SAFSF WEBINAR

Exciting Opportunities to Advance Food Sovereignty in Indian Country

Friday, June 17th, 2016
10:00am PT / 12:00pm CT / 1:00pm ET

Moderator
Cecily Kihn, executive director, Agua Fund, Inc.

Presenters
Crystal Echo Hawk, president & CEO, Echo Hawk Consulting
Chris Georgacas, consultant, Shakopee Mdewakaton Sioux Community
Janie Simms Hipp, founding director, Indigenous Food and Agriculture Initiative, University Of Arkansas School Of Law
Fertile Ground: Strategic Partnerships and Momentum for Holistic, Native-Led Change in Indian Country

Crystal Echo Hawk
President and CEO
Echo Hawk Consulting
www.echohawkconsulting.com
Native American Health: Strategic Partnerships and Momentum for Holistic, Native-Led Change in Indian Country

Catalysts for Increased Outreach, Funder Engagement, Collaboration and Investment

• Unprecedented needs, challenges and disparities in Indian Country
• Upsurge in promising models, innovation and opportunities for impact within Native food systems, tribal economies, nutrition, health and the lives of Native children, families, communities and Tribal Nations.
• No shortage of opportunities for impact or knowledgeable Native partners with successful track records in Indian Country
• Unique partnership between the Shakopee Mdewakanton Sioux Community and the American Heart Association
  • **Fertile Ground I**: Planting the Seeds for Native American Nutrition and Health Funders Roundtable, October 2015
  • **Fertile Ground II**: Growing the Seeds for Native American Nutrition and Health Policy Convening, May 2016
Fertile Ground Convenings

- **Fertile Ground I:** Convening of 41 funders from across the country including private foundations, tribal funders, state and federal funding agencies. Result was a final report with recommendations pertaining to specific issues areas within Native food systems, nutrition and health, including increased funder engagement, collaborative funding models and the call to action for a second convening.

- **Fertile Ground II:** Focus on supporting Native-led policy change to improve health related to food systems, physical activity, schools, childcare, economic development and youth. 170 participants including Indian Country advocates, tribal leaders, public health leaders, Native youth and funders.

- **Result:** Creation of Indian Country Policy Innovation Fund and makings of a Native-led strategic framework to help guide next steps to continue momentum and provide insight to funders, advocates, and other stakeholders about opportunities for collaboration, partnership, investment and impact.

- **Final Report:** Funded by the WK Kellogg Foundation. Will be released by September 2016.
Resources on the Intersections Between Native Food Systems, Access, Nutrition, Policy, Philanthropy and Health

- **Feeding Ourselves: Food Access, health disparities, and the pathways to healthy Native American communities**
  [http://www.heart.org/HEARTORG/Advocate/VoicesforHealthyKids/Feeding-Ourselves_UCM_475570_Article.jsp#Vp9L1DZ4lI](http://www.heart.org/HEARTORG/Advocate/VoicesforHealthyKids/Feeding-Ourselves_UCM_475570_Article.jsp#Vp9L1DZ4lI)

- **Fertile Ground: Planting the Seeds for Native Nutrition and Health Funders Roundtable Final Report**

- **Fertile Ground II Website:** [http://www.heart.org/HEARTORG/General/Fertile-Ground-II-Resources_UCM_484980_SubHomePage.jsp](http://www.heart.org/HEARTORG/General/Fertile-Ground-II-Resources_UCM_484980_SubHomePage.jsp)

- **Feeding Ourselves Video**
  [https://www.youtube.com/watch?v=SPQpDBVzuT0](https://www.youtube.com/watch?v=SPQpDBVzuT0)

- **“Implicit Bias and Native Americans: Philanthropy’s Hidden Minority,” National Committee for Responsive Philanthropy**
Seeds of Native Health
A Campaign for Indigenous Nutrition

Policy Innovation Fund for Native American Food Access, Nutrition, and Health
Opportunities

• Re-birth of interest and work in Indian Country on food and nutrition issues in recent years
• Significant recognition of dietary factors in many health disparities among Native Americans and Alaskan Natives
• Food as culture, food as medicine, and food as economic development
• *Feeding Ourselves* report
• Strong desire for self-determined, Native-led policy change on food systems
• **Fertile Ground II** conference on Native nutrition and health policy/advocacy (May 2-4, 2016), convened by SMSC and AHA
Challenges

- The classic difficulty: Shortage of money
- Tribal grant-making is limited
- Mainstream philanthropy underserves Indian Country (0.3% of total monies vs. 2.0% of U.S. population)
- Advocacy and policy work are hard and take time (no short-term pay-off)
- Current policy efforts are significantly underfunded
- To encourage new efforts, funding must be available
**Solution: Policy Innovation Fund**

- Funding purposes:
  - Advocacy
  - Implementation
  - Evaluation
- Provide funding and technical assistance
- Address tribal, federal, and local (urban) policies
- Multi-year effort
- Multi-million dollar pool
- Native-led
- Initial, six-figure commitments: SMSC and AHA
- Goal: Involve tribal and mainstream philanthropic funders
- Official announcement in Fall 2016
Keepseagle v. Vilsack

Settlement & Trust

Janie Simms Hipp, Director, Indigenous Food and Agriculture Initiative, University of Arkansas School of Law
Background of the Case & Settlement

**Keepseagle v. Vilsack Settlement**

- Suit filed in 1999 on behalf of Native American farmers and ranchers for discrimination by USDA in the farm loan program.
- Settlement Agreement announced October 19, 2010; final approval by the Court April 2011.
- Settlement fund of $680 million, plus $80 million in debt relief.
- Following completion of the claims process and payment of all successful claims, approximately $380 million remained.
- Original Settlement Agreement established a “cy pres fund” and provided for the distribution of the remaining funds (the “cy pres”) to identified entity types.
- A revised approach to the original Settlement Agreement was proposed.
- After extensive public notification, listening sessions, and hearings before the Court, a modification of the Settlement Agreement was approved in late April 20, 2016; still within the 60-day appeal period from the Court’s order approving the modification.
Settlement Modified

• A further payment of $21,275 will be made to each prevailing claimant.
• Approximately $265 million will be used to establish the Native American Agriculture Fund (NAAF), expected to be operating in 1-2 years.
• $38 million for immediate distribution, called the Native American Agriculture Fast Track Fund (NAAFTF), to ensure that funds are put to use for the benefit of Native American farmers and ranchers as quickly as possible.
• NAAFTF is separate from NAAF.
• Awards will range in size depending on an applicant’s budget, focus and scope. NAAFTF will consider as well applications from intermediary applicants having existing, relevant grant programs which can be expanded through awards.
Keepseagle Trust: Native American Agriculture Fund

- Funds cannot be used for litigation
- Individuals and for-profit businesses cannot receive grants from the Trust
- Organizations receiving grants may make gifts to individuals for charitable purposes (financial hardship for needy individuals; scholarships to students; etc.); educational institutions and tribal-sponsored organizations may now be able to receive funds
- New non-profit organizations serving Native farmers and ranchers may also now receive funds (instead of previously existing organizations)
- Trust will be able to disburse funds over a 20-year period
- Decisions on how to distribute the funds will be made by a board of 14 Native American leaders
Board of Trustees

• Sherry Black (Oglala Lakota), Director of Partnership for Tribal Governance, National Congress of American Indians
• Charles Graham (Lumbee), State Representative North Carolina
• Pat Gwin (Cherokee Nation), Director of Natural Resources/Agriculture Cherokee Nation & sheep farmer
• Dr. Joseph Hiller (Oglala Lakota), Professor Emeritus, University of Arizona College of Agriculture & Life Sciences & rancher
• H. Porter Holder (Choctaw), Rancher & Vice Chairman of Council for Native American Farming and Ranching (USDA)
• Marilyn Keepseagle (Standing Rock Sioux Tribe) rancher and named plaintiff
• Jim Laducer (Turtle Mountain Chippewa), Director and Majority Owner Turtle Mountain State Bank
Board of Trustees

• Claryca Mandan (Mandan, Hidasta & Arikara Nation, Three Affiliated Tribes), Natural Resources Director MHA, rancher
• Elsie Meeks (Oglala Sioux), former USDA Rural Development State Director, rancher
• Monica Nuvamsa (Hopi), Executive Director, Hopi Foundation
• Ross Racine (Blackfeet), Executive Director, Intertribal Agriculture Council
• Michael Roberts (Tlingit), Executive Director, First Nations Development Institute
• Rick Williams (Oglala Lakota), retired American Indian College Fund & consultant to Native American organizations
• Executive Director - - Janie Simms Hipp (Chickasaw), Director Indigenous Food and Agriculture Initiative at University of Arkansas School of Law
Native American Agriculture Fast Track Fund (NAAFTF)

Crystal Echo Hawk, President Echo Hawk Consulting
NAAFTF Grants Coordinator
NAAFTF: Principals

- **Lead Class Counsel:** Cohen Milstein Sellers & Toll PLLC
- **Grants Coordinator:** Echo Hawk Consulting, Design and administer NAAFTF grants process and provide technical assistance
- **Advisory Committee:** Six individuals with experience and expertise in the fields of Native American farming, ranching and philanthropy. The Advisory Committee will review LOIs and grant applications and make recommendations to Class Counsel.
- **Court:** On April 20, 2016, the U.S. District Court for the District of Columbia approved a modification to the Keepseagle settlement agreement, which included a process for the distribution of funds to *cy pres* beneficiaries. All NAAFTF awards are subject to Court approval.
  - The Court’s order is open to appeal through June 20, 2016. If an appeal is filed, the June 24 LOI deadline will still be followed; further action will depend on if the court grants a stay or not.
NAAFTF: Timeline

Key Dates

- **May 25-June 24, 2016 Phase 1: Letter of Inquiry (LOI).** The deadline for LOI applications is June 24, 2016 at 5pm MDT.
- **July 28, 2016:** Invitations to submit full proposals and decline letters will be issued July 28, 2016.
- **July 28-September 4, 2016 Phase 2: Full Proposal.** Only organizations receiving a formal invitation will be eligible to submit a full proposal for consideration of a grant award from the NAAFTF. The deadline for full proposal submission is September 4, 2016 at 5pm MDT.
- **October 17, 2016 Submission of Recommendations to the Court.** Class Counsel will submit recommendations on grant awards to the Court.
- **Disbursement of Grant Awards.** The Court will decide whether to approve the awards by mid-December in the absence of any appeal.
NAAFTF: Eligibility

MANDATORY-NO EXCEPTIONS

1) To be eligible, an applicant must document that it provided business assistance, agricultural education, technical support or advocacy services to Native American farmers or ranchers between January 1, 1981, and November 1, 2010;

2) Is based in the United States; and

3) Is one of the following:
   • 501(c)(3) tax-exempt organization
   • 7871 designation as a non-profit organization chartered under the tribal law of a state or federally recognized tribe
   • An educational institution described in 170(b)(1)(A)(ii)
   • An instrumentality of a state or federally recognized tribe, designated under 7701(a)(40)
NAAFTF: Allowable Uses of Funds

NAAFTF funds will be a one-time distribution of $38,000,000 total between all grantees.

• Applicants receiving funds will be required to use the funds to provide services to Native American farmers and/or ranchers, including those seeking to become farmers or ranchers, to support and promote their continued engagement in agriculture.

• **Agriculture Definition:** NAAFTF defines agricultural activities to include all activities which involve cultivation, raising, or harvesting of plants or animals whether for food or other products. This includes, for example, not only raising crops or animals, but also fishing and foraging. It includes raising agricultural products used for purposes other than food (e.g., wool, cotton, wood).

• Funding for specific, eligible programs may be requested to support activities for a maximum of 24 months (2 years).

• Funds may be used for project support, endowment, scholarships, re-grants and/or capital expenditures.
Opportunities for Partnership, Leveraging and Collective Impact

- The Keepseagle Settlement via the NAAFTF and NAAF represents a tremendous opportunity and catalyst to shift Native American food systems in way to create new and profound opportunities for supporting and ensuring creation of vibrant local, regional and national tribal food systems that can benefit Native and non-Native communities
- Catalyst to help foster economic development, sustainable food systems development, policy change, reduction of health disparities, poverty and underdevelopment in Indian Country
- Critical that funders outside of Indian Country be engaged in this process as NAAFTF and NAAF can not do this alone
- Resources from Keepseagle Settlement are not enough to meet established needs; Indian Country still needs partners in philanthropy and investment
- Opportunities to partner, collaborate and leverage resources among funders to achieve bigger collective impact
NAAFTF & NAAF UPDATES

- For more information and updates on NAAFTF and to register to apply for the LOI process visit: www.indianfarmclass.com/NAAFTF.aspx
- For more information and updates on the Native American Agriculture Fund (Keepseagle Trust) visit: http://www.indianfarmclass.com/CyFunds.aspx