

JANUARY 2012 REGULAR SESSION OF THE CROW TRIBAL LEGISLATURE

LR No. 12-01

Introduced by Senator Gordon Real Bird, Jr.
Wyola (Mighty Few) District

A Legislative Resolution Titled:

A Resolution of the Crow Tribal Legislature to Nominate and Support William Yellowtail to Represent Indian Farmers and Ranchers on the Newly Established National Council for Native American Farming and Ranching of the United States Department of Agriculture

Legislative Findings:

WHEREAS, the Crow Tribal Legislature (“Legislature”) has the power and duty under Article V, Section 2 of the 2001 Crow Constitution to promulgate and adopt resolutions in accordance with the 2001 Constitution and federal laws for the governance of the Crow Tribe; and

WHEREAS, the Crow Tribe entered into the Fort Laramie Treaty of 1868 with the United States for the purpose of establishing the Crow Indian Reservation as a permanent homeland with the intent of becoming viable farmers and ranchers; and

WHEREAS, very few Crow Indians have been able to successfully maintain farming and ranching operations on the Crow Indian Reservation, contrary to one of the main purposes of the 1868 Fort Laramie Treaty and long-standing goals of the Crow Tribe throughout history; and

WHEREAS, the United States Department of Agriculture (hereinafter “USDA”) and its various agencies are responsible for administering programs and services which can and should assist and uplift Crow Indians who are interested in maintaining agricultural livelihoods and to enjoy the productive use of their land; and

WHEREAS, USDA recently settled the class-action lawsuit known as the *Keepseagle* case, which alleged past discrimination by the federal government against American Indian farmers and ranchers seeking assistance from the USDA; and

WHEREAS, part of the *Keepseagle* Settlement requires the USDA to establish a fifteen member national advisory council to ensure that American Indian farmers and ranchers participate in and benefit from USDA programs and services; and

WHEREAS, the Council for Native American Farming and Ranching will be comprised of eleven American Indians and four senior officials of the USDA; and

A Resolution of the Crow Tribal Legislature to Nominate and Support William Yellowtail to Represent Indian Farmers and Ranchers on the Newly Established National Council for Native American Farming and Ranching of the United States Department of Agriculture

WHEREAS, the current Agriculture Secretary, Tom Vilsack, has stated that: "The Council for Native American Farming and Ranching will help native governments, businesses, farmers and ranchers partner with USDA to create jobs, drive economic growth and strengthen tribal communities;" and

WHEREAS, William "Bill" Yellowtail, an enrolled Crow tribal member, is a Crow Reservation landowner and cattle rancher from the Wyola (Mighty Few) District with a very distinguished career in public service; and

WHEREAS, Bill Yellowtail has long advocated for American Indian self-sufficiency and on-reservation economic development; and

WHEREAS, the Legislature believes Bill Yellowtail would provide excellent representation and counsel to the USDA for and on behalf of Crow tribal farmers and ranchers as well as American Indian farmers and ranchers from each of the tribal nations across the United States.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CROW TRIBAL
LEGISLATURE IN REGULAR SESSION:**

That William "Bill" Yellowtail of the Wyola (Mighty Few) District is formally nominated and recommended for appointment by the United States Department of Agriculture to serve on the newly established Council for Native American Farmers and Ranchers.

BE IT FURTHER RESOLVED:

That the written statement of acceptance by Bill Yellowtail shall be included as an attachment to this tribal resolution and made a part of the permanent legislative record as contained in the official journal of the January 2012 quarterly session.

BE IT FURTHER RESOLVED:

That this resolution shall be considered a good-faith measure on behalf of the Crow Tribal Legislature to honor and implement the Statement of Purpose as contained in the 1996 Mutual Agreement Between the USDA and the Crow Tribe as authorized by Crow Tribal Council Resolution 96-16B. The 1996 Mutual Agreement and Resolution 96-16B shall be attached and considered a part of this resolution as if stated herein.

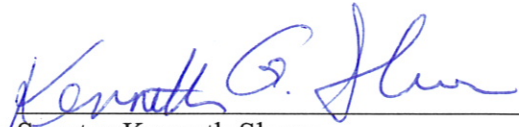
BE IT FINALLY RESOLVED:

That the Secretary of the Legislature is hereby directed to immediately provide Agriculture Secretary Tom Vilsack with a certified copy of this resolution via certified mail.

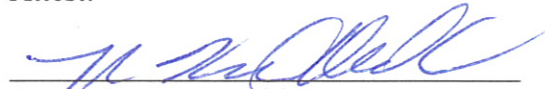
*A Resolution of the Crow Tribal Legislature to Nominate and Support William Yellowtail to Represent Indian Farmers and Ranchers on the
Newly Established National Council for Native American Farming and Ranching of the United States Department of Agriculture*

CERTIFICATION

I hereby certify that this resolution titled **A Resolution of the Crow Tribal Legislature to Nominate and Support William Yellowtail to Represent Indian Farmers and Ranchers on the Newly Established National Council for Native American Farming and Ranching of the United States Department of Agriculture** was duly approved by the Crow Tribal Legislature with a vote of 14 in favor, 0 opposed, and 0 abstained and that a quorum was present on this 20th day of January 2012.


Senator Kenneth Shane
Speaker of the House
Crow Tribal Legislature

Attest:


Senator R. Knute Old Crow
Secretary
Crow Tribal Legislature



A Resolution of the Crow Tribal Legislature to Nominate and Support William Yellowtail to Represent Indian Farmers and Ranchers on the Newly Established National Council for Native American Farming and Ranching of the United States Department of Agriculture

A Resolution of the Crow Tribal Legislature to Nominate and Support William Yellowtail to Represent Indian Farmers and Ranchers
on the Newly Established National Council for Native American Farming and Ranching of the United States Department of
Agriculture

Bill or Resolution: LR12-01 Introduced by: Senator Gordon Real Bird, Jr. Date of Vote: 1/20/2012
Number

<u>Representative:</u>	<u>Yes</u>	<u>No</u>	<u>Abstained</u>
H. Two Leggins	_____	_____	_____
V. Pretty Paint	<u>X</u>	_____	_____
C. J. Stewart	<u>X</u>	_____	_____
S. Backbone	<u>X</u>	_____	_____
A. Coyote-Runs, Sr.	<u>X</u>	_____	_____
L. Not Afraid	<u>X</u>	_____	_____
M. Covers Up, Sr.	<u>X</u>	_____	_____
P. Alden, Jr.	<u>X</u>	_____	_____
M. Not Afraid	_____	_____	_____
V. Crooked Arm	<u>X</u>	_____	_____
L. DeCrane	<u>X</u>	_____	_____
C. Goes Ahead	<u>X</u>	_____	_____
B. Hugs	_____	_____	_____
G. Real Bird, Jr.	<u>X</u>	_____	_____
M. Backbone	<u>X</u>	_____	_____
D. Wilson	_____	_____	_____
R. K. Old Crow, Sr. <i>Secretary of the House</i>	<u>X</u>	_____	_____
K. Shane <i>Speaker of the House</i>	<u>X</u>	_____	_____
Totals:	<u>14</u>	<u>0</u>	<u>0</u>

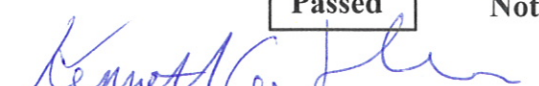
Result of Vote:

Passed


Not Passed

Tabled

Veto-Override


Senator Kenneth G. Shane
Speaker of the House

Date


Senator R. Knute Old Crow, Sr.
Secretary of the House

Date

20 January 2012

Legislature of the Crow Tribe of Indians
Crow Agency, Montana

Dear Senators:

I will be profoundly honored to be nominated by my Crow Tribe for appointment to the USDA Council for Native American Farming and Ranching. I pledge to represent and advocate for Crow Ranchers, farmers and landowners with every fiber of my energy and forthrightness. Further, I will be a staunch advocate for justice for the vitality of all Native American agricultural producers and for the very land that is our heritage.

We are privileged to live on the finest agricultural real estate in the country, right here on the Crow Reservation. Having grown up and made my own living on my family's cattle ranch outside of Wyola, I am keenly aware of the power of our landscape to define who we are and to sustain us. It is that formative connection with our mountains, valleys and streams that drives my passion for and loyalty to our homeland and our life-ways.

It is my firm conviction that we Crows and Native Americans should be in position to live productively, independently and honorably upon our lands – and that we have every potential to do so in the future. I also believe that it is the Indian farmers and ranchers who will serve as responsible stewards of our soil, water and landscape for future generations. Sadly, many of us have been reduced to passive, even absentee, lessors. I believe that, given appropriate encouragement, education and structural support, more of us can take direct command of the productivity and the destiny of our land base. Our potential only needs to be realized.

Besides having been an agricultural producer myself, I can claim a life of experience in public policy on behalf of Crow Indians and Native Americans at large. I have worked in tribal government; been elected to represent our interests in the Montana State Senate; elevated Native American interests and agriculture

to my highest priorities as Regional Administrator of the U.S. Environmental Protection Agency; and was keynote speaker for the Governor's Food and Agriculture Summit. I presently serve on the board of directors of the Rural Landscape Institute, a Bozeman , Montana based non-profit organization whose purpose is to promote the viability of independent agriculture and rural communities. I believe these experiences will lend well to my service on the Council for Native American Farming and Ranching.

Thank you for your consideration. I am deeply grateful and will serve faithfully if successfully appointed.

Respectfully,

/s/

William P. Yellowtail

CROW TRIBAL LEGISLATIVE BRANCH OF GOVERNMENT

Office of the Secretary of the Legislature

144 Makawasha Avenue
Crow Agency, Montana 59022
Phone: (406) 638-2023/2025
Fax: (406) 638-2030
Website: www.CrowLegislature.org



Crow Country

The People's Branch of Government

January 20, 2012

Tom Vilsack
Secretary
United States Department of Agriculture
1400 Independence Avenue SW
Washington, DC, 20250

Attn: Council for Native American Farmers and Ranchers.

Dear Secretary Vilsack:

During the January 2012 Regular Quarterly Session of the Crow Tribal Legislature, a resolution was introduced titled "A Resolution of the Crow Tribal Legislature to Nominate and Support William Yellowtail to Represent Indian Farmers and Ranchers on the Newly Established National Council for Native American Farming and Ranching of the United States Department of Agriculture." This resolution (LR 12-01) has passed by a 14-0 vote (there are 18 total Crow legislators).

We look forward to strong collaborative efforts with your Department to help make the establishment of this important advisory committee a success for the farmers and ranchers of the Crow Tribe and all Indian nations.

It is my honor to hereby certify for your review a true and complete copy of LR 12-01, which is attached to this letter.

Respectfully yours,

A handwritten signature in blue ink, appearing to read "R. Knute Old Crow", is written over a horizontal line.

Senator R. Knute Old Crow
Secretary of the Legislature

United States Department of Agriculture
ADVISORY COMMITTEE MEMBERSHIP BACKGROUND INFORMATION

Privacy Act Notice

Public Laws 95-113 and 93-579 permit collection of the data requested on this form. The information is used to determine qualifications, suitability and availability for service on advisory committees. The information will be used to conduct background clearances and/or for annual reports on advisory committees. Failure to submit this information may result in nonselection of a prospective advisory committee member or termination of the committee.

1. Name (Last, First, Middle) <i>Yellowtail, William</i>	2. Social Security Number - -
3. ^{Business} Residence Address (include Zip Code) <i>Office of Native American Partnerships PO Box 173090 Montana State Univ. Bozeman, MT 59717</i>	4. Telephone: Home: () - Office: <i>(406) 994-6998</i> Fax: () - <i>BYellowtail@Montana.edu</i>
5. Place of Birth	6. Date of Birth
7. Name of Employer	
8. Employer Address (includes Zip Code)	9. Your Occupation/Title
10. List your business experience	
11. List education and any specialized experience.	

12. If applicable, how long have you been engaged in farming or production, and what is the size of your farming operation (i.e., list acreage and pounds produced by kind of crop, as well as kinds and numbers of livestock)?

13. List producer or farm organizations (include whether a member or officer and how long affiliated).

14. List other affiliations and/or service as a community leader that would benefit you in your role as a member of the advisory committee.

15. List any Federal advisory committee or board on which you are currently a member and the number of years you have served on that committee or board.

16. List sources of income--in excess of \$10,000--for the past calendar year from other than your primary employment.
List only sources; do not show amounts of income from each source.

17. Have you ever been convicted of a felony? (A felony is defined as any violation of law punishable by imprisonment of longer than one year.) If so, please explain.

18. As a result of your participation in Federal programs, have any judgments been rendered against you? As a result of participation in any governmental programs relative to the purpose of the advisory committee for which you are a nominee, have any civil or criminal actions been initiated against you? If so, please explain,

Secretary of Legislative Branch of Government

Signature

H. H. Allen

Date

1/20/12

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching for existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or other aspect of this collection of information to Department of Agriculture, Clearance Officer, OIRM, Room 404-W, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0505-0001), Washington, D.C. 20503.

From Federal Register Vol. 76, No. 234 (December 6th, 2011)

“Individuals and organizations who wish to nominate experts for this or any other USDA advisory Council should submit a letter to the Secretary listing these individuals’ names and business address, phone, and email contact information.”

Name: William “Bill” Yellowtail

Business Address: Office of Native American Partnerships, PO Box 173090, Montana State University, Bozeman, Montana 59717

Phone: (406) 994-6998

E-mail: BYellowtail@Montana.edu

MUTUAL AGREEMENT

Between the

UNITED STATES DEPARTMENT OF AGRICULTURE

and

THE CROW TRIBAL COUNCIL

and

THE CROW CONSERVATION DISTRICT

For their Cooperation in the
Conservation of Natural Resources

THIS AGREEMENT is between the United States Department of Agriculture (USDA) and the Crow Tribal Council.

The authority of USDA to enter into this agreement is the Soil Conservation and Domestic Allotment Act, 16.590; the Department of Agriculture Reorganization Act of 1994, Public Law No. 103-354; and Secretary's Memorandum No. 1010-1, dated October 20, 1994. The Crow Tribal authority is defined in Crow Tribal Resolution 96-16B passed on January 13, 1996.

STATEMENT OF PURPOSE

The parties have the common objective of assisting people in their efforts to utilize and manage natural resources in accordance with their capabilities and needs for protection and improvement. Each party is independent, has its respective responsibilities, yet recognizes the need to coordinate as a federal, state and local partnership for the successful delivery of conservation programs related to our soil, water, air, plant, animal, and human resources. Therefore, the parties will cooperate to implement their respective long-range natural resources conservation programs considering available resources, statutory authorities, and regulations. The parties will develop appropriate agreements to further define this relationship.

IT IS UNDERSTOOD THAT:

Broad-based conservation programs delivered through the cooperation of the USDA, the Crow Tribe, and the Crow Conservation District are vital to the protection of the natural resources, economic stability and well-being of our Nation.

The parties reaffirm the relationship between the USDA, the Crow Tribe, and the Crow Conservation District. The Secretary will continue, within the terms of various statutes administered by USDA, to carry out broad conservation programs of assistance encompassing technical, research, educational, and financial assistance to land owners and users through the Crow Conservation District and the Crow Tribe.

The parties also recognize and encourage a continued commitment from the Crow Tribe in aiding administration, coordination, financing, and the delivery of conservation programs through the Crow Conservation District and the Crow Tribal Government.

This Agreement establishes an enduring basis for cooperation and assistance between the parties to achieve common natural resources conservation goals and objectives. Authority to carry out specific projects or activities, such as the transfer of funds, acquisition of services, and property will be carried out under separate agreements. The parties will encourage other natural resource related agencies to develop similar agreements.

The signatories will be in compliance with the nondiscrimination provisions contained in Titles VI and VII of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987 (Public Law 100-259) and other nondiscrimination statutes, namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, Americans with Disabilities Act of 1990, and in accordance with regulations of the Secretary of Agriculture (7 CFR-15, Subparts A & B), which provide that no person in the United States shall, on the grounds of race, color, national origin, age, sex, religion, marital status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance from the Department of Agriculture or any agency thereof, that the Crow Tribe may provide for Tribal hiring preference in accordance with Indian Reorganization Act of 1934 (25 U.S.C. 479).

This agreement can be modified or terminated at any time by mutual consent of all parties or can be terminated by any party by giving 60 days written notice to the others.

This agreement supersedes all previous Memorandums of Understanding.

UNITED STATES DEPARTMENT
OF AGRICULTURE

CROW TRIBAL COUNCIL

By:

(Secretary of Agriculture)

By:

(Tribal Chairwoman)

Date:

Date:

CROW CONSERVATION DISTRICT

By:

(District Chair)

Date:

RECEIVED

RESOLUTION NO. 96-16B

A RESOLUTION OF THE CROW TRIBE OF INDIANS PERTAINING TO CROW CONSERVATION DISTRICT AND USDA PROGRAMS

WHEREAS, the Crow Tribe and Indian farmers and ranchers have not in the past had full access to USDA Agricultural programs as delivered by the Natural Resources Conservation Service (NRCS) and the Farm Services Agency (FSA);

NOW, THEREFORE BE IT RESOLVED, that the Crow Tribal Council wishes to form the Crow Conservation District based upon the Crow Reservation boundary and Tribal Law to provide guidance to the NRCS Crow Agency Office;

BE IT FURTHER RESOLVED, that the Crow Tribal Council directs the Chairperson to write a letter to the FSA statewide Steering Committee requesting that FSA designate the external boundary of the Crow Reservation as an Area Committee for FSA under the 1994 Reorganization Act;

PASSED, APPROVED AND ADOPTED, by the Crow Tribal Council this 13th day of January, 1996, with unanimous votes for adoption and -0- votes against adoption.

Marvin L. Stewart
Marvin L. Stewart, Secretary
CROW TRIBAL COUNCIL

ATTEST:

Clara Nomee
Clara Nomee, Madam Chairman
CROW TRIBAL COUNCIL

NOTED:

Kenneth Davis
Kenneth Davis, Superintendent
BUREAU OF INDIAN AFFAIRS

Author: Crow Tribal Administration



Crow Country

Legislative Branch

Pryor:

Arrow Creek

Carlson Goes Ahead
Bryce Hugs
Lawrence DeCrane

Big Horn:

Valley of the Give Away

Vincent Crooked Arm
Marlin D. Not Afraid
Pat Alden, Jr.

Dunmore:

Black Lodge

Conrad J. Stewart
V. Jeannie Pretty Paint
H.Noel Two Leggins

Reno:

Center Lodge

Shawn E. Backbone
Kenneth G. Shane
Speaker of the House
Arnold Coyote-Runs, Sr.

Lodge Grass:

Valley of the Chief

Manuel Covers Up, Sr.
R. Knute Old Crow, Sr.
Secretary of the House
Leroy Not Afraid

Wyola:

Mighty Few

Dana Wilson
M. Tye Backbone
Gordon Real Bird, Jr.

Staff

Gerald Jay Harris
Staff Attorney

Leslie Plain Feather
Legal Assistant

Jackie Blacksmith,
Administrative Officer

William Old Crow
Finance Officer/Admin. Assist.

Sheri Chandler
Office Assist./Receptionist /Editor

Kenny Pretty On Top
Maintenance/Custodian
Sergeant at Arms

LEGISLATIVE BRANCH OF THE CROW TRIBAL GOVERNMENT

P.O. Box 309 – 144 MAKAWASHA Avenue

Crow Agency, Montana 59022

Phone: (406) 638-2023/2025/2238

Fax: (406) 638-2030

OFFICIAL CERTIFICATE OF DELIVERY

I, R. Knute Old Crow, Sr. Secretary of the Legislative Branch of the Crow Tribal Government hereby this Transitional Action do deliver a True and Correct Official copy Of the Final Approval for the following Legislative Resolution:

INTRODUCED BY CROW TRIBAL LEGISLATURE

Legislative Resolution Titled: A Resolution of the Crow Tribal Legislature to Nominate and Support William Yellowtail to Represent Indian Farmers and Ranchers on the Newly Established National Council for Native American Farming and Ranching of the United States Department of Agriculture.

No. LR12-01 to William C. Nutt in the

Position of: A Horney for the
Crow Executive Branch.

Done and dated this 27th day of Jan., 2012 @ 1:25 a.m./p.m.

R. Knute Old Crow, Sr.
R. Knute Old Crow, Sr.
Secretary of the House
Legislative Branch of the
Crow Tribal Government



Cc: file