proposal consider the operational differences among the ITOs and state agencies. The third guideline – in their discussion, the Work Group came to realize that a strict funding formula would not meet the need of all the ITOs and state agencies. Each program is unique and has individual needs and it would be impossible to develop a funding

formula that could factor in all those individual differences. So, the Work Group agreed, it was important to maintain a component for negotiations. The Work Group also wanted to streamline the process as much as possible and also have a proposal that was transparent, so it is very important that the proposal be clear and easy to explain and that it be administratively efficient to implement. The Work Group felt that participation was a primary cost driver, but realized that a participation-based methodology would not provide sufficient funding to programs with the fewest participants.

So, one of the key features of the proposal had to be a component that ensured that the programs with the fewest participants received sufficient funding. Another critical feature had to be a plan for gradual implementation, so that the ITOs and state agencies did not experience a reduction in funding. And, I'm going to talk more about that later.

The Work Group also wanted the proposal to account for unspent funds. We wanted to ensure that unspent funds would be reallocated to ITOs and state agencies that might need additional funds each year, but also wanted to assure that ITOs and state agencies that turn back funds at the end of the year did not continue to receive funds at that higher allocation level. Finally, the Work Group wanted to assure that the funding allocation process would be objective and would not foster any bias.

Now, the Work Group would like to get feedback on these guidelines. We want to know if you agree with all of them and, if not, what guidelines you would like to recommend.

I'd like to stress that this is just a preliminary proposal, nothing is cast in stone, this is not – this may not be what get put in it, this is just a preliminary proposal, we're seeking your input and your input will help shape the work of this final

recommendation, so your comments today and through until March 16<sup>th</sup> are very, very important.

Under the preliminary proposal, there are two mechanisms by which ITOs and state agencies could receive funding. There's the Basic Grant Amount and the Regional Negotiated Amount. We're going to explain both in detail, but first I want to briefly touch on how the funding appropriated for FDPIR would be allocated under these two funding streams. Currently, all of the funding appropriate to FDPIR, minus a set-aside for Nutrition Education is divided among the FNS regional offices based on those historical percentages that I mentioned earlier. Once the regional offices have allocated the funds available to them, there is no additional funding to draw from. Now, under the proposal, the entire Federal appropriation minus the Nutrition Education set-aside would be divided between these two funding streams, the Basic Grant Amount and the Regional Negotiated Amount. As currently proposed, the Basic Grant Amount would be 85% of the total appropriation and the Regional Negotiated Amount would be at 15%. However, your input could change how that funding is divided between those two funding streams.

The Basic Grant Amount is designed to accommodate the basic administrative needs that all ITOs and state agencies share no matter what size or type of operation. Each ITO and state agency would receive the Basic Grant Amount and be calculated at FNS headquarters. Because it's formula-based, the Basic Grant Amount would help to streamline the funding allocation process.

The Basic Grant Amount has three components, each of which addresses a specific guideline or guidelines. Component One is a fixed base amount. Component Two is based on past expenditures. Component Three is participation-driven.

Component One primarily addresses the guideline of assuring that programs in which participants receive sufficient funding. The proposal calls for a fixed base amount that each ITO and state agency would receive. In looking at funding provided to the programs with the fewest participants, the Work Group determined that a \$10,000 fixed base amount combined with the other two components of the Basic Grant Amount would provide a level of funding that was generally equivalent to the program's fiscal year 2005 allocation. During its discussions, the Work Group also considered variable base amounts. A variable base amount involves the ranking of ITOs and state agencies based on specific criterion, such as participation. And, then, grouping the ITOs and state agencies into tiers, for example, all the ITOs with participation levels up to 200 would be one tier, ITOs with participation of 201-500 would be another tier. Then a specific base amount would be assigned to each tier. The Work Group rejected this approach because it would be difficult to determine fairly and objectively. For example, they weren't sure how they could fairly or objectively determine where those divisions would be between the tiers and we'd end up with a situation where an ITO with 199 participants – average number participants – would get a different base amount than an ITO with 202 average monthly participation. We weren't sure that could really be done fairly. So, they decided on the fixed basic amount.

Now, the Work Group would like your feedback on this proponent, whether you agree with the approach of using a fixed basic amount and do you recommend using a fixed basic amount – a different amount other than the \$10,000 and, if so, what amount would you recommend.

Component Two is driven by past expenditures. It's designed to account for the individual differences in operation by basing future funding on historical spending levels. It would also account for unspent allocation that an ITO or state agency turned back at the end of the year. Under this component, we would determine each ITOs and state agency's Federal expenditure amount in the last three years.

Excluding Nutrition Education funds and any capital expenditures of \$50,000 or more. We would then calculate 5% of the highest amount. The Work Group went on to look at funding over a three-year period to account for fluctuations in funding needs from year-to-year. This would account for situations, such as when an employee leaves in a year and that position isn't filled right away. Your salary expenses for that year may not reflect your actual needs. Also, by backing out capital expenditures of \$50,000 or more, the Work Group wanted to avoid a situation where an ITO or state agency would receive additional funding in the future based on a large one-time expense in the past. There's a sample computation on the next slide.

In this example, we have an ITO that spent \$450,000 in Federal funds in fiscal year 2003; then they spent \$475,000 in Federal funds in fiscal year 2004; in 2005, they spent \$500,000 in Federal funds. In fiscal year, 2003, the ITO used \$20,000 in Federal funds for capital expenditures. Since this expense is less than the \$50,000, we would use the amount of \$450,000 to determine the highest expenditure amount in the three-year period. In fiscal year 2004, the ITO used \$35,000 in Federal funds for capital expenditure. Again, the expense is less than \$50,000, so we could use the full \$475,000 as the expenditure amount for 2004. In 2005, the ITO used \$55,000 in Federal funds for its capital expenditure; since this amount was more than the \$50,000, we would subtract the \$55,000 from the \$500,000 total expenditure, leaving a net Federal expenditure amount of \$445,000 for fiscal year 2005. When we compare the net expenditure amounts for the three years, we see that \$475,000 spent in fiscal year 2004 is the highest amount. We then calculate 5% of that amount for \$23,750. This is the amount the ITO or state agency will receive under Component Two – the \$23,750. As with all the components, we'd like to get your feedback on the specifics of this component. Do you agree with the approach in basing some amount of future funding on past levels of spending? Do you agree that large one-time expenditures should not be used to determine future funding levels? Do you agree with the \$50,000 limit for



capital expenditures? Do you agree with that 5% is the appropriate percentage to use? Do you think a different percentage should be used?

The third component – the Basic Grant Amount. Component Three is participation-driven and provides the bulk of the funding for these programs under the Basic Grant Amount. You remember earlier, I said that the Basic Grant Amount would be the 85% of the appropriated funding. The amount of funds available for allocation of Component Three is the residual amount of the Basic Grant Amount after Components One and Two have been determined. The Work Group felt that participation primary cost driver and felt it was appropriate to base funding on the number of persons served. The Work Group wanted to account for fluctuations in participation, so that's why the calculation uses the average participation over a three-year period.

The next slide shows calculation of participants. In this ITO had an average monthly participation of 448 people in fiscal year 2003. In fiscal year 2004, it had 521, and in fiscal year 2005, it had 557. The average for the three-year is 522 people. Then we calculated the ITOs percentage of national participation, which is also averaged over three years. In this example, the national participation is 103,571, so 522 is .504% of the national participation average for the three-year period. If we apply the .504% to the total available funding under this component – and just for example, we going to say it's \$20 million available under this component, the result would be \$100,800. Again, we would like your feedback on the specifics of this component. Do you agree with this approach? Should participation determine the bulk of funding under the Basic Grant Amount?

To summarize these examples, the total Basic Grant Amount under our computations would be \$134,550. For this particular ITO, they would get \$10,000 under Component One, that's the fixed base amount that every ITO and state agency would receive. Under Component Two, it would receive \$23,750, which is 5% or their highest expenditure amount in a three-year period and that

amount was \$475,000; and under Component Three, the ITO would receive \$100,800, and that's based on 522 average monthly participants, which is the ITOs participation average over three years.

What if your ITO or state agency needs more funding than what is provided under the Basic Grant Amount. What if the ITO in our example needs more than \$134,550? That's why Work Group included a separate funding mechanism regionally negotiated now. Each regional office would receive a pod of funds to allocate to ITOs and state agencies that need to supplement their Basic Grant Amount. This feature is designed to compensate for the operational differences that result in some ITOs and state agencies having a higher funding need. It also maintains the ability of the ITOs and state agencies to negotiate their funding, which is very important to the Work Group. Under this component, a fixed percentage of the Federal appropriate will be set aside for allocation to the regional offices. Each regional office would receive a share of the available funding based on its share of national participation. Participation would be averaged for the most recent three-year period to account for minor fluctuations in participation.

This slide shows how the Regional Negotiated Amount would be calculated. First, we would total the average monthly participation for ITOs and state agencies in a particular region for the last three years. In this example, this region had a total of 25,385 participants in fiscal year 2003; 24,897 in fiscal year 2004; and, 23,570 participants in fiscal year 2005. The average for that three-year period is 24,617. Then we would calculate the region's percentage of the national participation, which is also Averaged over the three years. In this example, the national participation is 103,563, so when you divide the national participation by the region's average over the three years, you end up with 23.77%. So, for this particular region, it has – it serves 23.77% of the national participation. In determining how much overall funding should be set aside for the Regional Negotiated Amount, 15% is the percentage suggested in the preliminary proposal,

but actually the Work Group members differed in their opinions as to what the percentage should be. The Work Group looked at the effect of raising and lowering the percentage of a set-aside, but couldn't come to a consensus. Your input for what percentage to use would be very helpful to the Work Group.

The next slide shows how the region's percentage share of funding based on that 23.7% calculated would change if we vary the amount of the set-aside. In this example, we use the appropriate amount from the fiscal year 2007 President's budget which is \$26 million three hundred nine-two thousand. That's the amount of money that the President's budget has for FDPIR. If we set aside 5% of that total appropriation, \$26,392,000.00, we would have \$1,319,600.00. In our example, the region has 23.77% of participation, it would receive 23.77% of the \$1 million three hundred nineteen thousand six hundred. So, it'd be 23.77% of the 5% of the total appropriation. So the amount that region would get is \$313,669. That's if you use 5% as a set-aside. Depending on the percentage selected for the set-aside, the region could receive from \$313,669 all the way up to \$1 million five hundred sixty-eight thousand three hundred forty-five. Again, we're anxious to get your feedback on this, on what percentage you think set-aside should be. We also would like to know if you agree with the overall approach that the ITOs and state agencies can negotiate for supplemental funding.

We also provided another handout in your packet that illustrates how funding from the various components would change, it would change some of the other parameters of our proposal. If you remember the individual pods of funding which components have the total to the appropriate amount that we've received. The amount of funds available for Component Three, participant-driven component, is what is remaining after funds have been set aside from Regional Negotiated Amount, and Components One and Two are the Basic Grant Amount. So, if you change any of these components, you impact the amount of funding available for Component Three, participation driven component. That should be in your packet, it looks like this, there's two pages and there's also a chart.

This chart shows how the pods of funding would change if you change the preliminary proposal to say have 20% set-aside rather than the 15% set-aside for the regionally negotiated amount. It also shows if you change the \$10,000 fixed base amount from Component One, if you change that to \$20,000, or if you took the 5% of the highest federal expenditure in the past three years in Component Two and changed that to 10%. This just shows how the funding for each pot would change and how much is available for distributed funds from [inaudible] participation in Component Three.

Just to sum up, the regional offices would use the pot of funds and the Regional Negotiated Amount to supplement the Basic Grant Amount of those ITOs and state agencies that need [tape side one ended] ... [begin side two] ... used in budget negotiations, the Work Group will be developing guidelines. The Work Group would like your feedback on some guidelines that should be used. If you have any suggestions on what the guidelines should be for the negotiation process, we'd like you to include that in your comments.

Okay, we've covered the components and the calculations, next I just want to briefly cover the outline of the overall process for you. First, around June of each year, FNS headquarters will calculate each ITOs and state agency's Basic Grant Amount for the upcoming fiscal year. The FNS regional offices would advise the ITOs and state agencies of their Basic Grant Amount. At this point, the Basic Grant Amounts would be tentative, since they would be contingent upon enactment of an appropriate bill for the upcoming fiscal year. Just like now, the regional offices work with you and negotiate your funding, it's still tentative until we get an appropriate bill passed. The ITOs and state agencies that expect to receive sufficient funding through the Basic Grant Amount to meet their budgeted needs for the upcoming fiscal year will not be required to submit a budget. The regional office would simply allocate the Basic Grant Amount to those ITOs and state agencies when the funding became available on or after October 1<sup>st</sup> each

year. Those ITOs and state agencies that require funding to supplement their Basic Grant Amount would need to submit a budget to justify the supplemental funding. The regional offices would open negotiations with those ITOs and state agencies that submit a budget request for supplemental funding. The regional offices would allocate supplemental funding under the Regional Negotiated Amount based on need among those requesting ITOs and state agencies. This is a critical feature of the proposal, I can't stress that enough. This is a gradual implementation plan, the Work Group did not want any ITO or state agency to face a significant reduction in funds as a result of the new funding methodology. So, the Work Group is proposing a multi-year phased-in implementation. To do this, we would provide each ITO and state agency a Basic Grant Amount that is no less than the Federal allocation it received the previous year. Since overall funding is limited to the appropriation we receive, it will be necessary to proportionately reduce those increases that some ITOs and state agencies would have received under the new funding methodology, and may also be necessary to reduce the Regional Negotiated Amount during the gradual implementation period to ensure that there is sufficient funds to hold harmless those ITOs and state agencies that would otherwise experience reduction in funds under the new funding methodology.

So, as an overview, to summarize the proposal, we have the Federal appropriation that will be divided into two funding streams; the Basic Grant Amount and the Regional Negotiated Amount. The Basic Grant Amount has three components; Component One is a fixed base amount to assure sufficient funding for those programs with U.S. participants; Component Two is based on past expenditures to account for historical spending levels; and, Component Three, which currently provides the bulk of the funding is participant-driven. The Regional Negotiated Amount accounts for operational differences among the ITOs and state agencies and allows them to negotiate the total amount of funding they will receive. Finally, the gradual implementation plan would avoid a reduction in funding for those ITOs and state agencies as we phase in the new funding methodology.

That's the presentation. We've posted a lot of information about the Work Group and the development of the proposal on the FNS website, the website address is here, you will find all that information there, click on the FDPIR funding Work Group home page. Also as Roberto mentioned in the – you all have a copy of a package that went out on November 28. With the cover letter on the second page is my contact information for sending in written comments or if anyone has any questions, you can email, if you don't get all your questions answered today, you can always email me. We'll try to answer your questions. Thank you

Barnes: Thank you again, for your presentation, Nancy. Now, I would like to invite the attendees for their comments and I know President Steele, you said that you have a 3:30 flight. I would ask that you go first, it that is okay.

Steele: Okay. Thank you very much. If I get something wrong in my presentation, please correct me. I just won the presidency and took office here the first part of December and became just recently of your Work Group and it's – what it's trying to do here. But, to begin with, I would like to say that the United States Government stole the Black Hills back in 1877 and to prove this – 1980, the Oglala Sioux Tribe went through the Federal court system all the way up to the United States Supreme Court, and in 1980, the United States Supreme Court said, "... the most ripe and rank case in the history of the United States, the illegal taking of the Black Hills." So, we still consider it to be ours, and we'd like to welcome you to the Sacred Black Hills.

I've been involved with the food distribution program in the past in several different ways. We used to – the state agency used to operate it on Pine Ridge in the past, until we got problems with a Governor sending state troopers down to the Pine Ridge over missing cheese. And, this is the truth and they had riflemen up on the roof of the tallest building in Pine Ridge there – Billy Mills Hall – one of our council people called the Governor and said if you don't get 'em out of there in 15 minutes, he says, we're gonna – we're getting our guns. And, people

on Pine Ridge did get their guns and five minutes left in the time limit that they gave, they recalled the state troopers off the Pine Ridge reservation. And so, we thank the Department of Agriculture for allowing us to compact directly with the Department of Agriculture and inviting us this date. And, I think we've operated a very accountable, a very large program on Pine Ridge, working with the cooperation with the Department of Agriculture. A very good program. I've been involved and I'd like to thank the Department of Agriculture again. I was involved with the – Mr. Blue Horse over there and Mr. Gates, when Department of Agriculture changed the content, I think Ms. Barnes, I think you were involved also – that lower salt, lower fat, higher fiber – you changed the – I mean, instead of the white packages, you now get the Kellogg's and – and we got fresh fruits and fresh vegetables. I don't know if you sat down and realized the impact on the individual people, the participants. Just before I came here, I told them I was coming up to meet with the Department of Agriculture on the commodity program and a young lady in my office – I mentioned that we had lowered the salt and fat content – high fiber – and, it impacted especially the children in their health and in their physical structure. And, she says, "Well, I'm a product of the old commodity program." But, I don't know if you realize across the United States the impact that that effort had on a lot of people, not only health-wise but on their physical structure. Mr. Blue Horse used to have his program in the parade in a Hulk Hogan up there – "Commod Bod" – people used get a kick out of that – Commod Bod was nothing like that – but, thank you also for that effort.

The Oglala Sioux Tribe's going to have to go on record as opposing the reallocation of administrative funds and I recognize that the Work Group put together – probably spent a lot of time coming up with this. I was on a Work Group in the past on the Home Improvement Program – BIA – and, I was all gung-ho, but I don't think we did a good job in reallocating funds either. I don't think, first off, that we had enough participation in the Work Group from Mountain Plains Region. I thank Mr. Gates and Mr. DeBoer for representing us and I know they did the best they could, but I figured that they were out-talked

and out-voted when it came right down to it. I think we should have more people on that Work Group. And, secondly, your explanation as to why you're reallocating in the first place doesn't satisfy me personally. You say, historically this has been this way a long time. We need to redistribute, be fair – who came up with this? I hope it wasn't you Mr. Salazar. If you're some bureaucrat wanting to put his fingerprint on a program saying that he did this because – was there some complaints from the different ITOs or state agencies? You didn't tell me that, you just – I don't know why this effort began in the first place. Secondly, what you presented there – the Work Group's produce does not seem logical to me because – I want to give you a little example of a United States Supreme Court case that originated out of Nevada and the United States Supreme Court ruled, Yes, state police can go on to reservations and serve process – whether it be subpoenas or arrests or whatever. And, I really disagreed with that because the facts were different. And, we had a case here in South Dakota where one of our tribal members – this was just in the past few years – outran a state patrol, went onto the reservation, stopped on the reservation, patrol came onto the reservation, found that they were intoxicated. They put a lotta charges on them. They took this up to the State Court system and on up to the State Supreme Court and the State Supreme Court ruled that the state police cannot go on the Pine Ridge Reservation. The facts are different in South Dakota and *Hicks v. Nevada*, as they called it, does not apply in South Dakota. They tried to appeal it to the United States Supreme Court, but they wouldn't hear it. But, the facts are different also in what you are presenting here. Just off the top of my head, maybe I can point out a few of them. You got the urban areas versus the rural areas; their cost of living. I invite you down to Pine Ridge and you try to live there on the same amount of money that you could in California or Oklahoma being near a urban area. They have access to cheaper more – because they're more competitive and they sell at a higher volume. A sack of sugar there – same size on Pine Ridge, I'll be would be doubled. And, so your salaries of your programs are going to have to be higher in South Dakota than in California or Oklahoma because the cost of living is higher here. Secondly, the cost of gasoline, because



of the rural-ness is going to be higher here and they would use more, but the – across the United States – you see it on T.V. – you can buy gasoline for closer to \$2.00 – a little over \$2.00 – in some areas in the United States and some other areas it’s way up there over \$2.00 – over \$2.50 almost \$3.00. There’s a lot of different facts of the case that are different – was not shown to me in your presentation. This percentages – just don’t cut it with me because as I say, that the facts are different in all parts of the United States. We’ve experienced this throughout our – being active in tribal politics – Washington always says this “one size fits all.” And, what may work in California is not going to work in South Dakota or Alaska. One size doesn’t fit all. And, no seems to realize that because it – I don’t know if they don’t know how to really put it down and explain it on paper or in a computer program, but the – the one size fits all just doesn’t work. And, maybe they try to get that one size that would fit the majority. But, I’d like to explain a little bit of our point of view on the commodity program overall. Everybody sees it as a treaty obligation. And, I got a call from Marie Randall, she’s about 100 miles away from where I live on Pine Ridge. And, it was just yesterday and she says, “you don’t mess with the commodity program.” She said, “we need that and we like it the way it is.” “It is something the United States Government owes us by treaty.” This is what she told me. And, I told her I was not messing with the commodity program content *per se*, we’re talking about the administrative monies that they’re trying to change to run the program. And, it may run as you know it right now, but we’re not going to change the content of it. So, she understood me. But, this treaty obligations – once again the United States Supreme Court says that the treaties are to be interpreted as the Indians interpret them. And, this goes back to when they brought wagonloads of rations in – by treaty – after the stole millions and millions of acres of land. They made some promises and treaties and so this is just a continuance of that treaty obligation that we see that – and I told this before – I think Ms. Barnes has probably heard me say it before – the people see this as a treaty obligation and we need to deliver this to the treaty people in a manner that is least – causes them the least inconveniences. And, when Mr. Blue Horse asked me to come up and

participate in a meeting up here, before I knew it was on administrative funding, I thought maybe it was to enhance the program on Pine Ridge cause – I don't know if Mr. Salazar is familiar with the term tailgating? But, they take these trucks and they go out across our big reservation and the people line up at the end of the truck and they get allocated their share according to their family size and how much – whatever the treaty things that would help them to live the month out – in food. And, they have to stand out in the cold, in the rain, to receive these rations, and Mr. Blue Horse, in the past, was talking to me about some sort of a – maybe a shelter – so that they didn't have to stand out in the weather and that he says just a lean-to would do, so I thought maybe this meeting was something like that – to improve the delivering of these rations to the people, but come to find out, it's reallocation of administrative funds. And, we have no problem here in the Oglalas because I see per participant amount for Pine Ridge is \$210 per participant to administer.

Blue Horse: That number of participants is wrong. You've got 113 more per month. This number in here is wrong.

Steele: And, so the per participant amount would go down.

Blue Horse: Yeah.

Steele: It'd go down with more participants. But, I see where the Blackfeet Tribe gets \$600 per participant. We got no problem with that because we realize that even in Montana, being in a higher region, that the weather's different there and the facts are different there and, so, we recognize that it's gonna cost more when a program has fewer participants. But, we got no problem from the Oglalas in how the allocation amounts were as such as they are because, historically, they probably showed a need to Department of Agriculture that their area was different. We got no problem with the participant amount. We don't think it all should reflect \$200 for each participant across the United States. We know that won't work and we

hope that you realized that. I look at your Power Point presentation and I wish that I'd been on your Work Group so that I could've have had some input because one size doesn't fit all and your percentages of this, your percentages to the region, to the individual programs, is just not going to cut it. I thank you for coming down our way her to listen to us and participate. I like your idea of consultation. The BIA sits up on a stage. They put these microphones down in the aisle and they ask us to come up and present our positions and there are – there's no dialogue and we know that our positions are taken and kind and put in "file 13' without being listened to or received – and to Mr. Salazar for coming all the way down here. Welcome – we are not here to give you heck, we're talking about the program and what's been developed here. Ms. Barnes, we appreciate everything you have done in the past for us. Thank you very much.

Barnes: Thank you. [applause] I think – I'm not sure what other time constraints others have.

Thompson: I do. I've gotta leave here – I was supposed to leave a hour ago, but – I'd like to thank John [referring to microphone – I don't need that]. I'd like to thank John because John covered almost everything that we talked about upstairs and I do thank you for making a lot of great points on this. And, you put things a lot nicer than what I would've and I – you probably saved face for me, so thank you for that. You know, you look at this ...

Salazar: Can I ask you to please identify yourself?

Thompson: Lester Thompson, Chairman, Crow Creek. Okay, you know, you could sit here and present this to us and what I'm seeing through your presentation and stuff – you know, you can sugar-coat a turd to make it go down easier – easier to swallow for us, but in the end it's still a turd. Now, to me you're telling us what you already have to – have put in place and our tribal input is only secondary at this point – is from what I'm getting. Now whenever you – you wanta

consolidate with tribes, you used to come to us tribes as individuals, just like Mr. Steele's pointing out here. Now each tribe has it's own identity and we all – we're not all the same and he is right. Where the one size doesn't fit all. Now, through your plan, what I'm reading here is eventually us smaller tribes are gonna suffer in the end. You're gonna phase us out. Now, here's a suggestion to your Working Group, they need to come down and do a geographical study of where our tribes sit because our tribes do sit in the worst regions of the state. There's no – hardly any economical development around us. Now, on my reservation, we've got one grocery store and actually the commodity program supplies better food there than that grocery store supplies. And, the nearest – the nearest town to us is 20 miles away. Now eventually, you'll be phasing us in like you're saying, gradually, well, gradually, you're going to phase us out – us smaller tribes. And, you turn around – my people are gonna have to try to travel that much further because of getting on food stamps. Well, it don't work, so you need to take that into consideration of where our tribes sit. And, a point was made that we all sit around us – all the tribes sit and the towns surrounding – remember this, there's still prejudice. And, it rears its ugly head every time, so that needs to be taken into consideration. And, also with your Working Group, why don't you have them come down and stay with some of our tribes for a month at a time to see how we handle and deal with things. With that said – I – I'm sorry I gotta get going to a meeting, I'm sorry I pushed everything quick, but thanks, John, for hittin' all the points that we all talked about upstairs. Don't – let 'em hear you, please. With that I need to excuse myself, thank you. [applause]

Barnes: Thank you. President Steele.

Steele: I would like to add one other thing is that, I know Secretary of Agriculture Johanns personally, comes from the issue in White Clay where they tried to throw me in jail one time because I marched on it, but we – I met the Deputy Governor – again he works for FEMA and he did me a favor, but I would like to say that if this doesn't – I'd like to stay in touch with yourselves, also I can be involved in

working on this because I'm just telling you this that I will approach Secretary of Agriculture Johanns if I am dissatisfied. Thank you.

Barnes: Thank you. [applause] And, please, as Roberto Salazar said, it would be great to identify yourself each time just so that we can have you on the recorder.

Walking Eagle: I'm commodity chairman for the Spirit Lake Tribe. All of us here, we have our own government. [inaudible] people of our reservation [inaudible]. What you need to do is come to our reservation and introduce your program to – to us because [inaudible]. We're going to be losing 45% of what we're getting in – 45% we're gonna lose. And, we need more money instead of losing it. I'm against what you guys are proposing – I'm against that. We've [inaudible] my tribe. We're against this. We need more money, just leave it the way it is. Put more money into the program, that's what we need. Thank you. [applause]

Barnes: Thank you.

Moore: I guess I'd like to add a point or two. Certainly, the irony is not lost on us. Here we are. My name is Robert Moore, council member, Rosebud Sioux Tribe. Certainly the irony is not lost on us, here we are at the foot of where our creation story as Lakota People began. Trying to talk about something that had been described as rations in the Treaty of 1868 to continue in perpetuity, whether it was five years or five hundred years. And we're not quite at 500 hundred years from 1868, so the irony is not lost on us, that here we are trying to have this discussion as was mentioned earlier regarding government-to-government communications and consultation. We are not so far apart from each other that we do not disagree that we are in opposition to the proposal that is before us today. But, we are individual and it's important that you know who we are before you go a lot further. As President Steele indicated, they're one of the largest treaty tribes in the United States, second largest treaty tribe; Rosebud is the third largest treaty tribe in the United States. Our counties, Cheyenne County and Todd County,

respectively, are generally the first and poorest counties in the United States of America. The average per capita income of our members that live on the reservation, roughly 25,000 or a little over is about \$7,500.00 per year. The average age is – about 50% we say are 21 years old or younger. That’s a significant growing population for us. For those who are eligible to participate in the food distribution program – the commodity program – it’s not there to supplement, even if they already receive it, it’s a subsistence program, not a supplemental program. The relationship that we share with the State in South Dakota is tenuous at best. Sometimes we have great relationships in certain areas and in other areas, we can’t see eye-to-eye. We simply can’t and we never will until we acquiesce the jurisdiction to the State of South Dakota onto our tribal lands – which we never will. So, we have a lot of issues that we are facing everyday already that compound us – the decisions that we have to make as tribal leaders – and certainly we’ll take this back to our tribe and the tribe will come up with a resolution as Spirit Lake has, and a stronger position for you to consider by March 16. Again, we want to be able to ensure that the services that we’re provided at Rosebud Sioux Tribe are not diminished in anyway by this proposal. We’ve yet to be assured that by either the Working Group or the staff – certainly our staff is doing the best they can to keep us informed about how this proposal might diminish services that are provided already.

In addition to that, we’re also concerned as some of the largest land-based tribes in the United States – in fact, I can say that roughly, of the total Indian population – reservation-based population – the tribes around this table today represent probably 40%, if not more of the entire Indian population living on reservations in the United States of America. This meeting today is probably the most significant that you will have of these four meetings that you’re having that you’re calling consultation. The National Congress of American Indians, which has presented a resolution, we understand, to your office in support of this, does not speak for who we are as tribal governments. NCAI is not a government. They are a non-profit organization designed to facilitate a broader understanding of tribal life and

tribal issues to the overall Washington – whether it's Congress or anyone in the Administration. We will go to them again at the end of February, shortly, with a proposal to reconsider – rescind – that resolution because it was not given a clear direction, certainly for the Northern Plains Tribes, the largest of whom they represent – many of us are member tribes of National Congress of American Indians. We have to maintain the right to negotiate. If we don't and if we lose that, then it is a clear violation of a treaty right which has already been proscribed and acknowledged by the Constitution of the United States of America and supported and defended by the Supreme Court of the United States. The alternative is litigation, which nobody likes to hear that word at all and it costs the Federal Government a lot of money and we have lots of attorneys who say, we want to take this on because they like to work for Indians for free, and we'll let them do that, but we hate to have to be at that point – at that level – without full consideration given to the unique needs and circumstances of where we are as tribal people in the Northern Plains – in the Mountain Plains Region. Those 30 tribes are significant in how legislation and how the Administration has reached out to tribes in the United States altogether, because of our mass. We compel Senate elections, we compel House elections in our region. Montana just elected John Chester, in large part because of 3,000 votes that were counted from tribal counties. Significant. Likewise, here in South Dakota, we do the same thing. So, we know the work we have before us is significant. But, in the time that is left, we would strongly encourage you to add a tribal representative to the Working Group, who can come into the Working Group already with the knowledge of the proposal that's there, some history with FNS – all the other regions have two tribal representatives and we don't, and we're the largest region that you serve. So, there's some commonsense things that don't quite click with those of us who are a little younger in these positions of leadership because we're maybe a little more savvy than we might've been 20 years ago, as is FNS, but as Red said, he's been at this a long time and this program will continue for a long time yet, but it needs to continue in a way that's going to meet the needs of our unique

circumstances here in the Mountain Plains Region. Thank you very much.  
[applause]

Salazar: What are you doing for the couple of weeks?

Moore: Unfortunately, that wasn't an offer.

Salazar: That wasn't volunteering.

Moore: I wasn't volunteering.

Salazar: Thank you, Mr. Moore, I appreciate your comments very much.

Gates: I'd just like to add something to Mr. Moore's comments. One of my first complaints when this committee was formed was, how come Mountain Plains doesn't have a tribal representative, the other region does. That was when Phil started this, that was never corrected, that was never given an answer, and they never had a tribal representative. So, I did bring up that point early on in the formation of the committee.

Barnes: Is that when Phil started to – was about ready to retire?

Unknown: Yes. So, something got lost in the transition.

Salazar: That was a sincere question, because I wasn't involved in the formation of the Work Group and I, I never [inaudible]. The Work Group doesn't work for me, they're not my employees. But, having been involved with them, who, who made the decision as to who was on the Work Group?

Theodore: Okay, originally, the Work Group was supposed to be – the members were to be selected by the Association. We asked the Association – we sent a letter to the



Association – the copies that went out to all program directors, asking the Association to name a member for the Work Group so that we would have one member from each region in addition to each of our regional offices – the FNS regional offices would be represented and there would be people from headquarters represented. What transpired was the Associations within those regions nominated people for the Work Group. The Western Association nominated someone, separately from NAFDPIR and the Southwest Association nominated someone. We did not feel it was appropriate to deny those associations' representation on the Work Group. We didn't hear from any other associations specifically that wrote to us – or contacted us and said, we want to also be on there in addition to the members that were appointed by the National Association. So, that is how some of the other regions ended up with more than one member.

Blue Horse: Nancy, we were never informed that we could do this.

Theodore: We didn't – it wasn't our intent that the Associations would do it. It was a decision by the Associations to come to us and say, we would like a member on the Work Group. And, this was all explained to all the members when we started. This question came up at several meetings and we explained it several times how this happened that. Two of the Associations, the Western Region and the Southwest Region came to us and said, we want to appoint a member separate from the National Association. We explained that to everyone in the Work Group.

Greene-Trottier: But, the bottom line is you were made aware of it. Red stated it ...

Theodore: But, we didn't hear from your Association.

Blue Horse: But, we didn't know that we could put somebody on that.

Salazar: And, we have to correct that.

Barnes: We never heard from your Association member.

Dasovick: This is one thing that I noted in looking at that. You take the Northeast Region and the Southwest Region and the Mid-Atlantic Region and you put them all together – I think they have 835 participants, which is less than some of the individual programs here. Those are three regions. You know I'm – that was a concern of mine. I expressed that to Red, we talked about it. I'm with the State of North Dakota.

Moore: If I could add, too, another thing that you're not aware of, I'm sure, is transiency with some of our tribal governments. And, certainly with the transiency of employment and employees, as well, it's difficult for us often when it – in many of the communication that happens between Federal agencies and the tribe, it only goes to one office and that's the President's office, who is inundated with probably several hundreds of those communications a day. So, the filtering process is lengthy for us, is often unwieldy because sometimes, as an example, our warehouse is 20 miles away from where the tribal government activities happen. We live in an area where just the last several months, we've gotten cell phones, I mean we just got a red light – stop light – not maybe more than 10-12 years ago, so it – we're way behind the technology curve when it comes to trying to get quick exchanges of information, which is something that happens routinely for us on the Northern Plains because of our size and our isolation. And, what John said earlier is true. We are charged – as example – Rosebud Sioux Tribe is the only reservation on the 83 corridor from the Mexican to the Canadian border of the United States of America. Yet we are charged 25 cents more per gallon of gas because they say it's out of the way for them to deliver gas to the Rosebud Sioux Indian Reservation. Yet we're on the corridor – the main highway of the United States – and it's inconceivable to me we continue to be punished for being Indian. So, if I work and I happen to make \$3.00 over a certain income level, I'm

ineligible for FNS. I'm ineligible for EBT. So, the alternative then is for me to not work because I have to provide food for my family. That's the reality. The harsh reality where we live. I think we all would like to have you come and see us. Spend a day with us at least to see how the operation works, to know some of the people that this program benefits, that without would absolutely have nothing to provide for their family on the table. Nothing. And, that's an important element that's missing in the whole consultation process. So, perhaps before a decision is reached about how, or if, or when, this might be implemented, that that kind of visit happens. Maybe visit several of the tribes in each region. It goes a long way for you in terms of public relations and it goes a long way for us to feel that the relationship we have is a real genuine relationship.

Salazar: We appreciate that.

Taken Alive: [Lakota] Mr. Salazar, once again, welcome to the Black Hills. My name is Jesse Taken Alive from the Standing Rock Sioux Tribe. What I've told – shared in the language is that, it's vitally important that we always remind each other where we come from and what we are. We are Lakota people – what you call Sioux – we are Lakota people from the Northern Plains – welcome to our homeland. These are indeed our homelands. It was enlightening to hear my relatives speak this afternoon. Mr. Steele, Mr. Thompson, the gentleman from Rosebud – everyone else who has spoken, because you can hear the English caused by colonization or by what the United States Government has done to us. These aren't statements of begging. Your position is only to fulfill what your ancestors did. At least the government that you represent – their ancestors did in the lies that they inflicted on our people and the resulting pain and anguish. So, these are not remarks of begging at all. These are remarks of hoping to consult so we can right these wrongs.

I was somewhat concerned as this meeting started out that we hear a scripted meeting again to protect whatever it is we believe sovereignty we have. But, let

me remind you again that we have a lot of warranted distrust for the United States of America – evidenced in our position of poverty. But, it's a reality – so I'm glad this didn't turn into a scripted meeting. I'm glad we haven't heard yet – the internalization that goes on – I quite concerned because of a comment that was made that said “an effort to invite you” that stems of paternalization. Also the statement made that there will be a gradual implementation of this plan – making it sound like with or without our input – so, the consultation process as I indicated earlier is one that's frightening because we know that you're exercising and only doing your fiduciary responsibility as a profession in your area of work, but this is our life. Some of us don't want to live anywhere else but on the Indian reservation. So, you've heard some of the concerns that are out there. Let me just say that, don't do and don't continue to do what the Federal government has done to us – taking everything without our input and once that was done, made us citizens in 1924, and when they go to address matters like this, tell us to go see and talk to our representatives, be they the Senate or the House, after they've taken and busted everything apart. That's called colonization, so don't do that any longer is what we're saying. It's not good, it's not fair, it's painful. The only way you'll know that is if you've lived in it all your life. We appreciate the comments that are made to emphasize with us and sympathize with us, but that doesn't correct the situation. Sit down with us and continue to sit down with us and listen to collective solutions for what needs to be done out there in Indian Country.

Our reservation on Standing Rock is 2+ million acres, so to take any of your formulas and say this is gonna be good for Standing Rock is – is not going to be good. It's not going to be good at all. When we talk about working poor, that's very important according to your formulas. When we talk about the food stamps program and how you're perceiving it – as that being rammed down our throats in Indian Country – consider that. Consider State's rights. We know that it's probably been shared with you time and time and time again, but please remember as you come out to Indian Country – indigenous rights of indigenous

peoples. We do have rights. Please always consider those as you continue your work with Indian Country. We were reminded throughout the afternoon of a November 28 mailing date. I heard that five times. We are reminded of a March date, I've heard that three times. Now, in the process of consultation, we understand. We can articulate, we can understand the English language, and we know there are sentiments of us not being able to understand. So, let me say this question if you – and ask you to respond immediately. How are all the comments going to be implemented in a proposed funding methodology? Can you answer that? How are all the needs going to be implemented in this funding methodology to the satisfaction of each and every indigenous government?

Theodore: I can tell you the process. I can't tell you if you – your individual government – will be satisfied. What the process will be is, we'll have transcripts from all four meetings. We'll have written comments from everyone who wants to submit comments by March 16. The Work Group is continuing to meet. The Work Group will be holding a meet in April and then they will meet and then they will look at the comments. They will look at the suggestions, they will look at the recommendations that everyone's making and then the Work Group will put together a final recommendation that will go to Mr. Salazar.

Taken Alive: Who will approve the final plan? Who will say, this is the final plan?

Salazar: The final that goes to me for consideration?

Taken Alive: It's just a simple question – it's not respectful to ask a ...

Salazar: I'm sorry.

Taken Alive: ... to answer a question with another question. Who will approve – who will approve the final plan?

Salazar: There are two approval steps, sir.

Taken Alive: Okay.

Salazar: And, that's why I asked the question. The Work Group will presumably approve its recommendation – based on some of the comments I have heard, before that even occurs, we need to extend the Work Group to have some additional representation – from what I've heard here today. So, clearly that's going to take additional time to what's probably been laid out in this process. The Work Group know that yet. My expectation is that we get to this matter of representation. Because then the alternative is then I have a product that whatever it is they send to me as their recommendation – that I knowingly – after heard this discussion – know that some people feel that there wasn't proper representation. I am going to turn around and go out and solicit that representation. Well, I don't want to have to do that after the fact. That should be part of the process up-front. The goal would be for me to get the best possible product for consideration. That doesn't mean it's going to be implemented, that's for my consideration. So, the answer to your question is that, I as the Administrator of the Food & Nutrition Service will make the decision as to whether or not those recommendations are implemented and to what extent they're implemented.

Taken Alive: So, we can work directly with your office then? In our request to revise the Working Group and our request to revise the plan – you've heard from the tribal leadership today, from my sister and brother tribes, that one size will not fit all. So, the recommendations that we have coming up – one of them will be is that, please consider this and not implement a one size fits all program. You've heard from us today that one size will not fit all, so I'm urging you to consider that in your process. As I say that, it's your process – it's your process – in respect to this consultation process that we're having, do not create a one size fits all mechanism for us. Truly, it's not fair. The other question I have, is this participation-driven or is it driven by funding availability?

Salazar: Ultimately, all of our programs are driven by the funds appropriated by the Congress. The question becomes once Congress has appropriated the amount, how do you divide those funds up. So, first and foremost, the first factor is how much money is made available in the appropriate. The second part is how do you divide it up. Given the proposal that you and I heard here today, there are some – some various ways of slicing this pie to include, possibly, participation, past history of spending, and other methods that, obviously, the Work Group spent some time coming up with some ideas of how that could be done.

Taken Alive: I appreciate that comment. Now, the other question I would have is, please share all the financial information with us, cause if you – we want to truly begin this consultation process, there can be no – nothing left under a rock. There can be nothing left under the table, everything must be on the table, including all the financial information pertaining to our programs, not only in our region, but throughout the country, so we can truly see what it is that we're talking about, because when you mention "pie" – we could very well be talking about a pot pie, as well. And, you need to know that. See, we strapped at home – when you said poverty, something that we're not wanting to say all the time, but it brings some stark realities. We don't have the time to put something together that's going to be a part of the previous consultation processes. Something that was alluded to by my relative from Oglala. It gets put in the trashcan. Something that's called file 13 – we can't afford to do that anymore. But, if this is a true consultation process – for now – for today's discussions, please consider those recommendations in your process. This is definitely your process – as treaty making is a process of the United States of America – but, throughout all of this, Mr. Salazar, the truth always has to be maintained. When we're able to do that – then we can find the solutions that not only are going to benefit us in this room, but the reason why we sit in this room is for those at home, that little three- or four-year-old child whose only food is the commodities. That grandmother, that grandpa, whose only food is commodities because of what colonization has done

to us. These are the start realities that we bring to the table and have done so for decades coming from Indian Country. And, unfortunately, more disrespect has occurred and often. So, I do appreciate your coming out and listening. This is not a business – this is a service – that needs to be maintained at the highest quality. We’re not looking at this to be a moneymaking venture. We’re looking at it to save lives. That’s what this is about. We appreciate the work that your staff has done in the regional offices, as was mentioned earlier. I know our Director – we’re very proud of the work that he does – I’m talking about Mr. Gates – he is able to draw attention to the quality food with Senator Dorgan in North Dakota – going back almost 16 or 17 years. We are very appreciative of how we can work together. Let’s continue that working relationship of honesty and putting everything on the table. And, finally, Mr. Salazar, I – I don’t mean to talk down to you, I don’t mean to talk at you, but I do this respectfully, because people depend on us at home. We cannot and will not drop the balls. If I’m sounding anti anything, please disregard that and I hope – and please remember this – if you remember anything today – that we’ve come here talking pro-Lakota, pro-Dakota, pro-Nakota, pro-Northern Cheyenne, pro-Ft. Belknap – that’s why we’re here. We’re not here to ridicule – we’re here – if you want to do consultation, we’re here and we can provide solutions with you. You don’t have to provide things for us, we’ll provide them with you. Please keep those things in mind, Mr. Salazar. Please do that. And, I know you’re a young man and, and would want to do your best. You didn’t wake up this morning and say, geez, how could I get this by the Indians. [laughter] I know you didn’t wake up with that on your mind. I know you didn’t wake up with that. There are other comments that we will be sharing with you, but if you could shelve this for a little while, I know that maybe a thought that has crossed your mind to shelve this funding formula methodology – I’m not trying to impugn any of the work that your staff has done. I’m not trying to impugn them at all. If it need be, let’s back up and revisit these issues. [Lakota] Thank you. [applause]



Salazar: Thank you, thank you very much. I was born and raised in \_\_\_\_\_ County, New Mexico, home of the Eight Northern Indian Pueblo Council in a very traditional cultural background – a very passionate culture and so when we speak with our passion – it is our passion to never interpret it as disrespectful – it’s a recognition that we are a passionate culture. We are a passionate people – and have strong beliefs. I respect that greatly and I thank you for your comments.

Barnes: Could I make just one quick recommendation – we have someone that’s on the phone that really wants to make a comment. Would you be open to that? Thank you I appreciate that.

Holmes: Gloria?

Goodwin: Yes?

Holmes: We’re ready for your comments if you’d like.

Goodwin: Is [inaudible] on the line?

Holmes: I haven’t heard her come on yet. Is she going to join us in a bit then?

Goodwin: I’m not sure. I – the only thing I would like to say is that she – you know, just like the other chair people – tribal representatives out there – she wasn’t too happy that, you know, with the consultation, you know, she is opposed to the funding formula that would probably have a negative impact on our tribes and that’s all I have at this point – at this time right now.

Barnes: Okay, thank you.

Walters: Okay. Welcome, Mr. Salazar. My name is Bob Walters. And, I’m a council representative from the Cheyenne River Sioux Tribe. First, I want to say that I’m

happy to be here today. And, I'm happy to see all the tribal leaders here today to speak on behalf of their – on behalf of our people. Again, we're not here to make argument, we're here to work and to see something good come out of this for our people. I want to thank all the directors from the food distribution programs also for all the hard work that they do to keep the groceries going out to our people. [applause] The 1868 Treaty – and I know I'm repeating what my relatives said before me, but the 1868 Treaty that said our people would receive rations. For the past few years – I'm starting my second term on tribal council – and we made a special appropriations legislative priority for the Cheyenne River Sioux Tribe and we've been carrying this package to the – to D.C. for the past probably three years. I just want to read some points out of it – it says “.. when the United States Government took the Black Hills from our people, they agreed to provide all members of the Great Sioux Nation with rations so long as they were needed.” Senate Report Executive Document Nine of the 44<sup>th</sup> Congress, Second Session, 1876, confirms this understanding. In addressing the Great Sioux Nation. Mr. \_\_\_\_\_, a member of the Commission on the Black Hills – by the Department of the Interior, “You simply give up 60 miles off the west side of your territory. It appears that it is entirely worthless to you and also give the white men permission to make the roads through your reservation through that territory – the Black Hills. In pay for that, you get the friendship of the United States Government and rations as long as you need them, no matter it is for 5 years or 500 years.” That's what it states, that's a promise that the Federal Government made to our people, saying that we'd receive these rations whether it was 5 years or 500 years. Back in 1977, the Food Stamp Act came out. The Federal Government put a guideline on commodities. That stopped many of our people from receiving the ration. What was promised to our people from the 1868 Treaty was a promise that the Federal Government said that we would receive rations. I, myself, I grew up on commodities, I come from a big family – a very big family – so to get that food was something for my parents – trying to live off of one income. We're so remote out there the groceries are higher, just like Mr. Steele said, just like Mr. Taken Alive said. Because we're so remote, our food distribution program –

there's six districts on our reservation and we are a large land-based tribe – we're a 2.8 million acre tribe and there's seventeen sites that the food distribution delivers to. Why? Because of poverty. And, I'm not saying this to be felt sorry for, but a lot of our people don't have transportation. Our roads aren't in good shape. Just a lot of things. They don't have money to hire somebody to take 'em to town to get their groceries, so we're very thankful for the food distribution program to be able to take groceries out to our people, because a lot of them, that's the only thing they get all month. You hear my relatives say the three-year-old at home, the [Lakota] – the grandma and grandpa. Lot of them, that's all they have is food distribution. I'm thankful to see like the fresh vegetables and the poultry and the stuff that was put into food distribution for our people.

The methodology that was presented to us, I don't see it working for us. I see it hurting us – just like the Chairman from Crow Creek said, it's going to eventually weed us out. Weed us out. There's a promise here that the Federal Government said our people would receive the rations. I heard the word “participation” brought up many times through the presentation. Participation – when this was broken in 1977, when guidelines were put on food distribution, guess what? It eliminated our working poor. Those who are barely making it. And, today I see it – being on tribal council, I deal with these people everyday. My relatives that come in from all different directions of our reservation. They need help. They need help. Oh, we were \$3.00 over on the guidelines for commodities. It shouldn't be that way, because there was a promise – a promise made that our people would receive their ration. Talking to our Director here, Theresa, I said what would that do to us, you know, our numbers could be really higher, really higher, if the working poor could even get in on commodities, but they can't because they miss it by \$2.00-\$3.00. It's not right, it's not fair. Again, another promise. Trust – the word trust was brought up. That's probably why. Because there was a promise made. The promise has been broken. Many times. In many different areas. I'm glad that this meeting is happening today. I just heard about it, I guess, last week, when Theresa brought me the information, cause I've gone

out to the regional meetings and to the national meetings on food distribution, brought up the very same thing. This promise that was broken by the Federal Government. Ms. Sanchez, I know I visited her many times about it and I hope someday to be able to get the Federal Government to adhere to the promise that they made to us – made to our people – to look out for our little ones, our elders. Our people sometimes have a hard time and it's hard to think – it's hard when things come up like this – it's hard to see things like this. What we see as tribal leaders may hurt our program; less funding, less help for our people. Everything that comes into our reservation, because we are remote, we pay a higher cost for it. Our groceries, you heard Mr. Steele talk about the price of sugar – at home the price of sugar up near Rapid City – we always have to pay more because of trucking, because we're so remote. Gasoline prices – we always have to pay more because of trucking. But, we have a U.S. Highway 212 go right through our reservation, right by the gas station that they put gas in, but, yet, they say we're out of the way. It just don't make sense. So, I hope that something different can come up and I will take this back to – to our Tribal Council – I'm only one of 15. I did not come out here to make a decision on behalf of my tribe. I believe in consultation. I believe in government-to-government consultation, where you people will come to our Tribal Council in session so that we can make decisions. I don't know – I looked at this consultation – when I first seen this, cause I worked with many different Federal agencies – and when I seen the word consultation, that's always a biter for me because this fiduciary duty called government-to-government consultation – just cause I'm here from my tribe, that doesn't give me the right to make that decision for my tribe. That takes a majority rule. So, again, I want to thank you for allowing me this time on the mike – I want to thank my relatives that come from far and near to come and look out for our people. Thank you. [applause]

Chapman: My name is Kenny Chapman, I'm on the Council with the Santee Sioux Nation. I – One of the things that I think we always need to do is remember what is talked about – the treaties that were signed in our past. And, another thing we need to do

also, too, when it comes to these Government programs and – when we – when something is brought on to us like this ... [tape change]

... and he asked me to stand and take his place on this consultation. We all need to also make sure that we – we keep our tribal council members informed of what's going on with the food distribution program. It's very important also that when we do make these decisions that we are to inform our tribal council members, our chairman – especially our chairman. This was brought on a number of years ago – this funding methodology – and being a food distribution director from the Santee Sioux Tribe – this was brought up a number of times in our regional meetings and our national meetings and each time it was brought up it was voted down. And, yet, we get a email said this was coming in our program. And, I don't know how this came about, but when this was brought forth in Seattle, Washington, last April – Mr. Salazar brought it forth and says, they was going to bring it in, that there's a 60% for this funding methodology. But, I don't know where that – those numbers come from. Because we did, as Directors for the Food Distribution Program, voted it down a number of times. So, how it's coming about, I don't know. Why? I guess there's some complaints, but there might be one complaint from the Southwest or two complaints from the Southwest, but that doesn't include everyone else in the United States. So, how this could come about, I don't know. And, I would like to also say that for the Santee Sioux Nation, we'd like to be on record that we reject this funding formula and we don't want it. We'd like everything to be continued as is, so that each program can get their funding and some of the – if we – if there's any kind of change is going to made, it should be done with – through the Federal Government and our Tribal Council members because it's a government-to-government issue because of the treaties that was signed. In the years back, although we know that treaties have been broken time and time again, let us try to do something about stopping this. And, that's all I have to say, thank you. [applause]

Barnes: We'll take a 10 minute break. We have some food and water and other things over on the table here. Does that sound like a good idea – about 10 minutes? Does that work? Thank you.

[Break – 2:10 p.m.]

Holmes: Who's on the phone with us – Gloria, are you still there?

Goodwin: I am.

Holmes: Who else do we have? Do we have anyone on the phone with us? I know Gloria is going to call back in, so we'll hear from her.

Barnes: We'll move on from here. Yes, a question, Mr. Walters?

Walters: What are we going to do with this meeting now? You see everybody doesn't – nobody agrees with the methodology or anything. Are you going to go back and say that you consulted with the tribes, or are you going to come to the tribes and do a government-to-government consultation?

Salazar: That is a fair and reasonable question. This process is intended to simply get input for the Work Group. This is not naïve deliberation of the proposal. This is consideration of the proposal. I wanted to hear the input that the Work Group was receiving, that's why I'm here. Once the Work Group has taken this input and put its proposal together and submitted it to me for consideration, then I will need to determine at that point in time what additional steps FNS needs to take before it even considers a proposal, which may entail the type of formal consultation that you're talking about. It may entail some additional process that I will need to be able to have the information necessary to make a sound decision.

Walters: So, are you saying you're not going to do government-to-government consultation?

Salazar: I have not said that, I have said we've got to determine how that would be included in this process. So, what is being determined at this point in time is that this is a part of that consultation.

Walters: So, you gave a March 18 or something like that deadline for comment period or whatever to be sent in from the tribes – from the food distribution Directors – from the Tribal Chairmen. Is that what you're saying? And, then you're going to make a decision off of that?

Salazar: No. Your Work Group has asked that any written comments be submitted to them by that March date so that they can take those comments to – into consideration as they work on their proposal.

Walters: So, after the Work Group works on it again or whatever – then is it going to come back out to the people?

Salazar: I'm not the Work Group, so I can't tell you what they are going to do.

Theodore: As I described earlier, the process is where we have these four meetings, we're presenting the proposal in depth to everyone through the Power Point and trying to answer questions about the proposal here, so that everyone here attending can understand the proposal a little bit better. We put out a written proposal on March – I'm sorry, November 28, that went out to the tribal leaders of each – for each program. We asked for comments back by March 16, so this is part of the process, this meeting is part of the process of helping everyone understand the proposal. We'd like to get your feedback on the proposal, what you think of the various components and the – the reasoning behind the components, so the Work Group can then take all that information and come up with the final recommendations that it will provide to Roberto Salazar.

Walters: The final recommendation is not going to come back to the tribal people, you're saying? It's going to go right to Roberto.

Theodore: I'm saying, the Work Group has been charged – the Work Group has been asked to put together a recommendation. That is the job of the Work Group. That is what the Work Group will do. The Work Group will provide a recommendation to Roberto Salazar after it meets in April.

Walters: So, when the Work Group works on this and it goes right to Roberto and the tribal leaders are still not satisfied with what comes out of this, we're not even gonna know about it.

Salazar: Let me clarify. One of the things that is probably going to delay some of this time line, because of what I've heard here today, is that I'm going to ask this Work Group to find a way to include additional representation from this region given the fact that there is not adequate representation. [applause] The Work Group will need to determine how they are going to do that and – and given your particular interest, Mr. Walters, I am personally asking you if you would consider being involved in that Work Group in representing the region, but you don't have to give us an answer today. I'm just indicating that it would really mean a lot to me given your – your commitment and history. That being said, I think the Work Group is going to have be able to adequately represent to me that they – that they've shown a way of getting ample and sincere input from all the effected parties before I'll even accept the proposal. Is that – is that understood? Again all that I will receive is a proposal ...

Taken Alive: It's understood, but ...

Salazar: I'm not under any obligation to implement that proposal.



Taken Alive: It's understood, but we, we don't agree with it. So, make certain that when you leave this meeting that all the overtures, the bureaucratic overtures that you offered here, we don't accept them.

Salazar: I understand.

Taken Alive: That's – that's a condition or an element of consultation that is so disrespectful – to see you separate yourself from this. Because you said that you'll make the final decision and your hearing the consultation process as we understand it, you know, should provide some type of productivity, so if you can't make that decision with leadership in the room with you, then we need to begin questioning, just as we do with other Federal entities – this consultation process – cause it's very disheartening to hear you separate yourself now from this – that's called bureaucracy and we – it's not very respectful to do that, Mr. Salazar, so please don't, don't go that route that other Federal entities have. Provide some assurances here before you leave the Black Hills of South Dakota and not say, I just did my fiduciary responsibility. In other words, simply put, please, please, show some respect. If that cannot be done, then we don't need to spend anymore time, money and effort in consultation meetings where you will separate yourself from what it is that you're being asked. That's not good to do. We need to – we need to have some, some answers here and if you can't do, then we don't need to consult anymore. That's, that's very, very disrespectful. I was hoping I wouldn't hear responses like that from yourself, but I'm hearing them now and I need to say this, you know, I've gotta say this, don't be the bureaucrat.

Salazar: Thank you for sharing your understanding ...

Taken Alive: And, don't paternalize – do not paternalize – I don't need to be thanked. Just tell us if you can or can't – do not paternalize, sir. We're trying to be good Indians, but we don't have to be paternalized, too. Thank you.

Salazar: I, I won't thank you. I'll simply say, your understanding of my comments are helpful to me, so that I can clarify what I mean, because I certainly mean no disrespect and I certainly do not mean to convey that I am removed from this process by any means. My presence here is anything but a removal from the process. It is subject to help debate the steps to which decisions are made and the points that we want to get adequate input if we then proceed with making any changes in this funding formula or implement a funding proposal. It's not to suggest that I would remove myself from the process – I did not intend to leave you with that impression by any means at all.

Dasovick: This, I think, is something the people are kind of referring to – this is the makeup of that Working Group. If you take program directors who are on the Working Group – who of the eight are from the Midwest Region, that represent 8,764. One is from the Northeast, who represents 372 people; one is from the Southwest, representing 445 people; one is from the Mountain Plains, representing 23,570. Two are from the Southwest representing 35,395. One is from the Western Region, representing 29,476. And, all have one vote. And, that is skewed – that's skewed.

Theodore: I'd like to point out – I'm not sure when that was dated, but membership has changed. There is no representative right now from the Northeast Region. They – they did remove themselves from the Work Group.

Dasovick: They still don't have 370 people.

Theodore: And, I think we did explain earlier how that – how it came about – the membership.

Salazar: And, as I said, that needs to be corrected.

Moore: I – I have a question that I think I proposed probably to some other program directors here, and tribal leaders, as well. And, that is – if we are going to – as we have – oppose this funding formula method, what are the alternatives? So, we are able to within the next 60 days, or however long now, if there's some extension to this for us – create something that is going to work for us. And, something that is viable to them so that we're not completely left out of the whole scenario so when a decision is made as Mr. Taken Alive has said, that if it's not a one size fits all, what's the size that's going to work for us in the Mountain Plains Region? And – because I'm not a program director, so I don't know the answer to that question. But, I think there are those who do. Maybe Mary might have something to say, Red – to that effect, so that we can begin discussing what some of those solutions might be then. And, if Mr. Walters is our representative ultimately, he has to know something that is concrete for him as well. I mean, I think he'd be a great representative to this committee – Working Group. And – don't shake your head – he just got re-elected for a four-year term, so we know you're going to be here for four years. The rest of us, we might not be around another six months, so we want to make sure we have got somebody. So, what are some solutions – I mean, obviously, we don't want the status quo – we do want the status quo – or is there something better for us in our area? That's just a question I put out there for consumption, whether there's an answer to that or not is, it should be part of our discourse today.

Greene-Trottier: I'd like to say that one of the things we've done in the past is to negotiate our budgets and that seems to have been working for us and I think it's the regional offices responsibility to ensure that those tribes are receiving adequate funds and for FNS to say, we have to negotiate a hundred budgets and that's time consuming, isn't that what they're supposed to do – to be working with the tribes?

Carry Water: Patti Carry Water from the Ft. Belknap Reservation in Montana and we have two tribes on our reservation. We're very remote. We serve as four districts – recently added to – but, it seems to me Mr. Salazar that the Working Group that was put together is almost like putting the cart before the horse. You did not get any representation from the tribes. I know you're asking us to be okay with this. I – I certainly am not okay with any changes. I mean, why change something that is obviously working. It doesn't make sense. We live everyday within our communities. We see what our members go through. As you heard from these distinguished gentlemen and ladies here, we – we live this on a daily basis. We see our children struggle, our families struggle, and I'm just asking that – and I'm happy to hear that you are considering extending the deadline. I think that's fair. And, also have our input, our comments, and take them serious because you are dealing with our – cause on a daily basis deal with it. Thank you.

Salazar: I'm not asking anybody to be okay with anything. I'm asking you to understand the Work Group proposal and give your feedback and thoughts and tell us what you think of that proposal. I'm not asking you to be okay with it. I'm asking you to see what I see – that it's only a proposal.

Blue Horse: [Mr. Blue Horse did not use microphone – inaudible.]

Theodore: I think I just need to clarify one thing. It's not necessarily the negotiation on an individual basis. What the problem is, is that region doesn't have as much funds as it needs to provide enough funding for each of the ITOs. Right now we allocate funds on a regional basis and, as I mentioned earlier, those are based on set percentages that have not changed even though circumstances have changed. When you had one tribe that left the program – we do not change the percentage of funding going to your region, even though you lost a tribe. So, that's – the way we allocate funds to the regions, we really have not updated that and provided the accurate funds, so this methodology is a way to try to correct that problem.

Greene-Trottier: The region that is screaming the loudest for more funds has historically turned back dollar after dollar at the end of the year. What does that tell you?

Theodore: I don't think they've turned back any significantly more than any other region, if you look at the data.

Greene-Trottier: But, it's still being turned back. That's the bottom line. If you don't spend it, why are you crying for more.

Theodore: I don't want to debate it – but, in the past two years nation-wide, everyone – I mean the amount turned back was \$50,000 and \$44,000, so we're not talking about – we aren't talking significant money that's being turned back. And, again, it could be a circumstance mentioned earlier – you have a staff person that left your program – you can't fill that position. Salaries that you budgeted for the year is based on that in the working budget and based on salaries for a certain – for the full year. You don't pay those salaries, you don't pay all the fringe benefits, so you may not spend the money. Sometimes you – I'm sure all of you may have come a little under your budget from time-to-time based on circumstances. You may even be over budget and have to ask the region for more money.

Salazar: Your point is well-taken though. Don't be asking for more money if you ...

Theodore: And, that was one of the considerations that the Work Group tried to build in – in Component Two was that if there is any tribes that are turning back money, that component should take care of that issue.

Greene-Trottier: [Not using microphone – inaudible]

Theodore: Well, I just have I'm going to throw out, are you all saying that you think the amount of money going to the regions needs to be changed or are you ...

Moore: Well, certainly the onus is on us as well in our relationship with Congress to raise a ceiling that – spending ceiling for these programs for increasing appropriations. But, yes, that's what we're saying. If there are regions where there are significant resources being returned or even some resources being returned, then those ought to be re-appropriated from FNS into regions where there will clearly be shortfalls, or in examples with us on the Northern Plains where we see increases in population on an annual basis that are ineligible for services because there's just not enough.

Theodore: Yeah, each year, we do that, the regions ask the ITOs, are you going to be spending all your money, because if they aren't spending all the money, what we ask them to do is reallocate within the region. So, if one ITO isn't going to spend all their money, the region can then reallocate that money to another ITO that might need that money within that region. If a region is not going to be able to use all of the money that was allocated to them, they will reallocate it to another region, but often times, we can't get the money back in time for another ITO to spend it within – within the time frames. It's one-year money, it has to be allocated by September, if it's not obligated by that time, it's basically lost money. And, it's very difficult, because what we're hearing from the program directors is that they can't redo their budget and get authorization from the tribal council to get or turn back money to FNS. And, that's a problem.

Moore: And, that's through no fault of their own, as well. We're at the mercy – right now, a continuing resolution that expects us to operate in 2007 cost levels, 2006 spending levels. So, we are greatly restrained and restricted in our ability to address whether or not it be shortfalls or to even provide the in-kind on the 25% match. We're not – and I've been saying this for the last several weeks now, in several different meetings, but we are – for the most part, every tribe in the – in this region, we're not Pequots, Mohegans, or Morongos. We don't give our members \$26,000 a month in per capita. In fact, as an example, the Rosebud Casino, only in December – only made \$62,000 in profit to the Tribe to provide

services for 25,000 tribal members. So, the disparity in that area is difficult for us to ... [tape change]

Taken Alive: To answer your question and I don't know what the parameters of the Constitution process is going on here, but we were asked as whole if we needed more money – from Standing Rock the response is “yes.” If we – if you wanta continue to – in this consultation process – operate in that fashion, certainly we can provide responses. But, yes, we do need more money. Yes, as, as you've been informed, these annuities – in lieu of renting land, everybody should be eligible for these annuities. That's, that's our position. So, regardless of the funding amount, regardless of working poor concepts, yes, we would like to see a program where everybody has been getting paid for the land that's being rented to the United States Government. If that's the response you're looking for, and even if it isn't, that's the response we're giving you from Standing Rock. No parameters – given simple facts that participation levels fluctuate for different reasons throughout the year and if you're not cognizant of that or don't wanta be, you know, we need to sit down and take a look at the opportunities to use carryover monies. If in deed that happens and if you can respond not necessarily today, how the contribution factor fits in with any of the formulas that you do have. We, like any other tribe could certainly use these dollars in some other areas, but we prioritize this and in that prioritizing process, it should be factored someplace, somehow, in the policies. I know you're probably not here to talk about policies, but if there's no prohibitions against it, our – our response remains the same, we'll take all the money that's available for a policy that we feel is adequate and appropriate – those are the words that are used in the treaties – adequate and appropriate. We've been conditioned for two many decades, too many generations to take less than, so I wanted to respond to the respond to the lady's question and if you have anymore questions, we'd be happy to respond to them from Standing Rock in this consultation process. Thank you. [applause]

Theodore: Actually, do have a couple more questions cause I guess what I'm hearing from a lot of the speakers so far is that you want to maintain the negotiation process, so

am I correct in assuming that you all are – in concept at least – in approval of the Regional Negotiated Amount? Do you like that feature of the proposal that would allow you to negotiate with the region to supplement your Basic Grant Amount, if there was a Basic Grant Amount?

Taken Alive: Once we see all the finances. Once we see all the finances, then we could give you an educated response back to that question. My understanding is that we haven't seen all the finances that are available to us, so it's an unfair question, that we would be able to respond to you today. Give us all the finances that are there available to us throughout the country, we can respond to that.

Dasovick: Could I say something, it relates – it's similar, but not the same. I am also responsible for the commodity supplement food program in North Dakota and we went with the Basic Grant because there's not enough money in there to cover that program for the whole state. As a net result, the local community action agencies and other agencies put in three times the amount that the Federal Government gives us to run that program. And, the same thing could happen here. Another thing is, this is true with all programs – Red's brother-in-law and I were driving on the summer food program on Standing Rock a few years ago, and we noticed that participation would drop, simply because of the distance. Jobs have been created, people go to work, the person going to work has the car, the kids don't have any way of getting into that program, and participation has declined. A lot of times, North Dakota, and all of our states out here are called small states, in the east, we're not, we large states with small populations. I know the guy, Forrest's predecessor in Montana, used to say, you stick Montana in Vermont it comes all the way to Minnesota. And, we're kind of the same way, there's reservations there bigger than some states. And, again relating to the summer food program as a comparison, New York City has more people in one building than could participate in one whole school district in North Dakota. Everyone of them has to have – it's just the demographics – the miles are just so, so different and they're so difficult to travel. That's, that's where a lot of our



problems are here – in all programs, not just one. But, the funding base that we have – if it wasn't for those other agencies contributing thousands and thousands dollars and volunteer hours, we'd never accomplish it.

Harris: I'm Roberta Harris and I have work with the Northern Cheyenne Tribe. I am the Grants Manager there. Our participation level fluctuates a lot just because of the summer season and we have firefighting season and so our participation level changes from summer to winter. I think what I'm hearing is – well, first of all, we oppose the funding methodology and that, in terms of the consultation, it sounds like you're not wanting have the work approved and not wanting to do work with the tribes one-on-one in a government-to-government relationship and I was just wondering if that would change and that should be because one of the things we are always constantly fighting for are dollars. [inaudible] But, I think one of the biggest frustrations with our leaders is that we're always fighting for those dollars and it's very competitive [inaudible]. And, that should seriously be considered. One of the other things is that we did – our program director likes the funding that she has now, but we would like to see increase more in the administrative costs and if there are carryovers, why aren't we allowed to spend that out? And, not have it taken away from us.

Salazar: The issue about being able to carry money over from one year to the next [inaudible] and it's not unique to this program [inaudible] and it's a challenge for many programs – that issue. This Work Group and you and I don't have the authority to change that [inaudible]. There are mechanisms where that should be addressed through the annual appropriations process or perhaps even [inaudible]. That proposal will probably be considered in the coming months of this year and the opportunity to start talking about value of making funding for FDPIR for 2-year budget or for "X" year budget which is a multi-year that would allow carryover. I would agree as the Administer, you shouldn't be punished because you were efficient and frugal one year and then you didn't all that money, so we're going to give you less next year. That just doesn't make sense. What you

do is you force the program administrators like yourself to maybe not necessarily wisely spend all the money so you don't lose it. That's not the best way to manage money and so your point is very well taken and it's a concern that we have, but unfortunately this Work Group or I don't have the authority to change that. Thank you.

Blue Horse: [inaudible] We would like to continue to negotiating the whole budget, not 15% of what they decide that we can negotiate for. That's what we really want is negotiating the whole budget. Not 15%. [inaudible] The way it seems is you're trying to use that as saying, okay, we gave you the right to negotiate. That isn't. That's just 15% of what is met somewhere else. That's all.

Salazar: I understand [inaudible].

Gates: I'd like to make a comment, I guess, Nancy, in response to what Joe's saying. They're not saying they're in favor of the negotiated amount of 15%, they – just what Joe said – they would like to continue to negotiate the full amount, just as we always have done in the Mountain Plains Region. I remember when the Work Group was discussing some of the components, you always have the habit of going around the room, and, even though we don't have any rules of voting, I always felt like I was back in mission school – boarding school – having to give an answer, and I mentioned that to you one day and we all had to agree or disagree and I said, well, I disagree. Well, you asked me, what would you like to see? And, I said, I'd like to continue the budget the way they are and negotiate the amount as where it's at, but, of course, everybody was not in favor of that.

Let me say this, as a Work Group member, I been working for the Standing Rock Food Distribution Program since March of 1982. I think that's 25 years. I started working with the Standing Rock Sioux Tribe in 1970. I actually put in one year of temporary employment prior to that, so I been working with programs a long, long time. I was an Assistant Community Action Program Director. And, having

to sit on this Work Group committee that was set up – and, not liking the formation or the composition of the committee to begin with – that’s been very, very tough on me. Several times I talked to some of the other officers and I told them that I felt like quitting. Sometimes I felt like I wasn’t being heard. Your hearing today what I was trying to tell the Work Group all along. That we are treaty tribes, we are not given the respect to our region that almost every tribe in the region has a treaty with the United States Government. One of the things I want to bring out about the committee, I never agreed from the beginning about the composition of that committee. Number one, I was very surprised that there was two members sitting on that committee that are FNS officials that had never visited a reservation or FDPIR operation. One of the ladies even told me, she was making a hurry-up visit to one of the programs. That tells me there was no consideration given to people that were familiar with the program and, yet, as you’ve heard, tribal membership on that committee, there is not enough in the Mountain Plains Region. I, I will continue to try to work on this committee in the best way I can and, Nancy, as you well know, in July when we went into Alexandria, I’m the one that brought forth this consultation process. I sat on it for a long time until I really felt there was a need to bring it forth. When I brought it forth, I asked Lillie Regan to talk to your General Counsel and she went, came back and said, yes, you have to consult with tribes. So, that’s been my major contribution to the Work Group, because all along, I’ve had a hard time working on that group and being asked to agree to something that I didn’t agree to. I just wanted to add those comments. Thank you.

Barnes: Thank you, Red.

Colombe: Jo Colombe, Rosebud. You know when Mr. Salazar – Robert [Moore] is such an eloquent speaker and I enjoy serving with him on the tribal council. He’s a wonderful person. When Mr. Salazar first began speaking, you said you have some reservations about this. I mean that’s the feeling I got from you. You know, I appreciate you coming and participating in this consultation. I think that

each tribe is going to – maybe all of us need to get together and have our commodity directors – you know, maybe we could have it at the Rosebud Casino, but I think we all need to get together and we formulate what we think should be done, you know, because I disagree with this. [inaudible] takes offense to some the comments, you know, that’s the feeling that we get. I mean, looking at the whole crowd. We don’t mean to offend you and we’re so glad that you’re here, but we think that this is something that we as tribes need to work on together and I think we should be coming to you with whatever changes, you know, we think are – or keeping it existing the way it is. But, we had another [inaudible] and it directly effected that. But, I thank you for coming here. It’s been my pleasure to meet with all of these wonderful people. Thank you. [applause]

Farris: Forrest Farris from Montana, we represent six tribal organizations and it was really heartening to hear John Yellowbird Steele say at the very first that he understood why his tribe only used – needed \$210.00 per participant while Blackfeet was at \$600.00, because he understood what the individual needs were of those tribal areas to serve their people. And, that’s what we in Montana believe is so important for the tribes that we represent. That they have the ability at their level to determine how they best could provide the services to their people and, and we can’t do that for them. They make the determination. How many people it takes to serve their people and to go to serve those people. What kind of equipment, what kind of warehousing, what kind of needs they have to deliver services because they are there to deliver a much needed service and that has to be maintained. And, this proposal will take that away from them. If you do everything based on percentage of participation, the bottom line is it’s going to be based at about \$271.00 per participant, given the figures that you gave to us. No matter how you split it up, it’s going to be somewhere in that area. For those tribal areas in Montana, given the climate changes that we have, the conditions of our roads, the areas that the people live in. How they can or cannot get to the areas that are able to distribute food, so it may require tailgating or needing to run the program in hours where someone that represents that family can get there to

pickup food. It can't be just can't be based just on participation. And, given the fact that any negotiated amount at this point is based then a portion of what percentage you have within that region, it is not adequate to provide enough negotiation space to get the dollars there that we need. The way it's done now, they are able to determine what their needs are and they present that budget and then it's negotiated from there. Any other way to do it is not adequate to provide that service.

Gates: I wanted to respond earlier to the critical feature, the gradual implementation plan, at the bottom. Each ITO or state agency would receive a Basic Grant Amount no less than the Federal allocation received the prior year. You know, that sounds good, but what about the cost of living increases that a tribe has, the inflation; I didn't like that idea. It's just a slow death for these programs and I just wanted to bring that up.

Barnes: Thank you.

Moore: I don't know if you're aware or not of a trend that's happening in Washington, D.C., with regard to tribes. The Cobell [sp] issue, which you might not be aware of is a lawsuit that was brought by individual Indian account holders. These are individual Indians whose money – receive compensation for oil and gas leases, land leases, those kinds of things, which the Bureau of Indian Affairs cannot account for. Billions of dollars. In this last – at the end of the 109<sup>th</sup> Congress, President Bush's administration put forth several proposals for the resolution of this lawsuit in the legislative fix. In those proposals are – is language that begins a process of termination of and severing the trust responsibility of the Federal Government to tribal nations in the United States. For which we are very defensive about and are very – we're very sensitive to, as well. And, so when these kinds of proposals are put to us, we see them as another means to eliminate a trust responsibility and a complete lack of what [inaudible] of self-determination, tribes to provide for themselves what is the best method for tribes

to meet the needs of all their membership and so I share the frustration of the others who are here. When it looks as though there could be some implementation of a plan that erodes services that we are providing now for a growing population that will no longer be there – say in 10 years. That’s very frightening to us. Because the termination era has already come and gone for tribes, in which tribes were eliminated as tribal groups within the United States of America. And, this is the beginning of another phase of that era. That phase of that era is what we see. This is a part of that whole big picture. So, while it seems to me this is a smaller part of our budget, monies for the tribes, it’s significant for us.

Taken Alive: Mr. Salazar, I want to begin by saying, please keep in mind, this is not a Republican or Democrat issue. There’s hats that are worn by some of our tribal members that say, “1-20-08, Bush’s last day,” indicating that the frustration of the way we are viewed by the Republicans. There’s also sentiments out here that say, we only go court because we have a Republican Supreme Court. Point being of all of this is that we continuously are made to feel that our backs are against the wall. But, throughout all of that, there’s a truth, that we live with and as you heard today, treaties are the truth. We tell that to our young people. You may be challenged in more ways than not, but we do have truths. And, one of those truths is that we don’t – some of our people don’t wanta be part of the American dream. They don’t wanta be a part of the American dream because there’s no culture in there. There’s absolutely no culture in the American dream. Unless you view chasing money and looking at titles and chasing prestige around as a culture, but there’s absolutely no culture. Maybe in the late 60s, early 70s, there was a pop culture, but there’s absolutely no culture as America. And, that’s a frightening, frightening thought. So, as you come out to Indian Country and I hope that you can come out more – but, more importantly bring results to us, after consultation meetings like this, that will be even more rewarding as we make this trek, as we write these chapters in history for our children, but I hope that you can take these comments, decipher them in your own way, however you feel comfortable with

that, you know, life is real out here. There's a non-Indian gentleman who shared a statement – and I need to say it was an non-Indian gentleman because we always need to respect always the people, what they form and develop around us, as an indigenous peoples – but, there's a non-Indian gentleman who said that Washington, D.C., is 10 square miles surrounded by reality. So, if you could keep that in mind that we are indigenous peoples, that we do have cultures, we do have languages. We do have different ways of looking at life and we don't want to be part of the American dream. We want to be that part of the Lakota dream, whatever indigenous culture you come from. That's, that's what's being touted now by our young people – I am part of something, I realize that. I understand what the United States did to us in its colonization. Please don't reinforce this. Yours is a career, and we respect that. The Federal Government – those who did it – for them, that's a career, so they can get retirement, among other things. Ours is a livelihood. Our is about indigenous dreams. Ours is about trying to right wrongs. That's what this is about. So, in saying so, I appreciate the comments you made and we may have to use a quote that you made here today, where it doesn't make sense to not be allowed to use carryover as we look at policy change in a true nation-to-nation relationship, with the Congressional people will that be. And, there won't be anything that will be distasteful, cause we'll demonstrate to the Congressional people that you do want to make a change, but we also know that you can't lobby either, well, we won't put you in that position. We talked about respect. We want to be able to do that by our actions. We, we believe that you came up here in a respectful fashion. And, in doing so, we believe that there will be some good changes. There will be some good responses to our what our professionals are saying – our program directors – you've heard them today. If one of the changes is to redo the Working Group, we look forward to that. That's one of the changes that our professionals, and indeed they are – for our commodity programs. So, we look forward to these changes, that's what life is about, but also at the same time, we don't want to break something that isn't – we don't want to fix something that isn't broken. So, again, thank you for coming out here to the Black Hills and if I could thank your family, I would do likewise,

cause that's what we're about. Family. It's not about somebody – individual – that's not our culture – it's about family. So, give our regards to your family, let 'em know that you met some really fine people out in the Northern Plains and that we do say more than “ugh.” We are alive and well out here. And, if it was our choice, yes, we would live in tepees yet. Yes, we would have a beautiful lifestyle, as opposed to going through this colonization effort. So, I just want to let you know, you know, right now, that we may end up using your quote that you said, not being able to use carryover money doesn't make sense. I am pleased it's not a threat or anything. You've offered some interesting responses today. I understand that we'll get a chance to get the transcript of today's proceedings and if possible all of us would have jumped at the chance to say everything we've said to you in our language, but that puts together the heart and mind of what we truly are up here. But, someday, we'll be able to do that, so travel safe home. As far as my role here representing my people from Standing Rock, I appreciate the opportunity – I meant to show no disrespect, but to show our Lakota/Dakota spirit on behalf of our children that can't be here and our elders that can't be here. So, please take those home, think about them, and when it's all said and done, I hope you can say you had an enjoyable educating, friendly, warm, visit out here to the beautiful Black Hills, so [Lakota]. [applause]

Salazar: We want to make sure everybody's had an opportunity to share their thoughts.

Sarah: Is there anyone on the telephone that would have any comments at this time?

Goodwin: Not now.

Sarah: All right, thank you.

Salazar: In my language, we say: [Spanish]. “Talking is how people understand.” And, so that's what we've done this afternoon. We've talked and understood some things. You've certainly helped me understand many things. I want to all understand I



am very appreciative and grateful. I am reluctant to say the words “thank you” because I don’t understand what they mean sometimes, so I’ll refrain from using those words, but I’ll simply express my gratitude to all of you and let you know that I hope we can continue this dialogue. I value your passion. I don’t ever see your comments as being disrespectful, I see them as your passion and your commitment for your people and I will always recognize that and value it highly.

Farris: I’d like to address one more issue, just briefly. On attachment E of the proposal, it discusses the Montana and North Dakota warehouse and I just wanted to be on record that we agree with the premise that our costs for our warehouse should never come out of admin funds. For years, we have – we’ve run a regional warehouse in Montana, I believe we’re the only state-owned and operated warehouse left in the country. We provide services in our not only for the FDPIR program, but we also warehouse and distribute for the CPAT program that operates in private areas around the state, the CSFP program, the NSIP program. We also run school lunch program. We have always felt that the home-based food product commodity program should be covered under the food costs and we open that up last fall when we justified our warehouse operation and were heartened by the fact that we might be able to negotiate a contract for our warehouse under food, rather than agriculture, but it needs to be said that if we cannot, if we remove – just even remove the four ITO tribes that we deliver to from our operation, it would cripple our operation and we would probably not be able to keep operating. This could jeopardize – would jeopardize the CPAT and CSFP in Montana. Even under the national contract for multi-delivery, we delivered 49 CSFP sites around the state, many of which only receive 3,000 pounds of rations and at that point, they’re not going to get a multi-contract for delivering to those sites. We have to arrange a day and a time for those because of the fact that the CSFP program is run almost entirely by volunteers. It would not operate otherwise, and so to take just those four ITOs out from under that warehouse operation would be crippling for our programs and all four of our commodity programs. So, we relish the opportunity to renegotiate with

Washington to get our costs under food where they belong so we are not taking part of the funding that could be going to the tribes.

Dasovick: We're in the same situation in North Dakota. We have three ITOs – three tribes that we administer. And, when that regional contract came out the first time, we looked to see if our contractor could bid. He's a commercial food carrier, he delivers for all over – 100 big companies – he has over, you know, 3 million, 4 million pounds a week that he delivers. He's closer to many of the tribes in Minnesota and many of the tribes in the Midwest and Kansas. A lot of them are 75 miles away from the warehouse. He had no opportunity to bid because he didn't meet the commercial grocery spec-type thing the way that contract was written, but we still want to provide that service because we too just on economy to scale – run all of our programs – for lunch – we put them all together and they're all in one warehouse. It's not a multi – all commodities – and it's state-of-the-art. If they were to pull those out and save that money – the costs would be passed off to the schools, passed off to everybody else. We think that that admin money that goes into the Mountain Plains Regions for warehouse and transportation should really go back to food. It come from the other side of the food budget. At one time, I've been with the program longer than Red, but not longer than Joe. But, at one time, there was talk and the talk of a regional warehouse up here in Montana, that's been going on for well over 20 years, but nothing's ever done. When they first talked about transporting from Carthage all the way up to the Blackfeet and doing it overnight – that's what I talk about, you gotta know the territory. There's no way you're going to get it – and I did a chart to justify our warehouse one time to show delivery – for example, one truck would have to be dedicated just to Standing Rock to get up and back and up and back and that is a costly kind of thing when we can do it in a day. Cost savings could be achieved.

Barnes: I'll ask one more time, anymore comments? Then I ask that you travel safely and I know I will see some of very soon.

Consultation meeting adjourned at 3:15.

Sarah: Before you go, we did plan a dinner this evening at the Firehouse Brewery. I did RSVPs from some of you folks. It's at 6:30. The Firehouse Brewery is at 610 Main, right next to the Prairie Edge. If I could just get one final count so I can let the restaurant know what kind of numbers we're looking at, just by a show of hands and if you didn't RSVP, you're more than welcome to still come. So, anybody?