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TRIBAL CONSULTATION MEETING
USDA, FOOD & NUTRITION SERVICE
WESTERN REGION

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REPORTER'S TRANSCRIPT OF PROCEEDINGS

Tuesday, January 30, 2007

U. S. DEPARTMENT OF AGRICULTURE
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REPORTED BY: NIKI MAKELA, CSR 11024 389677

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2 San Francisco, California; Tuesday, January 30, 2007

3 11:30 a.m.

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6 P R O C E E D I N G S

7 MR. NG: Good morning, everyone, and welcome
8 to this meeting. I want to thank all of you for coming
9 and attending either in person or on the phone. For
10 those of you who couldn't make it in person, I'm Allen
11 Ng, the Regional Administrator for the Food & Nutrition
12 Service Regional Office here in San Francisco and with
13 me are my staff, Stephen Pichel, the director of Field
14 Operations, also over the FDPIR, and we have Natalie
15 Diaz, Patty Shawn and Sara Kellog.

16 And then we have two distinguished guests from
17 our national office, Kate Houston is the deputy
18 administrator for the special nutrition program, and
19 she is over the FDPIR program, it's one of her many
20 responsibilities. She also has the responsibility for
21 all of the special nutrition programs and the other
22 food distribution programs in addition to FDPIR and the
23 weight program also. And Laura Castro is on Kate's
24 staff.

25 This meeting really marks a key milestone in

2 that FDPIR administrative funds are allocated. Many of
3 you know the current method involves the distribution
4 of appropriated funds to the regional offices based on
5 fixed percentages that have been used for many years,
6 and that hasn't changed for many years. And each
7 regional office has developed its own method of further
8 allocating those funds to each of the participating
9 Indian tribal organizations.

10 And we have heard in the Leadership Levels
11 concerns over the years about funding inequities among
12 the tribes and administrative funding per participant
13 ranges from about \$100 per participant to about \$1500
14 per participant across the country. And we are all
15 spending a great deal of time developing, reviewing and
16 negotiating individual budgets for each FDPIR program.

17 We all know that we have to make the best use
18 of our limited staff. We have taken every step to
19 ensure that changes to the funding allocation are
20 considered in an open and transparent process. We have
21 involved tribal and state officials and representatives
22 of program participants in the FDPIR Funding Work
23 Group. And we want to make sure that there is success
24 in this process, and we want to make sure that our
25 common goal is to strengthen the FDPIR program so that

1 eligible individuals could have access to healthful
2 diet.

3 So the purpose of this meeting is to present
4 to you the proposal developed by the FDPIR Funding Work
5 Group for new methodology for the allocation of
6 administrative funds for this program. And the Work
7 Group numbers, some of you -- some of whom are here,
8 have worked diligently to identify a balance and
9 equitable approach and in a manner that best serves the
10 program and the individuals and the families it serves.

11 We sent a description of the proposal in our
12 letter to you on November 28th, 2006. We also have
13 copies of that here. I think it is included in the
14 packet, is it not?

15 In a few minutes, Laura Castro will go over
16 that proposal in detail, and then we will take
17 comments, and your comments will be presented at this
18 meeting whether here, in person, or over the phone,
19 will be transcribed and provided to the Work Group and
20 FNS officials in Alexandria, Virginia.

21 Written comments can also be submitted and are
22 due March 16th. So you can if you have any additional
23 comments, you think of any additional comments later
24 on, you have until March 16th of 2007 to submit those.
25 We have included the address for the submission of

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1 those comments in our letter of November 28th.

2 In April, the Work Group plans to meet to
3 consider all of the comments received and develop a
4 final recommendation that will be submitted to our

5 administrator, Roberto Salazar, for consideration.

6 Let me turn it over now to Kate Houston for
7 some comments. Kate Houston.

8 MS. HOUSTON: Good morning. Thank you all so
9 much for coming today. I'm relatively new to the Food
10 and Nutrition Service. I began working as the
11 administrator in October of this year. So this is
12 actually my first opportunity to come to a Western
13 Regional office, and I wanted to come so that I could
14 initiate a relationship with all of you.

15 FDPIR is just one of the 15 nutrition
16 assistance programs that are operated by FNS, and we
17 are proud of its history and fully committed to
18 identify ways in which we can further strengthen the
19 program, which really brings us to why we are here
20 today.

21 While this is the fourth listening session
22 that we have held throughout the country during this
23 month, it is certainly not the end of the process by
24 any means. We are grateful for the participation of
25 everyone both here in the room and also those on the

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1 phone for providing input into this process, which is
2 really a critical -- a critical piece of the overall
3 process.

4 I especially want to thank Nancy Egan and
5 Thomas Yellowhair for their contribution as members of

6 the working group, and thank you for being here today
7 and also to Allen Ng our regional administrator for
8 hosting the meeting.

9 So thank you again for coming. We look
10 forward to your comments, and we look forward to
11 continuing to work with you through our commitment to
12 find an appropriate funding methodology.

13 MR. NG: Thanks, Kate. At this point, I would
14 like Nancy Egan to give the invocation.

15 MS. EGAN: Good morning, everyone. My name is
16 Nancy Egan. I'm from the Shoshone-Paiute Tribe, and I
17 am also the president of the Western Region. I'm glad
18 that everyone could make it here today, and this
19 morning I would like to say a word of prayer for us in
20 my own language as well as English. So please bow our
21 heads.

22 Our Heavenly Father, we thank you for this day
23 that we could come together that we may work for one
24 common goal providing a benefit for the people we serve
25 in our program. Lord, I pray that you will be with us

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1 throughout this day and guard us as we make the
2 decisions that will be affecting the food distribution
3 program on Indian reservations.

4 (Continues prayer in non-English.)

5 Amen.

6 MR. NG: We are going to do introductions
7 right now.

8 UNIDENTIFIED SPEAKER: We can hardly hear you.

9 MR. NG: We are going to do introductions
10 right now of the people here in the room. So let's
11 start.

12 MS. MOOMAW: Cherie Moomaw, Colville
13 Confederated Tribes, council woman.

14 MS. PALMER: Dorothy Palmer, Commodity Food
15 Director, Colville Confederate Tribes in Washington
16 State.

17 MR. TYLER: Good day. My name is Lee Juan
18 Tyler, Vice-Chairman of the Shoshone-Bannock Tribe. It
19 is great to be here in San Francisco.

20 MS. KALAMA: Carmen Kalama, (Inaudible)
21 Inter-Tribal Planning Agency. It is a consortium of
22 five tribes (inaudible) and I'm the program director.

23 MS. COLE: Good Morning. I'm Sandra Cole.
24 I'm the CFO of the (inaudible) Tribal Planning Agency.

25 MS. OLNEY: Good morning. Oscar Olney, Yakama

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1 Nation. I'm the deputy director of human services.

2 MS. SANCHEY: Good morning. My name is Athena
3 Sanchey, Yakama Nation, (inaudible) council.

4 MS. WALKER: Good morning. I'm Linda Walker.
5 I am the program manager of the Commodity Food
6 Distribution Program, Washington State.

7 MR. WRIGHT: I'm Joe Wright. I'm the
8 Vice-Chairman of the Sherwood Valley (inaudible)

9 council. I've been the past director for 11 years in
10 the food program.

11 MR. McDARMENT: Good morning. My name is
12 Richard McDarment. I'm the director of Tule River
13 (inaudible) program in Northern California.

14 MR. BOWMAN: Good morning and good afternoon,
15 everybody. My name is David Bowman. I'm the Navajo
16 program manager.

17 MS. EDENFIELD: Sharon Edenfield
18 administrative manager for the Siletz Tribe in Oregon.

19 MS. PIGLSEY: Delores Pigsley Tribal Chairman
20 of Siletz Tribe in Oregon.

21 MR. FILFRED: My name is Davis Filfred. I'm
22 from (inaudible) Utah. I represent the Navajo Nation.
23 I'm newly elected. I represent three Chapters --
24 (inaudible). I'm on the oversight committee, Health
25 and Social Service Committee. Glad to be here.

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1 MS. WHEELER: My name is Julia Davis-Wheeler.
2 I'm with the Nez Perce Tribe, the State of Idaho. I
3 serve as chair of the Health Education and Welfare
4 Committee, which commodity food is under that program.

5 MR. YELLOWHAIR: Hello. I'm Thomas
6 Yellowhair. I'm with the Navajo Nation Food
7 Distribution Program. I'm senior budget analyst, and
8 I'm also in the FDPIR Work Group.

9 MS. GIMLIN: Jenelle Gimlin, State of Nevada
10 Food Distribution Program.

11 MS. BEGAY: Roslyn Begay, Navajo Nation
12 Division of Health.

13 MR. WALKER: Thomas Walker, Junior. We bring
14 greetings from the Navajo Nation in the three states,
15 Utah, New Mexico, and Arizona. I serve on the
16 Oversight Committee, the Health and Social Services
17 Committee, recently elected the chairperson. Wish you
18 a good day.

19 MR. PRIOR: Hello. My name is Kyle Prior,
20 chairman of the Shoshone-Paiute Tribes, (inaudible)
21 Idaho, and Nevada.

22 MS. EGAN: Nancy Egan from the Shoshone-Paiute
23 Tribes. I'm the program director, and I'm also a
24 member of the food group.

25 MR. HOOKE: Howard Hooke from the Santa Carlos

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1 (inaudible) food manager.

2 MR. NOSIE: I'm Wendsler Nosié. I'm the newly
3 elected tribal chairman for the San Carlos (inaudible).
4 Glad to be here. Thank you.

5 MS. GALVAN: Good afternoon. My name is
6 Theresa Galvan. I'm with the Navajo Nation.

7 MR. NG: Thank you very much and, again,
8 welcome to San Francisco.

9 At this point, I'm going to turn it over to
10 Laura Castro for her presentation on the proposed
11 methodology.

12 MS. CASTRO: As I look at the clock here, I let
13 me be the last person to wish you all a good morning
14 and good afternoon as we move into the afternoon here.

15 My objective this morning is to give you a
16 brief overview of the Work Group's proposal for a new
17 funding methodology. I'm going to cover the same
18 material that is in the November 28th package that was
19 sent to all of the tribal chairman, and that you also
20 have in your packets today.

21 I know many of you have already spent a lot of
22 time going through the proposal, and I hope what I am
23 saying to you will not be too redundant or repetitive,
24 but what we want to do is make sure that everyone has a
25 common understanding of the proposal as we move into

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1 the discussion this afternoon. I also hope that I can
2 answer any of the questions that you may have.

3 I know there's one that I am sure occurred to
4 you as soon as you got the package and found out that
5 FNS was considering a new funding methodology and that
6 obvious question is, "Well, is my FDPIR program going
7 to lose money as a result of this new proposal?"

8 And I want to address that question briefly now.

9 The short answer is no. The Funding Work
10 Group has developed a gradual implementation plan for
11 this methodology. We wanted to do that so that we
12 could ensure that no FDPIR program lost a significant
13 amount of funding going into the implementation of the

14 proposal, and I'm going to describe more how that will
15 work as we get into this. But I wanted to let you know
16 that was something that was important to the work
17 group, and we understand the need for some
18 predictability and stability as we are going forward
19 with this.

20 So what I'm going to do is run through the
21 slides that you have in your package. And for those of
22 you who are on the phone, I'm going to try to be very
23 clear about what slide number I'm on. But if at any
24 point I'm not, please speak up and we will make sure we
25 get everyone on the same page.

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1 If you turn to the second page of the slide
2 entitled, "Need For Change" at the top. And another
3 question that you may have is "Why are we doing this?
4 Why do we need to make a change of the way we allocate
5 FDPIR administrative funding?" The reason is as Allen
6 has mentioned there have been long-standing concerns
7 that inequities among the FDPIR programs as a result of
8 the way we distribute funding now.

9 For those of you who don't know how we give
10 out FDPIR funding, the way we do this is every year
11 when we find out how much appropriations congress is
12 going to give us nationally for the program. And in
13 the last few years, it's been around \$25 million. We
14 take that \$25 million, and we break it out among each

15 of the six FNS regions that have FDPIR programs
16 according to fixed percentages.

17 Those percentages have not changed for more
18 than a decade, and frankly, no one remembers any longer
19 why we are using those particular percentages and what
20 they represent. They don't bear any direct correlation
21 to participation or any other cost driver that we can
22 think of for FDPIR.

23 So every year the Western Region, for example,
24 gets 32 percent of the national amount of FDPIR
25 administrative funding. And then each of our regions

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1 has their own process for giving their pot of funds and
2 then out to each of your FDPIR programs. And so again
3 from region to region, the way it is done varies.

4 The end result is that, as Allen has
5 mentioned, there is a pretty wide disparity in the
6 amount of funding that is going out to the programs.

7 In your folders, there's a handout that shows
8 for fiscal year 2006 the total amount of funds that
9 each of the hundred or so FDPIR programs received along
10 with the participation in each of those programs and
11 then the far right-hand column shows you the amount of
12 funding on a per participant basis. And again, in
13 2006, that ranged from about \$129 to almost \$1900
14 across the nation in all the FDPIR programs.

15 And while there may be very legitimate reasons
16 for some variation in the per participant funding, we

17 don't think that operational differences can account
18 for such a wide disparity, and we want to take a look
19 at the way that we are giving out funds to see if we
20 can bring the amounts more in line with operational
21 needs.

22 Another issue that comes up with the way we
23 give out funding now is that it is very time consuming
24 for both the staff at FNS and the regions, and I am
25 sure for many of you in your FDPIR programs because

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1 each year we are negotiating individually over a
2 hundred different budgets. And so as I am sure you are
3 feeling too, we have come into a point where we are at
4 a very limited resource level, and we're trying to do
5 the best we can, but the responsibilities keep
6 increasing. So we want to make sure that we are making
7 the best use of our resources.

8 Let's turn to the next slide, Slide 3. I'm
9 going to talk about how we got to this point, and FNS
10 convened a Funding Work Group in 2005 and charged that
11 Work Group with the development of a proposal for a new
12 funding methodology. And the first charge to the Work
13 Group was to try to meet the three objectives that you
14 see on this slide -- allocate funds on an equitable
15 basis; to come up with a methodology objective and easy
16 for everyone to understand; and come up with a
17 methodology that is administratively efficient to

18 implement.

19 So that is obviously a taut order. And you
20 probably are wondering how we got anybody to join our
21 work group, but we did.

22 On the next slide, Slide 4, we have now got a
23 total of 13 members on our work group, and we tried to
24 make the work group as representative as possible of
25 both the FDPIR programs and our staff here at Food

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1 Nutrition Services. We wanted to get the experts who
2 work with the program and also could represent the
3 different needs of the different FDPIR programs. So we
4 have got the president and regional vice presidents
5 from the National Association of Food Distribution
6 Program and we have also got five representatives from
7 the FNS headquarters and regional offices.

8 On Slide 5, the Work Group has been meeting
9 regularly since May of 2005 and throughout this time
10 considered a number of different proposals and needs of
11 allocating funding. And finally it came to a consensus
12 that we needed to put out a proposal for everyone to
13 consider and give us some feedback on. And that's what
14 happened in November when we sent our proposal around.

15 The Work Group also felt strongly that we
16 provide a number of needs for comments and discussion
17 about the proposal. That's why we are having this
18 meeting today. We have had three other meetings that
19 you see listed on the slide across the country. We

20 definitely, as Allen has said, we want your feedback
21 here today and also we would be happy to take anything
22 that you would like to put in writing for us by
23 March 16th.

24 I go into the next slide, Slide 6. The Work
25 Group in coming up with the proposal looked at a lot of

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1 different pieces of information about the programs. We
2 looked at participation level, indirect cost rates,
3 marketing rates, staffing levels, geographic areas and
4 tailgating and home delivery and salary levels. So we
5 have gathered all of the information about the FDPIR
6 programs across the country. We also wanted to have a
7 set of guidelines that would guide us as we were
8 developing a proposal, things that would bounce our
9 proposal up against and does it meet this test. And
10 those items are listed there on the slide for you.

11 Obviously, the first one is given the current
12 inequities, we wanted to make sure that whatever we
13 came up with is fair, and we wanted to consider
14 operational differences among the programs. So it was
15 really that particular guideline that led the Work
16 Group to realize a strict funding form would make it
17 very difficult to consider all the unique variations in
18 the unique programs and make sure those needs were
19 accounted for.

20 The Work Group felt it important to maintain a

21 component for negotiation and that is one of the
22 guidelines you see there. We also wanted to try and
23 streamline the process as much as possible and have a
24 proposal that was transparent and easy to explain and
25 to implement. We also felt that participation was a

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1 primary cost driver, but realized that a participation
2 based methodology wouldn't necessarily provide
3 sufficient funding for some of the smaller programs.
4 So again, we wanted to make sure that we were taking
5 care of the smallest programs and making sure there was
6 a funding for their -- for them.

7 Another critical feature was a plan for
8 gradual implementation that I will talk about later.
9 We also wanted to make sure that we were recognizing
10 that some programs turn back funding at either the
11 beginning of the year or as the year wears on. We want
12 to make sure that we accounted for that as we decided
13 how much funding each of the programs should get. And
14 again, we wanted to make sure this process would be
15 objective and would not foster bias.

16 So as with everything that I'm going to go
17 through today, the Work Group is seeking your input,
18 and we want to hear what you think about these
19 guidelines and all the facts of our proposal. So
20 please let us know if you think these guidelines are
21 acceptable or if there are things that you would put
22 more or less emphasis on.

23 Let's go to Slide 7. I have given you some
24 context for how we got to this proposal, and now I
25 would like to actually get into talking about how it

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1 works and give you the concepts and also some examples.

2 Our preliminary proposal is basically divided
3 into two funding streams. So there are two ways that
4 FDPIR programs will get funding under this proposal.
5 One is a basic grant amount, and the another is a
6 regional negotiated amount.

7 So how this would work is every year when we
8 get our appropriation from congress -- and as I said,
9 it's been roughly in the neighborhood of \$25 million
10 for FDPIR administrative funding -- we would first of
11 all take off funding for nutrition education as we do
12 now.

13 The Work Group has not made any change to the
14 way we would allocate nutrition allocation funding, and
15 we would then take the remainder of that and under the
16 proposal, 15 percent of that roughly \$25 million would
17 go to the regional negotiated pot to be further
18 distributed among the regions, and I will describe how
19 that will work a little bit later. But 15 percent
20 nationally, which is around \$4 million, would be walled
21 off for the regional negotiated amount.

22 The remainder would then be available to go
23 through the basic grant amount, and I am going to talk

24 about the basic grant amount first.

25 If you go to Slide 8, the basic grant amount

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1 is designed to accommodate the basic administrative
2 needs that all ITOs and state agencies share no matter
3 what their size or the type of operation they have.
4 Each ITO and state agency would receive a basic grant
5 amount. This is the formula-like component of the
6 methodology. It could be calculated up at FNS
7 headquarters. Again, that's the way we envision that
8 happening. It would provide a stable and predictable
9 source of funding because you would know how that was
10 going to get computed every year.

11 On page 9, the basic grant amount has three
12 basic components to it. Each of those components is
13 meant to address the guidelines that I mentioned
14 earlier. So I have -- one component is a fixed base
15 amount. The second component is a stream of funding
16 that is based on the past level of expenditures for the
17 program. And then a third component is based on the
18 share of each program's participation.

19 So let's go to the Slide 10, and we will just
20 start walking through each of those three components.

21 The first one is the basic grant amount. This
22 is probably the simplest aspect of the whole proposal.
23 Each ITO and state agency no matter what the size would
24 start off with \$10,000. We wanted to, as a Work Group,
25 provide some kind of floor for the smallest programs.

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1 So that is the basic reasoning behind having a basic
2 grant amount. It provides a floor of funding. And how
3 did we come up with \$10,000?

4 Well, you know, we looked at what the budgets
5 were in some of the smaller programs, and we decided
6 that \$10,000 combined with the funding that some of the
7 smaller programs were likely to get for the other
8 components, would provide a stable base level of
9 funding for those smallest programs. We certainly
10 looked at having variable base amounts.

11 For example, maybe the larger programs would
12 have higher base amounts, and then we would break the
13 programs into tiers and give them different base
14 amounts. In the end, we didn't put that forward in the
15 proposal because we had trouble figuring out where
16 logical breaks would be in the tiers and what different
17 amount of base funding should be.

18 But again, we certainly would be interested in
19 hearing from you if you think that it is appropriate to
20 have a base amount, and if it is, what that amount
21 should be.

22 Let's go to the next slide, page 11. The
23 second component is based on past expenditures, and
24 this is designed to account for some of the individual
25 differences in operation because it means that what is

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1 going to happen is we are going to base some portion of
2 future funding based on what the program has been
3 getting in the past. This would also help to account
4 for any unspent allocations that an ITO or state agency
5 has turned back at the end of the year because what we
6 will be doing is taking 5 percent of the highest
7 Federal expenditure from each program over the last
8 three fiscal years, excluding any large capital
9 expenditures in nutrition education funding.

10 Let's go to the next slide, and I will show
11 you an example computation on exactly how that will
12 work. In this example, we have a program that spent
13 450,000 in 2003; 475 in 2004; and 500,000 in 2005. And
14 what we would do to calculate the amount this program
15 would receive under Component 2 is take a look at those
16 expenditures and take out any expenditures over \$50,000
17 that were spent on capital expenses. And you can see
18 here that there was only one year where that happened.
19 That was 2005. So we would take out the capital
20 expenditure there. Knock that one down to \$445,000.

21 Column 3 shows you the expenditure amounts we
22 would use for the computation. The highest of the last
23 three years is 475,000. So we would take 5 percent of
24 that for a total of \$23,750. And I will show you how
25 that racks up with the other components. But that is

1 essentially how the calculation would work, and we
2 wanted to take out large capital expenditures again
3 because there are times where a budget might be, you
4 know, much larger than it normally would be because a
5 program gets a particular amount for capital
6 expenditure. And we didn't feel that would be
7 representative of what the program typically needed or
8 spent.

9 So if we go to page 13, I want to talk about
10 the last component of the basic grant amount. This is
11 the participation driven component. This would provide
12 the bulk of funding for most of the programs under the
13 methodology. Only very small programs might not see
14 most of their funding come through this way. But for
15 most programs, the bulk of the funding would be coming
16 through this particular component. And this component
17 amount is a residual after we take off everything we
18 need to fund Components 1 and 2.

19 If we think back to where we started, roughly
20 \$20 million possibly for the basic grant amount in
21 total, after we give \$10,000 to all of the programs,
22 and we take out another -- well, if you do the math,
23 \$10,000 for each of our over 100 programs, roughly a
24 million. Then you will take off another one million to
25 give everyone 5 percent of their expenditures. It

1 leaves you with around \$18 million that would go out
2 through the participation driven component of the basic
3 grant amount.

4 What we would do here is -- let me go to the
5 next slide and show you an actual example that
6 hopefully will make this clear. On page 14, we show
7 this particular program has participation levels that
8 you see there, 488 in 2003; 521 in 2004; and 557 in
9 2005. We would average those. It comes out to 522.
10 We do that for all of the other 100 programs, and we
11 would divide it by the national participation level.

12 Let's say, for example, it is 103,000. 522
13 divided by 103,000 comes out to about a half of a
14 percent. If we have \$20 million available for this
15 particular component, a half percent of that is
16 \$100,800. That is the amount that this particular
17 program would get from Component 3.

18 If we go to Slide 15, we will show you how
19 that racks up once we've gone through all the
20 calculations for the basic grant amount for this
21 particular program. The fixed base amount \$10,000; the
22 past expenditures, \$23,750; and then the participation
23 driven component came to us \$100,800. Sum those up and
24 the basic grant amount for this program is \$134,550.

25 This is a figure we could calculate at

2 appropriations was going to be and past expenditures
3 were for the last three fiscal years. So we could tell
4 FDPIR programs up front this is the amount of your
5 basic grant amount.

6 And then the question that all of you would
7 have is, well, is this sufficient to run my program.
8 If it is not, that is where we come in to the next
9 question, which we have on page 16. What if this
10 particular program requires more funding than the
11 calculated base grant amount. And page 17 is where we
12 go with that. That is the regional negotiated amount.
13 That is why the Work Group wanted to include the second
14 funding mechanism.

15 This feature is designed to account for the
16 operational differences that result in some ITOs or
17 state agencies having a higher funding need on a
18 regular basis or on a periodic basis. It also
19 maintains the ability of each of the FDPIR programs to
20 negotiate with the Food Nutrition Service for some
21 portion of their funding, which was important to the
22 members of the Work Group.

23 As I mentioned under this component, a fixed
24 percentage of funds would at the outset be given to the
25 regional offices for them to negotiate with each of the

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1 programs that set -- that they would like to put in a
2 request for supplemental funding.

3 And what I would like to do is show how this
4 is computed at the national level on Slide 18. This
5 example shows you how it is computed at the regional
6 level. So what we would do is for each of the six FNS
7 regions, we would look at the participation over the
8 last three fiscal years. Let's say here the region had
9 participation levels that varied from 25,385 in 2003
10 down to 23,570 in 2005, we would take the average over
11 the three years, 24,617, and again divide that by
12 national participation, which let's say is roughly
13 103,000 for this example. And then you come up with
14 23.77 percent for this particular region.

15 That means that instead of the fixed
16 historical percentage that region has gotten, the
17 region would get 23.77 percent of the regional
18 negotiated funds.

19 We considered varying the amount of the
20 regional negotiated amount nationally for something
21 higher than 15 percent and something lower than
22 15 percent. I want to show you on the next slide what
23 that would mean because we have gotten some questions
24 particularly about the regional negotiated amount and
25 what would be the impact on the other components of the

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1 formula or the amount of money available if we varied
2 that.

3 On page 19, this shows what would happen if
4 we took 23.77 percent, that region's share, and applied

5 it to the roughly \$4 million that we had set aside for
6 the regional negotiated amount. At a 15 percent
7 amount, where we had 4 million available, that 23.77
8 percent would come out to roughly 941,000. If we
9 increased the amount of regional negotiated funding
10 available, then obviously there would be more funds
11 available to the region because their 23.77 percent
12 would go against a higher funding number. So we want
13 to --

14 UNIDENTIFIED SPEAKER: Laura, I'm sorry to
15 interrupt you. We are going to switch the presentation
16 that you have to make sure the ones with the graphs
17 have the same numbers.

18 MS. CASTRO: Let me take a break here.

19 (Recess taken.)

20 MS. CASTRO: Sorry for the confusion. We
21 wanted to make sure our presentations are all in sync
22 here.

23 Slide 19 shows you how the amount that this
24 region would get -- would vary if we changed the amount
25 of the regional negotiated funding from 15 percent

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1 nationally to some other level. We are showing some
2 samples here 15, 10, 15, 20, and 25 percent. There is
3 also a handout in your packages that shows how funding
4 would change if we varied some of the other components,
5 and I will let you look at that. And if you have

6 questions, you can certainly ask about that. But
7 again, that is something we have been hearing as we
8 have gone through some of the meetings. There have
9 been some questions what if we varied that component or
10 that component.

11 We wanted to make sure that everyone
12 understood that when you put more money into the
13 regional negotiated funds, then there's obviously less
14 to come through the formula-like component of the
15 program.

16 Let's go to Slide 20. I want to recap a
17 little bit on the regional negotiated amount. As we
18 indicated earlier, the regional offices would allocate
19 the available funds to the ITOs and the state agencies
20 based on need as determined through individual budget
21 negotiations. And to ensure consistency across the
22 regions in the budget negotiations, the Work Group will
23 develop guidelines, and we have not yet set about
24 working on that. We wanted to try to come up with a
25 standard set of guidelines that would be consistent

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1 across the regions, and we certainly would like to
2 have, you know, your input on what you think regional
3 guidelines should be for the negotiated amount.

4 On Slide 21, now that we have covered those
5 components and the calculation a little bit, I want to
6 walk through the actual timeline and the steps that
7 would occur in this process.

8 First, around June of each year, we would have
9 some idea of the appropriations for the upcoming fiscal
10 year. So we would calculate each ITO and state agency
11 basic grant amount, and the FNS regional offices would
12 advise you of your basic grant amount. And then at
13 this point, while those basic grant amounts would be
14 tentative, since we would not have an appropriation
15 enacted yet by congress, we would, you know, ask if
16 that level of funding is sufficient. And those who
17 believe it is basically are finished.

18 What will happen is when congress enacts the
19 appropriations, that is the amount of funding you would
20 receive. Those who feel that they need additional
21 funding, either for a one-time need or for some other
22 expenses that isn't captured through the formula, would
23 then ask for the regional negotiated amount.

24 And that goes into our next slide on 22.
25 Those ITOs and state agencies that feel that they need

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1 a supplement to their basic grant amount would request
2 that through the regional offices, and the regional
3 offices would then open negotiations with those that
4 have submitted a budget request for additional funding.

5 And again, based on the guidelines that the
6 Work Group develops, the regional office would allocate
7 the funds based on need among those particular agencies
8 that are requesting consideration for this.

9 On Slide 23, we get to the gradual
10 implementation plan. And as I mentioned, this is a
11 very critical feature of the proposal. The Work Group
12 did not want any ITD or state agency to have to face a
13 significant and immediate reduction in funds as a
14 result of the new funding methodology. We certainly
15 recognize that any time you take a pot of funds and
16 carve it up differently, there will be winners and
17 losers. And we wanted to make sure that as we move
18 forward, we can keep all of the programs operating at
19 least at the level of funding they had last year, and
20 that is what gradual implementation plan is designed to
21 do.

22 What we've recommended is that we move forward
23 with the proposal very slowly such that we phase it in
24 over a period of many years, and there are a lot of
25 variables that would determine how long it would take,

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1 but again, what we want to do is run the formula. And
2 for those programs that would stand to lose funding
3 under the initial implementation, we would instead set
4 them back to the level of funding they had last year
5 and hold them at that level until there were sufficient
6 funds available. This could take a number of years, as
7 I mentioned, to get to a point where we can run the
8 formula without having to revert back to the previous
9 years appropriations. So what this would mean is no
10 one would lose on a nominal basis from year to year any

11 fundi ng.

12 It also means you might not gain anything,
13 particularly those who would stand to gain under the
14 proposal, their increases would have to be phased in
15 over a time as well so that we could help fund, you
16 know, keeping the other programs at their stated level.

17 And same thing with the regional negotiated
18 amount, we might not be able to as we phase in the
19 funding methodology be able to give each of the region
20 their share of the regional negotiated amount because
21 again we have to use that to try to keep all of the
22 programs at least at their prior years funding level.

23 So the gradual implementation plan again is
24 designed to make sure that each of the programs has a
25 basic grant amount that is no less than what they

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1 received in the prior fiscal year despite what would
2 otherwise happen under the implementation of the
3 methodology.

4 On the next slide, we have a summary of the
5 proposal. These are all the components that I have
6 just walked through. The Federal appropriation would
7 be divided into two funding streams, the basic grant
8 amount and the regional negotiated amount. And as I
9 mentioned, the basic grant amount has those three
10 components there with the participation driven
11 component being the one where most of the programs

12 would get most of their funding. And then the regional
13 negotiated amount is to account for those operational
14 differences among ITOs and state agencies and allows
15 for negotiation of some portion of the funding that
16 they would receive.

17 And again, the gradual implementation plan is
18 a critical feature. It means there would be some
19 number of years very likely before we would be able to
20 fully implement the formula for all programs.

21 On the last page, I wanted to make sure that
22 everyone had the address for the website where we have
23 been posting all of the information. We have notes
24 from all the Work Group meetings up there, information
25 such as the slides that you have today is up on that

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1 web page. We do our best to try to keep it updated
2 and, you know, you also have in your packages all the
3 names of the Work Group members and contact information
4 and certainly feel free to call on any of us at any
5 time over the next couple of months. If you have any
6 questions or concerns, we want to make sure that
7 everyone has a good understanding of the proposal so
8 that we could have good feedback about it.

9 You know, again, we really appreciate your
10 willingness to consider what we have put forward as a
11 Work Group. It was obviously very difficult to come
12 together and put our proposal forth. And those on the
13 Work Group realize, that there are some things that if

14 any one of us had to pick out of here, we might do
15 differently. But we are trying to do the best we can
16 to meet those guidelines that I have talked about, to
17 improve the predictability and stability of the funding
18 and make sure that the dollars are flowing where the
19 needs are in the FDPIR programs across the country.

20 Again, we appreciate it, and we look forward
21 to hearing your feedback. Okay.

22 MR. NG: Thank you, Laura. You know, let's
23 take a quick break. The way I would like to organize
24 the comments would be this way. Since we have a lot of
25 people on the phone, what I would like to do is

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1 alternate comments from folks here and then give folks
2 on the phone an opportunity to comment.

3 And during the ten-minute break, what I would
4 like to do with the folks on the phone is to find out
5 who wants to make comments or ask questions and take
6 their names down. Then we will call then in turn

7 Let's take a ten-minute break. Let's be back
8 by 12:40 and begin with the comments.

9 (Recess taken.)

10 MR. NG: I would like to throw it open for any
11 comments or questions, and I will take a comment or a
12 question from anyone here in the room.

13 Could you stand up and identify yourself?

14 MR. PRIOR: Thank you. Kyle Prior, chairman

15 Shoshone-Paiute Tribe. I'm pretty new to the whole
16 process of food distribution. So if my ignorance shows
17 with my comments, please forgive me and bear with me.

18 I guess, first of all, I was kind of concerned
19 with the beginning of the presentation. You know, when
20 the flyer came out, it was called "Consultation." And
21 normally our tribe is very --

22 UNIDENTIFIED SPEAKER: Hello. This is Coeur
23 d'Alene Tribe. Can we have people speak louder because
24 we can't hardly hear?

25 MR. PRIOR: I don't know how much louder I can

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1 speak in this room, but I guess my point is getting at
2 is this a listening session in just listening to the
3 tribes make comments and then you go on with your
4 funding formula and doing what you are supposed to do
5 or is it truly a consultation session where tribes are
6 supposed to give some feedback, which will be taken
7 with some idea that you can implement somehow to work?

8 I guess that is one of my concerns. So, you
9 know, it really didn't start off with me -- that kind
10 of put up a barrier for me.

11 I guess my point is I'm hoping this is truly a
12 consultation session where the tribes are going to be
13 taken seriously on what we put forward because I'm sure
14 everyone in this room will look forward to something
15 that is significant.

16 You mentioned about being efficient and just

17 the process that you kind of outlined -- and I'm not --
18 again, this is my ignorance of not knowing your process
19 currently. But the outlined process of having this
20 second negotiation, if you will, or I guess it's the
21 first negotiation, if you fall short, doesn't seem to
22 fall into your philosophy of trying to be efficient.

23 I definitely understand your view of having a
24 hundred plus contracts to deal with throughout Indian
25 country, but every tribe in this room is very savvy and

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1 knowledgeable about negotiating with the Federal
2 Government and all Federal agencies as it seems. And
3 that gets back to my point of the truly consultative
4 session, that you're not talking to a group of people
5 who don't know the struggles when it comes to
6 negotiating, you know, an AFA or a contract with the
7 Federal Government. Everyone in this room has that
8 knowledge and that skill.

9 But to hear a Federal agency tell us that we
10 have a hundred or so and, oh, my gosh, it's too much
11 for us to handle, doesn't sit too well with me because
12 you are the Federal agency and to a degree you do have
13 that responsibility. We harp on (inaudible) health
14 service and (inaudible) about your trust responsibility
15 all the time, and they understand it pretty clearly.

16 For those tribes in this room that negotiate
17 annual funding agreements, those two agencies have to

18 do 300 plus contracts, you know, every three years or
19 however many years you have to deal with each
20 individual tribe. So I think my point to you is, you
21 know, it comes with the territory. It is something
22 that they have to deal with.

23 If you are thinking about efficiency, one of
24 my thoughts is why do we have to deal with the regional
25 negotiation? Can't the amount negotiated for each

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1 tribe be determined by the tribe and the USDA? Why
2 does there have to be a middle man? Why does the base
3 amount or basic grant amount have to be determined by
4 USDA? Wouldn't it be more logical for the tribes and
5 USDA to determine that amongst themselves in
6 negotiations between those two entities?

7 I think that is what my tribe would
8 appreciate. I know that doesn't really fall into this
9 philosophy of what you outlined here. That is kind of
10 out in left field, and I think would create chaos for
11 you. But as a tribal leader, I'm not here to just say,
12 "That looks great. Let's move forward." I'm not
13 telling you this to find a problem and create chaos.
14 I'm really coming forward with these thoughts genuinely
15 with a hope that, you know, I understand that there's a
16 decrease of Federal funds when Katrina hit and the war.

17 We all know that decreases are happening and
18 that you guys have a charge as Federal agents to find
19 ways to cut back on your budget. We have been told

20 that in different hearings throughout the nation with
21 other agencies. So it is no secret, no surprise.

22 But at the same time, you know, we are dealing
23 with a specific population that needs the most help.
24 And when I think of the 160 or close to 180 people that
25 participate in our program, it might not compare to the

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1 bigger tribes who have bigger participation, but it
2 means a lot to us. Once you look at the map and see
3 where we are located regionally, for a while there, we
4 were known as the most remote tribe within the lower
5 48. I don't know if that is true or not, but I read
6 that somewhere.

7 But again, this program though it is small,
8 as far as allocation goes, there is 24 million. It's
9 not a lot in the big scheme of things when we are
10 talking about billion dollar budgets, but it means a
11 lot to those (inaudible).

12 I will sit down because I don't want to say
13 more than my time is allowed.

14 MR. NG: Thank you.

15 MS. HOUSTON: Thank you very much. I don't
16 mean to set a precedent of us responding each time we
17 have a comment, but I did want to react to two things.

18 One is that I hope that we don't get too
19 bogged down by semantics in terms of what today's
20 meeting is all about.

21 I do want to make clear to all of you that the
22 comments that we receive both in these sessions and
23 also the written sessions are going to be given due
24 consideration, and that is an integral part of the
25 overall process of making a decision with the Working

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1 Group as to what will be proposed.

2 So this is an important part. These comments
3 are taken seriously, and they are a critical part of
4 the overall process.

5 Second, I just wanted to make sure that
6 everybody understand that there's no proposal to make
7 any kinds of reduction in funding overall for FDPIR.
8 That while you are correct we are in difficult budget
9 times, there's no -- there's no overall cut to FDPIR,
10 the program.

11 We at the agency level have been really
12 fighting to try, if anything, to see if we can get more
13 resources to FDPIR. That is not unfortunately only in
14 our control. But I want you to know we are advocating
15 on behalf of this program, and we don't anticipate any
16 reduction in funding at this time. Thank you.

17 MR. NG: Let me ask a clarifying question,
18 Mr. Prior. You said that -- one of your comments you
19 said that the amount -- can't the amount be negotiated
20 nationally without going through the region? Is that
21 what you meant?

22 MR. PRIOR: No. Each individual tribe would

23 negotiate with national headquarters their base amount
24 rather than waiting to see if there's going to be a
25 short fall and then go to the region to negotiate an

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1 amount from them because it seems kind of iffy what the
2 regional amount is going to be. If one region has a
3 bigger percentage than another region, it doesn't seem
4 like there would be any equality there. And if there's
5 a shorter or smaller region that runs short and there's
6 a program that is short in that region and they go to
7 the region, there is no guarantee that the program
8 would receive anything because there's no money.

9 MR. NG: Thank you. Do you have any comments
10 from the telephone?

11 MS. VIENS: Yeah. We're going to go now to
12 Mr. Felice Pace, who is the social services director at
13 the Yurok Tribe.

14 MR. PACE: Good afternoon, everyone. Sorry I
15 couldn't be with you in person. We also have Bonnie
16 Green, our vice chair on the phone. I have a question
17 and an observation as well.

18 One, I want to observe that there was no one
19 from the Western Region or any of the Western Region
20 tribes on this Work Group. I have done four budgets
21 now since I have been here as social service director
22 for these budgets, and we have been told each of those
23 four years that there was no money for capital

24 expendi tures. So I'm assuming that other Western
25 Regi on folks were told the same thing and that there

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1 have been no capi tal expendi tures.

2 That leads me to my questi on which is about
3 the -- just subtracting capi tal expendi tures over
4 \$50,000. I think that is likely because of what I said
5 previously to di sadvantage the Western Regi on. And I
6 can't figure out for the life of me what the rationale
7 would be for not subtracting all capi tal expendi tures
8 since those are not -- you know, those are one time or
9 periodic kinds of charges. And I don't understand and
10 I would like to have expl ained the rationale for
11 those -- for not, for example, going down to over
12 \$5,000.

13 It seems to us that our comment will probably
14 be that any expendi tures -- capi tal expendi tures over
15 \$5,000 equi pment should be subtracted out, not just
16 ones over \$50,000, in order to level the playi ng fi eld
17 because that -- there doesn't seem to be any rationale.

18 So the questi on is: What is the rationale for
19 not subtracting all capi tal expendi tures out of there
20 but only those over 50,000. Thank you.

21 MS. VIENS: Did everyone hear that?

22 MS. CASTRO: The rationale for subtracting out
23 capi tal expendi tures was that, you know, even though
24 your program and some of the Western Regi on may not
25 have seen fundi ng for that, in other parts of the

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1 country the regions have at some point in time funded
2 fairly large capital expenditures. And again, on a
3 year-to-year basis, that makes those programs' budget
4 look much larger than they actually are.

5 MR. PACE: That wasn't the question. The
6 question is: Why not just everything -- all capital
7 expenditures? Why only \$50,000 and above?

8 MS. CASTRO: We were doing that because --
9 Madeline could probably talk to you about this because
10 she is looking at budgets much more frequently than I
11 am at headquarters. It is for ease of identifying what
12 is a capital expenditure and being able to pull that
13 out as we look forward.

14 We did talk about this as a Work Group. This
15 is one of the things that we wanted to hear today.
16 This is valuable for you to raise the issue that -- you
17 know, we are certainly open to considering again taking
18 out all capital expenditures, but the difficulty was
19 identifying what is a capital expenditure. And since
20 those under 50,000 we felt they wouldn't be significant
21 enough when you take 5 percent of them to make a
22 difference in calculating the proposed funding.

23 Does that help?

24 MR. PACE: Well, it helps. I think we are
25 still going to comment that it should be all capital

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1 expenditures otherwise you are going to penalize the
2 Western Region. I don't know if other regions have had
3 the same experience that we have where we have been
4 told there's no money for capital expenditures for the
5 last -- I don't know how many years, Madeline?

6 MS. VIENS: 2003.

7 MS. KINNAMAN: That's a great point. I'm from
8 the Western Region too, and I'm going to comment on it
9 in my written.

10 MS. VIENS: And who is that?

11 MS. KINNAMAN: It's Donna from the Umatilla
12 Tribe.

13 MS. VIENS: Thank you, Donna.

14 And also just for a point of clarification,
15 there were three members from the Western Region on the
16 Work Group. Those members are Nancy Egan, who is the
17 president of the WAFDPIR from the Shoshone-Paiute
18 Tribe.

19 MR. PACE: Oh, okay. Because they were listed
20 as being from Wapa, but they are really based in the
21 West. Okay.

22 MS. VIENS: And Mr. Thomas Yellowhair, who is
23 with the Navajo Nation. And I'm the other
24 representative from the Western Region.

25 MR. PACE: Thank you. Sorry about that. I

1 have one more question. I'm going to ask -- I'm going
2 to come back, but I have to go start it -- get a staff
3 meeting started that was previously scheduled before
4 the call. But it seems to me that the thing at the end
5 where nobody gets harmed, everybody is guaranteed at
6 least their level of funding. Doesn't that mean that
7 this will just be a paper exercise unless or until
8 there's an increase in funding?

9 MS. CASTRO: I think that is a somewhat fair
10 assessment because, yeah, what we would be relying on
11 is each year we usually get an inflationary increase
12 for FDPIR administrative expenses. And you are right,
13 in order to be able to really fully implement the
14 methodology and hold folks harmless, we would need to
15 get a sufficient infusion of funds into the program.
16 So we imagine it would take a number of years before we
17 were actually fully running the formula.

18 Again, we as a Work Group felt that was a
19 better alternative than in one year force a number of
20 programs to have to experience a reduction.

21 MR. PACE: Let me then make a comment on that,
22 which I will also put in the written comments, which is
23 sort of self-defeating in a way. You set out to adjust
24 for inequalities. When you look at the information,
25 boy, opened my eyes in terms of the inequalities that

1 exists out there in terms of the amount per participant
2 that we have to work with. And, you know, we are not
3 by any means the worst in those terms. Some people,
4 you know, a hundred bucks or so per participant or less
5 than 200 anyway. And so it seems like, you know, the
6 comment I'm going to make on that is that you went a
7 little too far in terms of, you know, making sure that
8 nobody is harmed.

9 If we need to make an adjustment, and there's
10 clear evidence that we do, that there have been
11 inequalities, then yes, we need to phase that in so
12 nobody gets hit too hard in any one year. But we
13 actually do have to phase it in. And I think -- I
14 don't know how many -- just using your administrative
15 increases, how long it would take to phase this in,
16 maybe 100, 150 years or something.

17 I think there's a balance there someplace and
18 maybe you have gone too far over on one side in terms
19 of saying nobody ever gets a cut unless the national
20 amount is cut.

21 MS. VIENS: Okay. Thank you Mr. Pace for your
22 comments, and you will rejoin us later?

23 MR. PACE: Yes, I will go off now, but I'll be
24 back shortly.

25 MR. NG: Anyone here in the room have any

2 MS. DAVIS-WHEELER: Good morning, Everyone.
3 My name is Julia Davis-Wheeler, and I'm with the Nez
4 Perce Tribe. I serve on the tribal council. I also
5 served as chair of the human resources subcommittee.

6 First of all, let me say thank you for letting
7 the Nez Perce Tribe provide some comments regarding
8 this formula. I agree whole heartily looking at the
9 site that you have on some of the comments that you
10 have received about having more traditional cultural
11 education pamphlets more to the USDA for each of the
12 areas.

13 I agree that traditional foods for each region
14 as permanent items in the funding package in USDA is
15 very important, not just the bison and the corn and
16 other. But in the northwest for those that are here,
17 my brothers and sisters that are here, we do a lot of
18 fishing. We have a lot of fish in our diet and
19 commodity foods does not have that. I'm just
20 commenting on that.

21 It is apparent from the FY0 six administrative
22 members that money provided per participant in the
23 program is not balanced and does not seem to have any
24 rationale correlation with any particular factors. As
25 has been noted by FNS, some of the areas with the

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1 fewest participants are still receiving large amounts
2 of dollars per participant, and I just for the record

3 want you to know I am going to submit this paper, and I
4 am just going to make some additional comments from the
5 paper because you will receive it.

6 The guidelines used to formulate the proposal
7 appear to be comprehensive in nature in covering many
8 aspects of the problem that must be considered in such
9 a task. The Nez Perce Tribe appreciates the
10 consideration of the operational differences between
11 the ITOs and the state agencies. The tribe believes
12 this is an important factor.

13 It appears this guideline is manifested in the
14 regional negotiated component of the formula. As such,
15 it will be important if the methodology is adopted to
16 emphasize this guideline and the rules adopted to
17 govern the negotiations.

18 Sophistication and infrastructure or other
19 areas should not result in any ITO being hindered in
20 such a negotiation process. And that goes along with
21 the comments made previously.

22 The tribe believes the preliminary approach is
23 an appropriate approach to funding FDPIR as it seems to
24 provide a balance and equitable structure; however,
25 until it is actually utilized in real situations, it is

1 hard to assess the effectiveness of the new approach.

2 There will be probably obstacles that need to
3 be worked out during any implementation as the ITOs and
4 the state agencies have to adjust to possibly new

5 funding levels and procedures. As long as there is
6 willingness to be flexible in such implementation, it
7 should make a transition easier.

8 The Nez Perce tribe believes that
9 consideration should be given to providing for
10 adjustments to the base amount of Component 1 of the
11 funding methodology; although, congress --
12 congressional funding does not usually account for
13 inflation, outside consideration such as the current
14 conflict in Iraq have recently adversely affected many
15 domestic programs and discretionary spending.

16 Although dollars can be made up in the
17 negotiated component, it might be beneficial to
18 consider flexible options. There are also written
19 comments involving Component 2 and Component 3.

20 Finally, the Nez Perce Tribe agrees with the
21 ideas of a gradual implementation plan if the funding
22 methodology is adopted. No organization or agency is
23 ever ready to be faced with a sudden decline or
24 reduction in funding. Phasing in the fiscal impact of
25 the methodology is a prudent measure to enact such a

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1 change. With such an implementation, it would be
2 important to provide with each allocation to the
3 program the amount the program would have received
4 under the new methodology. In this way, if any budget
5 changes need to be made by the program, it can plan for

6 them in advance. Also a set time for the
7 implementation of the methodology should be made such
8 as a three or five-year approach.

9 I would like to state at this time that we do
10 appreciate the time to comment. I also would like to
11 state for the record that we will be providing
12 additional comments before the deadline of March the
13 16th. Thank you.

14 MR. NG: Thank you very much. From the
15 telephone.

16 MS. VIENS: Back to the phone, Benita Lewis
17 who is the FDPIR director for the small tribes of
18 Western Washington.

19 MS. LEWIS: Good afternoon everybody. I have
20 a question for -- I am not sure who to direct it
21 towards -- Laura Castro? I wrote down her name. I
22 would like to have somebody explain or show where the
23 formula covers tailgating expenses.

24 MS. VIENS: Laura will address that question.

25 MS. CASTRO: Tailgating expenses are covered

1 by a couple of different components in the methodology.
2 We believe that Component 2, which is the component
3 where 5 percent of historical expenditures are taken
4 into consideration includes implicitly the tailgating
5 expenses because it is based on past expenditures,
6 which includes tailgating. We also think that the
7 regional negotiated amount could be used for helping to

8 fund where there are operations that have a lot of
9 tailgating or want to do some additional tailgating in
10 a particular region or area. So those are the two
11 areas where we thought we had worked tailgating into
12 the proposal.

13 We certainly recognize that for a number of
14 programs, particularly here in the Western Region,
15 tailgating is a significant expenditure, and we wanted
16 to try to work that into the proposal.

17 MS. LEWIS: As the Western Region, we have the
18 highest amount of tailgating. I could speak for Stoww
19 as having 80 percent tailgate and 20 percent
20 participation in our office. The concern that I have
21 is 5 percent won't be enough to cover those expenses.

22 The other concern is that will there be funds
23 available in Component 1 in future years to come?

24 MS. VIENS: The base funding amount?

25 MS. LEWIS: Negotiated amount.

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1 MS. VIENS: The negotiated amount.

2 MS. CASTRO: Just let me say that you will
3 have to leave that question open. That is obviously
4 something that depends on congress. It is our
5 intention that 15 percent of the funds would be set
6 aside for regional negotiations.

7 I guess I should also clarify that obviously
8 the participation based component, while not directly

9 related to tailgating, the more tailgating that happens
10 presumably participation goes up and that component of
11 the funding also would then be in some way derived from
12 the tailgating that you do.

13 MS. LEWIS: Yeah, and speaking for Stoww, I
14 would like to say that we would like to see the higher
15 percentage and component to Step 3 higher than 5
16 percent. Maybe in the base amount, I'm not sure. We
17 will put this in writing and give it -- or send it to
18 your direction by March 16th.

19 MS. VIENS: Thank you, Benita.

20 MS. LEWIS: You're welcome.

21 MS. VIENS: That's higher than the 5 percent
22 for the historical spending component.

23 MS. LEWIS: Exactly.

24 MS. VIENS: Thank you.

25 MR. NG: Can you introduce yourself?

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1 MR. TYLER: Good afternoon. My name is Lee
2 Juan Tyler, Shoshone Tribe, Fort Hall, Idaho. I gave
3 you a rough draft of some of our comments. And I was
4 looking at this participation amount of allocations and
5 the statistics on here. The Shoshone Tribe -- I will
6 get to that. The Shoshone Tribe, we are already
7 underfunded as basically all the other tribes are.
8 It's a sad situation where it has to come down to this.
9 We have a treaty with the United States Government
10 1968, prior to states existed and prior to (inaudible)

11 views of boundary lines and all these other things, how
12 they divided everything up. And this is another way of
13 cutting the budget.

14 And I see as a sovereign government, Shoshone
15 Tribe, we serve more people than just our people, the
16 Sho-Ban (phonetic) Tribe. We live in an area where
17 there are a lot of other tribes that live amongst us.
18 During the relocation period and Alcatraz, people went
19 all over, boarding schools. I went to (inaudible)
20 City, Utah; boarding school and high school and
21 university. This is what kind of reminds me of a
22 classroom setting, people and things like that.

23 In the past, we -- you know, rations only came
24 perhaps once a week, once a year, once a month. It
25 was -- it was pretty sad. And sometimes when it got

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1 there, it was already rotten. Everybody has those
2 stories. They come to the reservation and all the dogs
3 won't even eat them.

4 Now, we're to a point 150 years later
5 something else is coming up. A lot of our people rely
6 on this. I grew up in poverty. I grew up in a time
7 when a lot of times we have no electricity and stuff
8 and no -- we had no running water. We used to live on
9 these commodities. We grew up on this.

10 A lot of our people. Sometimes we are so
11 restricted -- my family was probably one of the poorest

12 families in poverty level. We even had to -- we had
13 to -- me and my younger sister we had no Christmas one
14 time. This is crazy. This is a true story. We
15 wrapped up those commodities, the flour and the oatmeal
16 and all these other things just to make presents. We
17 wrapped it up with those potato sacks, and I don't know
18 if you ever heard of the known comic. We wrapped up
19 those commodities just to have a Christmas. This was
20 way back, and things like that. That's our people.
21 Everyone thinks everybody is rich because some of them
22 are getting casinos and things.

23 We are related to the Shoshone-Paiute. We're
24 related to (inaudible). We are related to the
25 Comanches. Comanches are (inaudible). It goes on and

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1 on. There are a lot of people that are related and
2 connected somehow. Just like the Mother Earth is
3 connected, the rivers and the streams. That is how it
4 is. We are destroying everything.

5 And now something like this, this is something
6 that we need. And right now, we have over 900 people
7 that participate in this USDA on our reservation and
8 the neighboring tribes, and I left this with you.

9 I wanted to mention that the states -- the
10 United States, but we are with the United States as a
11 whole. So when we console, we have to console with the
12 Federal Government, and it is really consultation. It
13 has a treaty. Just like we made a treaty -- like the

14 United States make treaty with Canada, it is the same
15 thing with our people. That's how we have to bring
16 this about. They sent me over here to just kind of --
17 the spur of the moment. So I'm like my brother over
18 there, Kyle. And so I'm just wondering -- I'm going to
19 have to jump on this and grasp it so quick.

20 But the main thing is we are going to bring
21 some final comments on March 16th, and I just wanted to
22 share some things. I want you to know that we are
23 underfunded. Our area over there is bedrock and
24 handicapped area for accessibility for our elders, and
25 we lack in other things -- freezers, refrigeration. It

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1 goes on and on and on.

2 So I'm not sure. Every individual tribe
3 member can relate to and identify how, you know, we
4 need this funding to survive. I just want to share
5 that. I don't want to take too much time, and we will
6 have our final comments in a better draft, and I thank
7 you for letting me have time to speak. I hope I made
8 sense. Thank you.

9 MR. NG: Thank you. Someone on the phone?

10 MS. VIENS: Yes. We will go to Theresa
11 Elisop. Theresa is the social services director for
12 the Coeur d'Alene Tribe in Idaho.

13 MS. ELISOP: Hello. This is Theresa, Coeur
14 d'Alene Tribe. I'm very new to understanding this

15 funding process, and I have Vince Peone with me. Am I
16 to understand that as you come out with a new formula,
17 Western Region gets 31 percent, that that number is
18 going to change and drop? And then are we as the
19 little tribe ITOs and the Western Region going to have
20 to tighten our belts and do with less funding?

21 I'm concerned because I don't see where if --
22 you know, our tribal numbers increase, you know,
23 whether, you know, where -- you know, where can we --
24 you know, who do we go to for additional funding if,
25 you know, our funding, you owe, drops?

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1 Because right now, we fund three positions,
2 and I don't know that we could do, you know, less than
3 that.

4 Can you explain to me how the appropriations
5 or how that is going to be figured out? Are we going
6 to be hurt by that?

7 MS. VIENS: Sure. Laura Castro will take your
8 question now, Theresa.

9 MS. ELISOP: Thank you.

10 MS. CASTRO: Okay. Under the proposal, the
11 Western Region would no longer get that fixed
12 percentage of funding that it has been getting. What
13 would happen is instead the Western Region would get
14 some amount of funding through the regional negotiated
15 amount and that would be a percentage of national
16 participation. And the Western Region is around 30

17 percent of participation right now. So 30 percent of
18 the regional negotiated amount would go to the Western
19 Region.

20 As we talked about in the presentation, the
21 bulk of the funding for the programs would come through
22 that basic grant amount that depends on each program's
23 share of the national participation.

24 And let me clarify something that I have heard
25 said in a few meetings where everyone is concerned

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1 because participation has been going down. That has
2 been happening nationally. I would have to say it is
3 happening in most of the FDPIR programs, and I am sure
4 there are varied reasons for it.

5 The fact that your participation is going down
6 doesn't necessarily mean that you are going to lose
7 funding depending on what happens with all the other
8 programs. It is a percent share of national
9 participation that would drive that Component 3 of the
10 basic grant amount.

11 So again, under the gradual implementation
12 plan, what we are saying is we would run the formula,
13 but if it turns out that the formula would cause a
14 program to suffer a reduction in funds, we would hold
15 that program at what it got last year.

16 So the reduction of funding you are talking
17 about wouldn't happen to an individual program. The

18 region would see less funding because the regional
19 negotiated amount will now be a much smaller piece of
20 the funding.

21 Does that make sense? Did that answer your
22 question?

23 MS. VIENS: Theresa, is that clear now?

24 MS. ELISOP: Clear as mud.

25 MS. CASTRO: Is there anything else? Maybe

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1 you could ask in a different way? Or I'll tell you
2 what, can we keep going on, and if we don't get that
3 answered to your satisfaction, let's come back and try
4 me again, or if there's anyone else that you think
5 might be able to help?

6 MS. VIENS: Okay, Theresa?

7 MS. ELISOP: I just want to continue to listen
8 in. I still don't quite understand how this new
9 allocation -- this new funding process is going to be
10 developed and how it is going to create (inaudible) for
11 tribes that already are underfunded. And I worry that
12 with this new formula that in actuality the Federal
13 budget is going to be less and that means, you know,
14 each ITO including the Coeur d'Alene Tribe is going to,
15 you know, look forward to getting less funding, you
16 know, for the program. And as it is now, you know, we
17 are strapped.

18 And when we look at capital expenditures, you
19 know, we feed our elders and do outreach for those that

20 are homebound, and you know, I'm wondering, you know,
21 where we are going to get, you know, more dollars to
22 make sure that, you know, all our tribal members meet
23 their (inaudible) including the elders because I can't
24 afford to get any smaller.
25 I'm just concerned that I don't really

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1 envision this helping us be a -- being more proactive
2 or a better tribe to offer, you know, food services to
3 our tribal citizens. That is about all I will say for
4 now. Thank you.

5 MS. VIENS: Thank you.

6 MR. NG: Mr. Filfred.

7 MR. FILFRED: Thank you. Again, my name is
8 Davis Filfred. I just want to comment. I also want to
9 question all the -- like Ms. Wheeler's comments here,
10 is it going to be available to all of us? Can we get
11 copies of those is my question?

12 MR. NG: The answer is yes. All the comments
13 will be posted on the website. We will also provide --
14 well, once we compile the comments, we'll send them out
15 in hard copy and electronic form.

16 MR. FILFRED: Okay. Thank you. I also want
17 to comment on we don't -- we are one of the tribes that
18 is not fortunate. We don't have any casino. So we
19 rely on not -- no reduction in the funding is what I am
20 saying.

21 I understand today that we have tailgating
22 clear across the reservation in 16 locations. And if
23 we do lose funding it is going to provide more
24 tailgating, and I just want to make that comment. And
25 as far as Navajo Nation, we do the 50/50 formula. I

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1 don't know if you guys have ever heard of that. That
2 might be something you guys might consider. Thank you.

3 MR. NG: Thank you. Let's go to the phone.

4 MS. VIENS: Donna, Umatilla. Donna, did you
5 want to comment?

6 MS. KINNAMAN: No, I'm fine listening. Thank
7 you.

8 MS. VIENS: Does anyone else on the phone have
9 any questions or comments at this time? Anyone? Okay.

10 MR. CAPOMAN: Ray.

11 MS. VIENS: Ray. Thank you for joining us.

12 MR. CAPOMAN: I just want to throw everybody
13 off here to see how far back someone can remember
14 Caroman Dorothy Rich.

15 MR. NG: Is this Ray Capoman?

16 MS. VIENS: Yes. This is Ray Capoman with the
17 Qui nault Tribe.

18 MR. CAPOMAN: Years ago it used to be that
19 programs were allowed one worker per 250 participants.
20 Does anybody know anything about that? Has anybody
21 been around long enough to remember that?

22 UNIDENTIFIED SPEAKERS: Yes.

23 MR. VIENS: Yeah, Ray, a few people said they
24 remembered that.

25 MR. CAPOMAN: Whatever happened to that?

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1 MR. NG: Ray, we don't have any information
2 about that. We could look into it or if you have any
3 information on that that you would like to share with
4 us, that would be great too.

5 MS. VIENS: Do you have anything else, Ray?

6 MR. CAPOMAN: Maybe later. Thank you.

7 MR. NG: Thanks.

8 UNIDENTIFIED SPEAKER: I was just going to
9 comment it was there three years ago because when our
10 participation was up, that's how I got a third
11 warehouse person. It is still in the -- it is still in
12 the Federal regs or the transmittal or it is still
13 there. For every 200 people that you have, you can
14 have an extra staff person.

15 MR. NG: Let's throw it open to any question
16 or comments here.

17 MS. PIGSLEY: Dolores Pigsley, Chairman of the
18 confederated tribe (inaudible). I have a prepared
19 statement, but as we listened --

20 MS. VIENS: Dolores --

21 MS. ELISOP: We can't hear.

22 MS. VIENS: And the court reporter can't hear
23 either.

transcript 1-30-07.txt
24 MS. PIGSLEY: The methodology purposed only
25 affects tribal programs, but it doesn't affect food

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1 stamp programs. And if there are changes and reduction
2 in funding, we feel it should be across the board. And
3 I know I asked earlier if it was a reduction in
4 funding, and there was a need for changes outlined here
5 but the new methodology looks like it would be much
6 more difficult to manage than the way it is managed
7 now. The methodology needs to account for all or for
8 satellite offices or tailgate programs.

9 UNIDENTIFIED SPEAKER: Hello.

10 MS. VIENS: Dolores, could you please speak
11 up.

12 MS. PIGSLEY: Five percent is not enough to
13 operate the tailgate program. The Siletz Tribe covers
14 a 15-county service area encompassing 23,000 square
15 miles. We are one of the largest areas in the state of
16 Oregon to provide services to our population.

17 In order to provide those services, we serve
18 people in urban and rural locations. We have two
19 warehouses. Our main warehouse is in Siletz with a
20 satellite warehouse in Salem.

21 The funding proposal would virtually eliminate
22 (inaudible) funding for warehouses and cause a shut
23 down of our program leaving 250 clients without
24 services.

25 Additionally, while tribal members have a
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1 choice to utilize the food stamp program or the food
2 distribution program, most prefer the services they
3 receive through the FDPIR and choose that program
4 versus food stamps. Tribes capitalize on their
5 presence to provide nutritional counseling, food
6 preparation classes and information from related
7 programs, such as the diabetes program to improve the
8 life of the membership.

9 Tribes are being asked to agree to a
10 methodology without being provided adequate information
11 with which to analyze the impact of the programs.
12 Tribes were not provided with information on how their
13 program fits within the nationwide percentages of
14 participation. Nor were they provided with the
15 information on how the funding reallocation would
16 affect their program specifically.

17 The administration has this information, and
18 it should be provided to tribes so that they can
19 analyze this and determine how this methodology really
20 works. The proposed amount -- base amount is wholly
21 inadequate even with a proposed percentage of federal
22 outlays and unliquidated obligations, this leaves
23 warehouses without adequate funds to operate. Whether
24 a tribe has 25 or 2,000 clients, there are fixed costs
25 that must be met -- grant utilities, staffing and

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1 equipment.

2 The proposed base will not supply the needs of
3 any warehouse. Tribes were provided an opportunity to
4 review the proposal at the 2005 annual conference in
5 South Dakota and again in 2006. Our region rejected
6 those methodologies, yet the Federal Agency continues
7 to push forward with yet another methodology. Tribes
8 feel their voice is not being heard and are concerned
9 about having to reject the same or similar proposals.

10 Additionally, suggesting that funds be
11 allocated to regions and requiring annual negotiations
12 with each tribe, will place tribes in a state of
13 continual negotiations and unstable funding sources.
14 No tribe can successfully operate under those
15 circumstances.

16 We believe FDPIR has an obligation to consult
17 with each individual tribe regarding any funding
18 methodology change.

19 For all the reasons stated above, I reiterate
20 the Siletz Tribe rejects the proposed funding
21 methodology and encourages the US Department of
22 Agriculture to consult with tribes in the true sense of
23 the term and propose a better methodology that will
24 allow for stable funding for tribal food distribution
25 programs.

1 And I appreciate the opportunity to come here
2 today and speak, and I hope that there's more dialog
3 and consultation in the truest form. Thank you.

4 MR. NG: Thank you. And then Mr. Walker.

5 MR. WALKER: Good afternoon. I wanted to
6 report comments and statements. Part of our group that
7 is here today, first of all, we also appreciate the
8 invitation and opportunity to listen in and learn, also
9 get educated on what is being proposed here, and also
10 the opportunity to make some comments here. And then,
11 you know, the other thing we do not have written or
12 oral testimony or comments that are prepared
13 specifically for today's session here, but however,
14 also I am going to say that we will submit comments by
15 the deadline of March 16th, probably a more formalized
16 document that would be generated by our division of
17 (inaudible) and some of our tribal legislators.

18 We have a three branch government, and we have
19 our internal processes and protocols and dealing with
20 sovereign entities and sovereign bodies outside of our
21 nation. So we will take that approach and be more
22 formal and exercise the government to government dialog
23 and relationship as far as what is be proposed here.
24 This also gives us an opportunity to educate our tribal
25 leadership. So I wanted to say that.

2 Madeline, can you ask if there's anyone on the
3 phone who would like to raise a question or make a
4 comment at this point.

5 MS. VIENS: Sure. Is there anyone else on the
6 phone right now who has a comment or a question?

7 MR. NG: Okay. We will recognize Mr. Nosi e.

8 MR. NOSIE: Again, thank you. Wendsler Nosi e
9 from the San Carlos Tribe. Just to let you know, we
10 don't have any written comments, but will bring one
11 forthcoming.

12 The other thing is the word "consultation."
13 Being involved with so many government changes going on
14 and consultations taking place, it is very scary.
15 (Inaudible) it coming before the counsel on
16 consultation.

17 Another big reason why I'm here seeing the
18 word "consultation," it's like you got to stop things
19 to say wait, what is going on here. It draws
20 attention. That's what it has done. It has drawn
21 attention.

22 Talking about the formula, I think that if
23 there's a formula that exists, I think it should go out
24 to the tribe and the tribes can test it and see the
25 actual numbers and provide the returns of those actual

1 numbers because every tribe is unique. Every tribe is
2 different. Every tribe has their culture and beliefs,

3 which we all have respect. And it comes with us
4 knowing the land and how to survive.

5 So I think the government knows us. They
6 know us way back. And yet we are put as a blanket, a
7 blanket trying to cover all of us and saying this
8 formula is the best one to work.

9 I always give the example that if we were in
10 Europe and we took over Europe and we bunched all of
11 the Europeans together, do you think they would get
12 along? Do you think their needs would be addressed the
13 way they should be addressed? No, because they are all
14 unique.

15 That's the same thing here in America. All
16 the tribes addressed are unique. That's where the
17 government is disregarding that. And I think by this
18 time in this generation we should all know that. It is
19 real important that we look at that. The same way in
20 Santa Carlos no different than anywhere else, equipment
21 and services and all that is needed, tailgating as
22 well.

23 We only cover one district, but we do have
24 three districts. Centralizing the program -- it is a
25 great need. I was one that was raised by it. I'm

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1 proud of it. We got through the desperate times, and
2 then we knew it could be better, too. We know there
3 are a lot of people that rely on it. I'm sure it is
4 pretty much the same as it is on all reservations, but

5 there are a lot of tribal members that are being born
6 today. The numbers are increasing. The unemployment
7 rate is going higher. And on top of that, the tribal
8 leaders are facing a lot of other federal cuts that are
9 going to affect.

10 This is going to hurt tribes feeding people.
11 Where does it put us? It's just another program that
12 is being affected by the United States Government and
13 all of its cuts. And I think that is another thing you
14 could take back to congress that not only this format
15 that may change the tribes, but everything else that
16 they are doing is affecting the tribes. So, you know,
17 somebody needs to relay that message back.

18 Other than that, I think it is important -- we
19 will have our written statement comments coming back to
20 you before that date; but again, I appreciate it. I
21 have been to other consultations where other people
22 don't take notes. So it is very good to see you guys
23 writing and recording this stuff. Thank you.

24 MR. NG: Just to make sure that we -- our
25 notes are accurate, we have a transcriber. She is

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1 taking every word down.

2 Yes, Cherie.

3 MS. MOOMAW: Yes, I'm Cherie Moomaw from the
4 Colville Federated Tribe, State of Washington. Is this
5 working?

6 I'm shocked even to be here today because we
7 didn't get the information on it, and it wasn't because
8 it wasn't sent out. It just got lost in our system.
9 And Friday I was asked to come. Thank goodness I have
10 the person with me that runs our program there, Dorothy
11 Palmer, and she has been indoctrinating me on the way
12 down.

13 This is a very important program for our
14 tribal members. So naturally we do not have written
15 comments today. We will have written comments by
16 March 16th. And I agree fully with the former speakers
17 who have said this is truly not government to
18 government. I deeply appreciate you having these
19 meetings and trying to inform the different tribes, but
20 I truly do not call this government to government. And
21 this is getting a real lax use of that word. I'm
22 finding it in energy and FCC, and I have just come on
23 to the council a year and six months ago. So maybe it
24 is nothing new, but to me, I am seeing it quite
25 frequently.

1 In our reservation, we are suffering a lot of
2 social ills. At this time, we are a large reservation,
3 1.3 million acres, and it takes approximately three to
4 three and a half hours to get from one side of our
5 reservation to the other. Therefore we have a lot of
6 tailgating. We are remote. And I heard someone
7 mention casinos. We are not one of the very wealthy

8 tribes from casino funds.

9 So to get back to the social problems, you
10 know, we have a lot of drugs, alcohol. And right at
11 the present time we are suffering a real bad scourge of
12 suicide, and we have had to call in national crisis
13 teams to help us. One of the professors who has come
14 along with this team is telling us that the Omega 3 is
15 a huge part or should be a huge part of our diet, and
16 we have lost that because of the dams have taken away
17 our Salmon. So, you know, we are a generation or so
18 away from that time, but it is still a part of us.

19 So this particular person has done a lot of
20 studies on this, and it is just not because of coming
21 to our reservation. He is openly willing to and
22 encouraging prescribing Omega 3 to the people who are
23 suicide-incident victims.

24 That was really interesting to me to pick up
25 on that. I ran out and bought me a bottle right after

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1 he gave his presentation. Not that I'm in the
2 depression mode, but I think it is vital that the
3 Indian people remember what their diets were a
4 generation or two ago.

5 I deeply appreciate what you have presented.
6 I definitely have some questions. Did you say that
7 there is 20 million for this program?

8 MS. CASTRO: About 25 million in total.

9 MS. MOOMAW: And then you took off a certain
10 amount and that will be the base. Okay. So we will
11 get all of this meeting on hard copy, right?

12 MS. CASTRO: Yes.

13 MS. MOOMAW: I'm one that likes to run things
14 through things after I have sat through a meeting and
15 then I hear more. I guess you call it selective
16 hearing. But I deeply appreciate this meeting, and I
17 am sorry that I am not as well informed as I should be.
18 That is my fault, not yours. But we will get up to
19 speed on this, and I'm quite sure Dorothy is quite up
20 to speed on it. And one thing she has brought to my
21 attention is that the tailgating. That is a problem
22 for us.

23 I was curious why some have capital expenses
24 and some do not. So I guess through the process, I
25 will learn that. And March 16th is the deadline for

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1 comments. I understand that. But when do you intend
2 to initiate this program?

3 MR. NG: There's no set date for that.
4 March 16th is the deadline for comments. Then the
5 comments are going to be given to the members of the
6 FDPIR Working Group. There are two members here on
7 that group -- Nancy Egan and Thomas Yellowhair. They
8 will look at the comments and look at all of them. And
9 then that group will make recommendations to Roberto
10 Salazar, our administrator.

11 MS. MOOMAW: It would be another year, another
12 nine months?

13 MR. NG: I think the schedule calls for the
14 Working Group to make recommendations to Mr. Salazar in
15 April.

16 MS. CASTRO: Meet again in April. That would
17 be the first time we would get back together after all
18 of this.

19 MR. NG: It could take a while before there's
20 a final decision on that methodology.

21 MS. MOOMAW: So it is not right away?

22 MR. NG: No.

23 MS. MOOMAW: We do have some time to think on
24 this and absorb what we heard. Also, I wanted to thank
25 you for seeing that we are getting more of the fresh

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1 produce type foods. And also Dorothy let me know about
2 that on the way down.

3 One further and final comment on my part would
4 be the fast food industry. That was another thing that
5 the professor brought forward when he was talking about
6 the Omega 3, that our fast food diet is really
7 contributing a lot to the depression and social
8 problems that we are having. So cooking classes are
9 going to be real important to get the best and most use
10 of the commodities that we do get.

11 So thank you all for your patience for

12 listening to me even though I'm not that well informed.

13 MR. NG: Thank you. Let's check again with
14 the folks on the phone and see --

15 UNIDENTIFIED SPEAKER: Hello. Hello.

16 MR. NG: There is someone.

17 MS. VIENS: Who is this?

18 MR. SOLAREZ: Jose Solarez from Gila River.

19 MS. VIENS: There's an echo, Jose, but I'll
20 repeat your question.

21 MR. SOLAREZ: The one concern that I have is
22 on the negotiation part, Item No. 4, we believe this
23 needs to be expanded to the communities the issue of
24 having cultural and capital (inaudible) be considered
25 as part of the funding source for that negotiated

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1 amount.

2 And we as a community work with the staff to
3 practice on this new formula. And the formula is now
4 giving us an opportunity to have a better graph of what
5 is going on and how it might impact our community.

6 I really recommend that all the communities
7 work with our representative who worked on the formula
8 and how it would impact them positively or negatively
9 based on the funding amount they are proposing. The
10 funding amount being proposed is really something that
11 we need to look at seriously through the fact that past
12 history has showing the cut back in the program
13 especially because of the Iraq situation. I think we

14 need to look at how we can better take advantage of the
15 negotiated part to be considered for increased funding
16 above and beyond the base amount given to us.

17 Also in our community we have tailgating. We
18 are 75 miles long. We also serve another Indian
19 community, which is about 10. So we believe that at
20 this stage, the formula being presented looks good in
21 ways that if the funding level that they are saying we
22 might receive a couple of years down the road, then I
23 think we see a positive. So with congress, we cannot
24 tell how much money is going to be appropriated, and
25 that's why I think the tribes and Indian community need

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1 to contact their lobbyist and their elected officials
2 back in Washington to let them know we cannot afford to
3 see any reduction in our Federal funding for these
4 programs.

5 And that would be our comments at this stage
6 until we submit our written comments back to you by the
7 deadline.

8 MS. VIENS: Just to clarify, Jose, did you say
9 that you thought the regional funding -- the amount 15
10 percent should be higher or greater?

11 MR. SOLAREZ: Well, that's the question.
12 Without knowing what the national funding level is
13 going to be, then that is going to be a difference.
14 That is going to make us, the Indian communities, come

15 back and probably discuss this even further with the
16 agency in order to find out. Because if that
17 percentage is going to be based on what congress gives
18 us, then we don't know what congress is going to give
19 us. Then if it is on a negative funding, which has
20 begun to be the trend, then we or someone has to see
21 that percentage go up. But still the fact still
22 remains it gives us some more negotiating positions to
23 fund our existing programs and any new programs such as
24 other special cultural means, et cetera. At this
25 stage, it would be hard to say that would even be a

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1 suggestion on our part.

2 The fact is still that the congressional
3 funding level will impact you guys at the Federal level
4 and it will impact us at the (inaudible) levels and how
5 much we're going to get. And without knowing that and
6 knowing the past trends, even though we have a
7 democratic congress, we do not know what the funding
8 level is going to be, you know, for a year or two down
9 the road. And we don't know what the impact is going
10 to be. But the fact remains that as long as there's
11 leeway being afforded to Indian communities to argue or
12 to present the position on additional funding, and they
13 have the back up and the accountability for that
14 additional funding, then I think that needs to be
15 mentioned as a fact in Item No. 4 when the negotiated
16 amount is presented by that community.

17 MS. VIENS: And you will be providing us with
18 written comments from the Gila River Tribe?

19 MR. SOLAREZ: Yes. We are asking also that
20 Nez Perce would send us a copy of their comments today
21 because of some similarities in our position.

22 MS. VIENS: All of those comments will be
23 posted on the website, and we will ensure that you have
24 access to that.

25 MR. SOLAREZ: And they will be posted before

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1 the deadline, right?

2 MS. VIENS: I don't know if they are going to
3 be posted before the deadline.

4 MR. SOLAREZ: That's what I'm saying. So we
5 officially are requesting it.

6 MS. VIENS: That request has been passed
7 along, and she will make sure you get a copy.

8 MR. SOLAREZ: Thank you.

9 MS. VIENS: Is there anybody else on the
10 phone?

11 MS. ELISOP: Theresa, Coeur d'Alene Tribe.

12 MS. VIENS: Do you still have a question,
13 Theresa?

14 MS. ELISOP: Just one. My comment would be I
15 would like to see these group comments posted
16 immediately so that we can also review what other
17 tribes have said and come to formulate, you know, a

18 response -- a written response, you know, to this
19 process. That's all.

20 MR. NG: As soon as you send a comment to us
21 in the regional office, we will send them out to all of
22 you. We can make that commitment. So if you give me a
23 letter today, I can send that and make sure that
24 everyone has a copy and send them out, even for those
25 that are not here.

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1 MS. VIENS: Thanks, Theresa.

2 MS. BEGAY: Good afternoon. My name is Roslyn
3 Begay (inaudible) Navajo (inaudible) National Division
4 of Health. I've worked with the executive director for
5 the Navajo Division of Health, and I too would also
6 echo all the recommendations with respect to adequate
7 and appropriate tribal consultation be available and
8 made available to all tribes before implementation or
9 before finalizing the methodology.

10 I would just like to reiterate the situation
11 on Navajo which prompts us to be here and participate
12 at this very important session.

13 As indicated by my tribal leaders, Navajo
14 Nation spreads over three states, and the Navajo Nation
15 Food Distribution Program provides critical services in
16 the most rural and remote communities providing
17 tailgate delivery service in 62 communities. They
18 serve about 10,000 individuals on a monthly basis. And
19 these individuals are -- the program spends about 30

20 percent of its operating costs to do this work. And by
21 providing the service, we believe we are reaching the
22 most -- the individuals who are already at the most at
23 risk stages of their lives, and they have limited
24 transportation. They are also right now confronted
25 with other changes imposed by the Federal government,

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1 such as Medicaid programs that that program is
2 requiring beneficiaries that the food distribution
3 program serves to provide citizen documentation. And
4 also they are a majority of our elderly population are
5 required to make adjustments in their lives to
6 participate in the Medicare prescription drug program.

7 And we don't know how this change to this
8 distribution program will impact those individuals that
9 I'm talking about. 85,000 of our Navajo people
10 participate in the Medicaid program, and we are
11 primarily serviced by the Indian health service. That
12 delicate healthcare system is also subjected to all of
13 these ever changing Medicaid and Medicare children
14 health insurance related regulations and policies. So
15 it is just not subjective to this population or
16 program.

17 We will be feeling the effects the impact made
18 by these changes by this program throughout the system
19 and on Navajo and other Indian countries.

20 So again, this is not something new that is

21 placed before us. So I too also ask the USDA, the Food
22 and Nutrition Service to do no harm, provide more
23 information, test the formula, give us the data, give
24 us the information, even the information that has been
25 provided in our packet differs from what we have

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1 provided by our staff. So I think if we can work
2 together at a more reasonable and fair approach, I
3 think we all understand that funding is very limited;
4 however, we also believe that the Federal -- there is a
5 Federal Trust responsibility that needs to be upheld.

6 Our Navajo Food Distribution Program has been
7 seeking appropriations through the state legislator for
8 capital expenditure to fund vehicles that have been
9 depreciating. Some of our vehicles are over ten years
10 old. They have vehicles that are back over ten years
11 old. They have over 100,000 miles or even closer or
12 more than that covering 27,000 square mileage. And
13 80 percent of that we have like 9,800 miles of road on
14 that span of land. And 80 percent of that road, public
15 road is unpaved. So you can imagine the hardship on
16 the vehicles.

17 So we have to go to our state legislature to
18 seek funding to support to assure that these programs
19 are provided to our Navajo people.

20 I just wanted to reiterate the need for
21 integral -- give us more time, allow us to sit at the
22 table, give the data to the Work Group, and have some

23 testing done before the full implementation. Thank
24 you.

25 MR. NG: Thank you. We will take that woman

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1 back there, and then Dorothy.

2 MS. SANCHEY: Good afternoon. My name is --

3 UNIDENTIFIED SPEAKERS: We can't hear. Speak
4 up.

5 UNIDENTIFIED SPEAKER: (Inaudible) understand
6 this is the first time we really have had an
7 opportunity to really voice our opinion regarding
8 methodology, and I would have to agree we need to have
9 negotiation from the Federal Agency to the tribe
10 itself.

11 On the methodology, in your packet on
12 Attachment D on page 2 for the data collection and
13 review, my first question is: Has this information
14 been shared with all the involved programs where you
15 have the extensive collection of data for 2005?

16 I have never been to your website. I don't
17 know if this was shared with everybody involved, the
18 data collection and review.

19 From what I understand, if I read this right,
20 you collected a certain amount of data to kind of
21 determine a projected amount that you are going to have
22 funded. If that's a projection, I think all the tribes
23 here -- everybody involved should at least see what you

transcript 1-30-07.txt
24 are looking at for a projection.

25 My second question would be going to page --

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1 I'm trying to stick with your packet since everybody
2 has a packet here. Regarding the Component 2 on 50,000
3 capital expenditure, is that going to be subtracted to
4 every tribe or is there (inaudible) that is within
5 there?

6 From my understanding, 50,000 is going to be
7 automatically subtracted. Is that true or not?

8 MR. NG: No, it's not. If an IT0 has in their
9 budget for a particular year -- let's say 2006 -- a
10 capital expenditure of \$55,000, then \$5,000 would be
11 subtracted, right?

12 \$55,000 would be subtracted. But if the
13 capital -- if the IT0 has in their budget a capital
14 expenditure of \$30,000 for 2006, then none of that
15 would be subtracted from the budget in the calculation.

16 So the only time capital expenditure in the
17 budget is subtracted for historical purposes is if the
18 capital expenditure in that particular year is over
19 \$50,000.

20 I didn't get your first question. What chart
21 were you referring to?

22 MS. SANCHEY: Page 2 in the document dated
23 November 28th.

24 MR. NG: In the letter?

25 This was -- I think this was shared with all
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1 the ITOs, right?

2 MS. VIENS: Yes.

3 MR. NG: Yes.

4 MS. CASTRO: I think maybe what you are asking
5 is that you wanted to see the actual data that we are
6 referring to there; is that correct?

7 MS. SANCHEY: Yes.

8 MS. CASTRO: You are right. At this point, we
9 haven't put all of that information up on the website.
10 Sorry. This is Laura again. We haven't put all that
11 information up on the website. You know, as you can
12 imagine, it is a lot of information. Certainly those
13 of us who are on the Work Group have it. And part of
14 our purpose is making sure that you have the contacts
15 with the Work Group. If there's any information you
16 want to see, you should be able to come to any of us
17 and ask for that information, and we will get it to you
18 as quickly as we can. We can also look into getting
19 that up on the website if that would be helpful.

20 Obviously, you all know for each of your own
21 programs what that information is. But if that is
22 something you would like to be able to see and
23 reference, we can look into getting that up as quickly
24 as possible.

25 MS. SANCHEY: Why I ask that is that Work

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1 Group derived the methodology and the funding amount.
2 We've heard from the State that some of the numbers
3 that are presented to us are actually different from
4 what our staff is giving us. I want to make sure that
5 we are using the correct amounts. I want to make sure
6 that it is clear we are using the same numbers.

7 MS. CASTRO: Let me clarify that. Our
8 methodology, while we have looked at the numbers, it
9 was more to get a sense of, okay, how much tailgating
10 really goes on across the country, and then all the
11 tribes -- or what kind of expenditures are tribes
12 having. But we didn't say that it looks like everybody
13 is spending X on this so that is going directly into
14 our funding methodology. I don't want you to think
15 that we used specific numbers to come up with our
16 methodology per se.

17 Probably the closest to that is when we looked
18 at what would be a sufficient base amount. And then
19 again, we were kind of looking at numbers overall
20 across all the tribes. But there's no direct
21 correlation between those numbers and the proposal
22 other than, you know, we were looking at what was being
23 spent. But we weren't trying to say, well, it looks
24 like, you know, everybody should be able to do 20
25 tailgates or something like that. That's not how we

1 used those.

2 MR. NG: It is just information, just data.

3 MS. CASTRO: It is just data. There's no
4 analysis. It is just spreadsheets of here is how much
5 tailgating it happening or here is how many staff are
6 employed by this particular FDPIR program. It would be
7 similar to the information you have in your packet now
8 about total spending.

9 MS. SANCHEY: On Component 2, it says it
10 reflects a 5 percent amount compromised and negotiated
11 by the Work Group. Was there any other percentages
12 that came up? Was 5 percent agreed upon or was there
13 something else?

14 Again, I haven't been to the website. I'm
15 wondering if you could answer that.

16 MS. CASTRO: We did talk about other
17 percentages. Frankly, I can't remember each and every
18 one that was thrown out, but we did talk about various
19 percentages. And again, for purposes of putting a
20 proposal forth, 5 percent is what we agreed on. I'm
21 going to let Thomas talk because he might also have a
22 recollection to share on this.

23 MS. ELISOP: This is Theresa Elisop from the
24 Coeur d'Alene Tribe. We are going to have to sign off
25 now. Thank you, and we look forward to reading your

1 comments that you post.

2 MS. VIENS: Thank you.

3 MR. YELLOWHAIR: Good afternoon. Thomas
4 Yellowhair with the Navajo Nation.

5 Correct me if I'm wrong, Laura, but my
6 understanding is that within this proposal, all the
7 amounts that have been referred to, percentages that
8 have been put on paper here and on the PowerPoint
9 presentation, they are all still negotiable. Like
10 Component 2 we are saying 5 percent of your highest
11 three-year average. And if Western Region is sitting
12 here saying we have the highest tailgate expense,
13 thereby we don't think 5 percent is adequate. The
14 reason you are here is because you can recommend that
15 it be 10 percent or else a regionally negotiated
16 amount.

17 Example given is 15 percent. Maybe say
18 increase the Component 2 from 5 to 10 percent and
19 reduce the negotiated amount. That is the input that
20 we would like to hear too. So that's what I would like
21 to hear. If you think a certain area should carry more
22 weight than another area, then that's what we would
23 like to hear.

24 All the numbers you see here it is not set in
25 stone. We want to hear comments. We want to hear

2 thing. And even after we revisit the whole thing, the
3 Navajo Nation is here recommending that there be
4 consultation prior to final implementation of any
5 funding methodology. We would like to see those
6 numbers like everybody else. Once we come out with
7 said amount, a set percentage, we would like to crunch
8 numbers too. And like alluded to this morning and this
9 afternoon a couple of times, the numbers that have been
10 used within some of the worksheets, some of the
11 examples, they don't compare with numbers that are
12 coming from the ITOs. The ITOs figures they are
13 getting off from Form 152 or else from Form 269. And
14 they are coming back and asking us where is the Work
15 Group getting their numbers? And I'm saying we are
16 supposed to be getting it off the 269 or the 152, but
17 how come they don't coincide with what we have? Those
18 are the issues we need to revisit.

19 And then also the Navajo Nation Group that is
20 here interested came on our own free will. We have a
21 couple consult delegates that are very interested and
22 want to learn more about what is going on and what this
23 is all about before they make their comments, their
24 formal recommendations.

25 And also we came on behalf of our Executive

1 Division Director, Mr. Grownhorse, who wanted to be
2 here. He was planning on being here last night, and

3 then things changed when the president calls. So he
4 had to go that direction. And on his behalf, he just
5 wants to acknowledge all the tribal officials, staff,
6 that are here and also wants to thank the USDA Food
7 Nutrition Services for hosting these meetings.
8 Appreciate that. And also giving us ITOs, the state
9 agency the opportunity to voice our comments, our
10 concerns because the only reason we are in this is
11 because we have compassion for our people. We want
12 them to be able to have the needed resource to enhance
13 their lives. So we've got to work together with the
14 government and see how we can best approach this issue
15 at hand -- not us, for the people out there. Thank
16 you.

17 MR. NG: Thank you. Were you finished in the
18 back?

19 MS. SANCHEY: I just had one question. There
20 was one methodology in front of us. Again, other
21 agencies had to come up with a methodology. They give
22 us like one or two different types of scenarios --
23 three different types of methodologies that the tribes
24 talked about it, and then selected one.

25 Was there another methodology or was this the

1 only one? And if this one gets denied by the tribes,
2 what then?

3 And my last question is: After April, are we
4 going to have another region meeting to sit down and

5 discuss openly about our comments or the methodology
6 here? Thank you.

7 And we will have written comments to you by
8 the deadline with the questions I asked as well as
9 other comments on the other methodology.

10 MS. CASTRO: With regard to what else was
11 considered, I believe right around the time of the
12 National Conference in spring of this year, we sent
13 packages to all the FDPIR program directors at that
14 time outlining where we were in the Work Group process
15 because we knew that would be a subject at the National
16 Conference.

17 At that time, that package did spell out some
18 of the different proposals that were under
19 consideration at that time. So over the course of the
20 summer and the fall we discussed the various proposals.
21 I'm trying to remember how many. Probably 13 or 14.

22 MS. VIENS: There were 14.

23 MS. CASTRO: 14 under consideration. As I
24 said, the Work Group decided for purposes of putting
25 something out for comment, it was good to have one

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1 proposal, get reaction to it, again looking at each of
2 the different components, tell us what you like or
3 don't like about it.

4 But your program director should have received
5 copies of that earlier correspondence that came out in

6 the spring and showed all the different proposals that
7 were under consideration at that time.

8 Also on the website, when you go through the
9 minutes from our meetings, you will get a sense of what
10 the different proposals were that were under
11 consideration. Does that help?

12 Again, we will be happy to give that to you.
13 In terms of what happens next, again a lot of it
14 depends what we hear today and from the other meetings
15 when we take it back as a Work Group, we take a look at
16 it, see what we as a Work Group think we can do.

17 You know, at this point, I can't tell you
18 exactly what the course will be because it really
19 depends on what comments we get from the programs
20 across the country either supporting all or some or
21 none of the methodology. That will really guide what
22 we do from here.

23 Certainly, as we've pointed out, we are a ways
24 from having something ready for final implementation
25 and certainly we will, you know, be sharing with you as

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1 we go along where we are in the process so that nothing
2 should be, you know, a surprise. And there will be
3 some opportunity to input and comment as we go forward,
4 and I will turn it back to Allen if you would like to
5 add anything.

6 MR. NG: I'm not sure exactly what the next
7 steps would be. We will consider all these comments.

8 And at some point, we will have to make some decisions
9 on how we will proceed. Let me remind you that most
10 of -- I think most of the folks here who have worked in
11 the program know that we do have annual meetings. We
12 have the WAFDPIR in the Western Region Annual Meeting,
13 and then we also have an NAFDPIR, the National meeting,
14 with all the tribal organizations. So there is an
15 opportunity to get together on this issue -- two
16 opportunities in the upcoming months.

17 MS. PALMER: I'm Dorothy Palmer with the
18 Colville Tribe. And, Allen, I'm glad you brought that
19 up. I was questioning the comment date of March 16th,
20 and our regional meeting is scheduled this year for the
21 end of the month. So is that a real strict date that
22 you guys have to have comments back or can you get them
23 later because usually out of 34 tribes, you know, we
24 are not -- a bigger majority at the meeting we have for
25 our Western Region? Will you accept written comments

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1 after that date?

2 MS. VIENS: This is Madeline. I have already
3 anticipated that concern, and we have already talked to
4 headquarters and the national office and Nancy is aware
5 of it as president of the association. We do expect
6 that there will be comments from our conference in
7 Reno, the last week of March, and headquarters will
8 accept those comments as long as they are written up

9 and they are prior to the April meeting, which is about
10 the third week of April. So as soon as we can turn
11 those comments around and get them to headquarters,
12 they will be considered.

13 MR. PICHEL: And at the conference at the end
14 of March, we will be providing additional information.
15 If need be, we can walk through this again, show you
16 exactly how this will affect you, give you another
17 opportunity to see the information. But we need to
18 stress the sooner you get the information, you get your
19 comments, you get your questions, you get additional
20 information, the better off it would be for us also.
21 We need to collect the information and come back out
22 with the modifications that you feel are necessary.

23 MS. VIENS: The first session of the WAFDPIR
24 Conference is actually on the funding formula, and
25 there will be a joint presentation by Nancy, Thomas and

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1 myself as members of the Funding Work Group.

2 MS. LOPEZ: Hello. This is Rosemary Lopez and
3 Lorna and Patricia and (inaudible), and we would like
4 to get copies of the comments. It has really been
5 difficult to hear all the comments and statements that
6 have been made. May we please get copies of the
7 comments as soon as possible?

8 MS. VIENS: Yes, we will ensure that you do.

9 MR. PACE: This is Felice Pace from the Yurok
10 Tribe on the line. I just wanted to, you know, also

11 ask for when that goes out, the contact information on
12 the various programs because we plan on writing a
13 letter on this and -- and because we have some very
14 serious concerns. I wanted to share that. I would
15 like to be able to share that with the other programs.

16 MS. VIENS: Surely.

17 MR. PACE: And I wanted to just go back to
18 this, you know, now that we have heard several comments
19 that have gone around and responses about the capital
20 expenditure part of the formula, you know, there is the
21 data on capital expenditures is reported separately in
22 our budgets -- on our budget forms. So I can't
23 really -- I would like a little more because I'm
24 confused about why that is in there.

25 Since the information is available easily on

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1 what the actual capital expenditures were, why not take
2 all the capital expenditures out? It seems like we are
3 going to favor some people and actually disadvantage
4 the Western Region where capital has not been
5 available -- the capital expenditures.

6 So one more time I would like to hear a
7 response to why it is not feasible to take all capital
8 expenditures out since they are a separate line on our
9 forms?

10 MS. VIENS: Okay. This is Madeline. It is a
11 possibility. It is a comment that we will take under

12 advisement. Your recommendation is that in lieu of
13 having a \$50,000 and over cap, that any capital
14 expenditure would be removed?

15 MR. PACE: Right.

16 MS. VIENS: All right. That comment is going
17 to be recorded here today, and it will go to the Work
18 Group for further consideration.

19 MR. PACE: Great. Thank you.

20 MS. VIENS: Thank you.

21 MR. NG: Any other comments?

22 MR. YELLOWHAIR: I think reference to a
23 question that was posed from the back about the funding
24 methodology --

25 MS. VIENS: This is Thomas Yellowhair from the

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1 Navajo Nation.

2 MR. YELLOWHAIR: When we started on this, we
3 convened on the funding methodology and the
4 recommendation and all that. We started with 14. And
5 that was all given out to the program directors for
6 their comments. Once the comments came back in, we
7 reviewed all that. The Work Group reviewed it, and it
8 came down to two proposals. Two proposals got the most
9 recommendations.

10 At the same time, once we got into the Work
11 Group, come to find out there was a third proposal --
12 another proposal that was submitted within the
13 comments. So that was also reviewed, and the Work

14 Group committee looked at those three because the last
15 one that was submitted, quite a few members of the Work
16 Group really liked parts of it.

17 So what the Work Group did was -- what is
18 before you is composed of parts of all those three. So
19 they took pieces out of one, took pieces out of another
20 one and took parts out of the third one to come out
21 with the proposed methodology that is before you right
22 now.

23 So the top two plus the new one, those are the
24 ones that got integrated together to come out with what
25 we have before you.

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1 MR. NG: Dave.

2 MR. BOWMAN: Good afternoon, Dave Bowman with
3 the Navajo Nation. I would like to thank you for
4 participation and the meeting here for all the Indian
5 tribes in the Western Region. We do appreciate and
6 like to thank the other tribal members being with us.
7 It shows that you are interested in what is going on
8 with this formulation. It really does affect all
9 Indian tribes. I have been with the program for over
10 24 years, going on 25 years and I've seen some changes.

11 What I am really interested in is that I would
12 like to know if there's a significant amount difference
13 as one of the -- that some smaller tribes will receive
14 more of a participant -- per participant funding, and

15 the larger tribes are getting some smaller funding?
16 What type of -- what type of basic was used to come up
17 with this per person?

18 And also I am concerned about capital
19 equipment, capital expenditures. The program, the USDA
20 has always -- since I have been with the program, has
21 always gave 50,000 for capital expenditures. And if
22 this capital expenditure -- I think I would recommend
23 it should stay in there. Even though it is going to be
24 counted and deducted, you are hurting that tribe again
25 also. You are not going to get equal funding.

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1 Also as well, I would like to see an increase
2 in Component 1, 10 percent. The reason is that we are
3 out there as a service provider that there are
4 increases in service that we provide. And some of them
5 ought to be provided. What I am talking about, fresh
6 produce, frozen meat and these items. That takes an
7 extra person, another body to work with these items.

8 And as far as the position, we don't have
9 enough staff to work some of these. But we have to
10 take other staff out and have them work with these
11 fresh produce and that takes another body. I would
12 like to see an increase in that.

13 The 10 percent is not sufficient to me as
14 basic grant amount for staff. There are a lot of
15 larger Indian tribes, and there are some smaller ones,
16 yes, but still there are services that we provide out

17 there. That's all I want to say, this information to
18 you, and hope this will be considered. Thank you.

19 MR. NG: Thank you, Dave.

20 Any other comments or questions?

21 MS. KALAMA: Carmen Kalama (inaudible) agency
22 from Washington State. We do tailgating, and I just
23 wanted to comment for the record that I think it is
24 because we don't know who on this list does tailgating.
25 And then when you look at the cost per participant, you

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1 don't know if that is due to the program being a
2 tailgate program or not. So it could look like
3 someone -- a small tribe is receiving more money than a
4 larger tribe, but they could be a tailgating operation.
5 And we all know the expenses that are associated with
6 having a tailgating program. So I just wanted to make
7 that comment, and we will be submitting other comments
8 by the deadline date as well.

9 MR. NG: Thank you.

10 MR. TYLER: I have one final comment. Lee
11 Juan Tyler, Sho-Ban Tribe. This all seems to me like
12 in the past divide and conquer. Now it is conquer and
13 put us all together at once.

14 MR. NG: That's not the intent.

15 Any other comments or questions?

16 MS. VIENS: Any questions on the phone?

17 MS. LEWIS: This is Benita. I just wanted to

18 make sure that I really want to let everybody know
19 especially from Stoww how much tailgating -- you know,
20 the cost of tailgating. It is very expensive. And in
21 our area, it is extremely expensive.

22 When I looked at the formula, I didn't see
23 that there was anything there that showed me that we
24 were any different from any tribe. The ones who
25 tailgate and the ones who don't tailgate seem to be

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1 getting the same amount of money. It's not that we
2 want to receive more money. We want to receive
3 sufficient funds for our tailgating. So that in itself
4 should carry a lot of weight with the tribes that do
5 tailgate. Look at your actual costs for last year and
6 put that in your comments. I really think we need to
7 have the Component 2, Step 3, at a higher percentage,
8 either 10 or 15 percent.

9 MS. VIENS: That would be on the historical
10 spending.

11 MS. LEWIS: Exactly.

12 MS. VIENS: Thank you.

13 MR. NG: Okay. Last comments or questions?

14 MS. VIENS: Anything from the phone?

15 MR. NG: Thank you all for coming. This is
16 very important to us. We want to get your comments.
17 Please, if you have any additional comments or you want
18 to reiterate what you presented orally today in
19 writing, please submit those to us as soon as you can.

20 And then we will share those comments that we've
21 received with all of you.

22 Again, thank you very much for coming. For
23 all of you on the phone, thank you for participating on
24 the call.

25 MS. VIENS: Thanks very much for joining us

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1 folks. I will be signing off now. Thank you.

2 (Whereupon, the proceedings were adjourned.)

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1 CERTIFICATE OF REPORTER

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3 I, NIKI MAKELA, a Certified Shorthand Reporter,
4 hereby certify that the foregoing proceedings were
5 taken in shorthand by me, at the time and place therein
6 stated, and that the said proceedings were thereafter
7 reduced to typewriting, by computer, under my direction
8 and supervision;

9 I further certify that I am not of counsel or
10 attorney for either or any of the parties nor in any
11 way interested in the event of this cause, and that I
12 am not related to any of the parties thereto.

13

14 DATED: February 13, 2007

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