

**NOMINATION OF JANIE SIMMS HIPPI,
OF ARKANSAS, TO BE GENERAL COUNSEL
OF THE DEPARTMENT OF AGRICULTURE**

HEARING

BEFORE THE

**COMMITTEE ON AGRICULTURE,
NUTRITION, AND FORESTRY**

UNITED STATES SENATE

ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

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NOMINATION OF JANIE SIMMS HIPPI, OF ARKANSAS, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF AGRICULTURE

THURSDAY, MAY 27, 2021

U.S. SENATE,
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
Washington, DC.

The Committee met, pursuant to notice, at 9:30 a.m., via Webex and in room 366, Dirksen Senate Office Building, Hon. Debbie Stabenow, Chairwoman of the Committee, presiding.

Present or submitting a statement: Senators Stabenow, Brown, Klobuchar, Gillibrand, Smith, Booker, Luján, Warnock, Boozman, Hoeven, Hyde-Smith, Marshall, Grassley, Thune, and Fischer.

STATEMENT OF HON. DEBBIE STABENOW, U.S. SENATOR FROM THE STATE OF MICHIGAN, CHAIRWOMAN, U.S. COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Chairwoman STABENOW. Good morning. I call today's hearing of the Senate Committee on Agriculture, Nutrition, and Forestry to order. We are here today to consider the nomination of Ms. Janie Simms Hipp to be General Counsel at the U.S. Department of Agriculture. In that role, Ms. Hipp's work will touch every function of the Department. That means she will have a hand in the implementation of the programs that make sure families have enough to eat, kids have healthy meals in schools, farmers are supported and have the tools they need to address the climate crisis, and folks in small towns and rural areas can access high-speed internet. These are issues I am passionate about, and I know Ms. Hipp is as well.

She is no stranger to the important work she will take on, if confirmed. She has worked with farmers and ranchers for most of her career, experience that will be very valuable if she is confirmed as General Counsel. She is the first General Counsel nominee in more than 20 years to have a background this expansive in agricultural law. She even has a master of laws in agriculture and food law that she earned from the University of Arkansas. That is an institution I am sure we can all agree, but particularly our esteemed Ranking Member could agree offers an outstanding education.

Ms. Hipp has since established herself as one of the preeminent minds in her field. She currently serves as CEO of the Native American Agriculture Fund, where she works with Native American farmers and ranchers to support their continued engagement in agriculture. Her breadth of experience would be very valuable as General Counsel.

In the mid 1980's, Ms. Hipp worked in the Oklahoma Attorney General's Office where she had firsthand experience helping farmers during the national farm credit crisis. Having someone in leadership who has counseled producers through those stretches will be a priceless asset for the Department of Agriculture and the people they serve. She also understands how USDA functions and the broad range of issues it handles.

While at the Department, she worked closely on research advancing innovation for producers as well as programs for beginning farmers and ranchers during her time at the National Institute of Food and Agriculture. While at the Risk Management Administration, she helped farmers understand and access Federal crop insurance and other risk management programs, as part of the farm safety net.

Ms. Hipp has also taught agricultural law for years, addressing a wide range of issues affecting agriculture, natural resources, and rural communities.

Finally—and we could go on and on, Mr. Ranking Member. This is a woman with a very impressive resume—finally, Ms. Hipp is a proud citizen of the Chickasaw Nation, and from her past experience as USDA's Director of the Office of Tribal Relations and as Founding Director of the University of Arkansas' Indigenous Food and Agriculture Initiative, her knowledge of Native American agriculture and Tribal issues will be invaluable. Her nearly four decades of legal experience, most of it in agricultural law, will give her essential insight, if confirmed as General Counsel.

Ms. Hipp has a broad range of support from groups across agriculture and rural affairs, and I ask unanimous consent that such letters be entered into the record, without objection.

[The letters can be found on pages 24–74 in the appendix.]

Chairwoman STABENOW. Now I would like to turn to my friend, our distinguished Ranking Member, Senator Boozman, for his opening remarks.

**STATEMENT OF HON. SENATOR JOHN BOOZMAN, U.S.
SENATOR FROM THE STATE OF ARKANSAS**

Senator BOOZMAN. Thank you, Madam Chair, and good morning. Along with the Chairman, Chairwoman, I am pleased to welcome Janie Simms Hipp to the Committee as we consider her nomination to be General Counsel at the Department of Agriculture. Ms. Hipp, if confirmed as General Counsel, will be responsible for providing advice and counsel directly to the Secretary and Deputy Secretary.

In addition to overseeing the Washington, DC.-based office, the General Counsel supervises 12 field offices within the Office of the General Council (OGC).

Ms. Hipp currently serves as the CEO of the Native American Agricultural Fund, created as a result of the Keepseagle litigation settlement, with a charge to distribute the remaining settlement funds to eligible entities to assist, educate, and support Native American farmers and ranchers.

Ms. Hipp has a vast array of agricultural law experience, spanning decades at USDA in several roles. She has a deep bond to Arkansas, earning an LLM in agriculture and food law from the University of Arkansas School of Law, and serving in various positions

at the National Center for Agricultural Law Research and Information at the University of Arkansas School of Law. It is truly great to see a fellow Razorback serving our broad agricultural community with such dedication.

It is important USDA has a General Counsel who can be relied upon by Congress and the agriculture community to provide sound, practical, and candid legal guidance to the Department. Aggies have many concerns these days, some of which are a direct result of action or inaction by the Department.

For instance, I remain concerned the Administration may force the establishment of a bank through the CCC that would intervene in markets for environmental offsets, or pay farmers, ranchers, and forest owners for anything carbon. Congress has received neither details nor a legal basis for the establishment of a bank or this type of entity, whatever we are calling it at the current time, as the idea seems to constantly evolve and be based on shaky legal interpretation.

I remain opposed to any effort to shoehorn the establishment and operation of a “carbon bank” into the CCC authority, and I ask the Department to communicate details about how such a bank would work and provide comprehensive legal justification for the establishment of a “bank” prior to any such action taking place. I expect OGC and the Department to follow the call to transparency on important issues by providing Congress and the public with the basis of its positions. Transparency is key to good a working relationship with Congress, and the lack of it shown so far by the Department is concerning, to say the least.

I hope OGC can assist USDA in releasing nearly \$2 billion in financial relief to contract poultry and livestock producers and expediting the regulatory approval for billions more in assistance to producers of agriculture commodities affected by the pandemic. Using resources from the bipartisan Coronavirus Aid, Relief, and Economic Security Act, better known as the CARES Act, and the Consolidated Appropriations Act of 2021, the Department has access to resources to help farmers across the country recover from COVID-19. It is vital this relief reaches those who need it. Ms. Hipp, if confirmed, I urge you to do all you can to assist in breaking the logjam, releasing the funds, and expediting the regulatory review process.

Finally, I remain concerned for the future of the USDA’s new swine inspection system. Due to a court ruling, USDA will need to reconsider this program and choose a path forward. Their decision will impact thousands of hog farmers, so I implore you to weigh this decision very carefully.

Before closing, I would like to mention an issue that is really very important to a great number of members of this Committee. Several of you have written to me and the Chairwoman, asking the Committee to hold a hearing on livestock and cattle market issues. I believe this is an important topic that warrants review by the Committee, and I urge the Committee to plan, as soon as possible, to have a hearing.

I think the livestock industry—and I was part of this industry for many years—is in a very, very difficult situation right now. We

need to understand exactly what is going on in that regard and begin to offer solutions. With that I yield back.

Chairwoman STABENOW. Thank you very much, Senator Boozman, and I agree. We need to work together. Many members of the Committee are concerned about what has been happening with supply chains in the livestock industry, and we need to work together with members of the Committee to understand and look for solutions.

Ms. Hipp, before hearing your opening comments we have two things that we need to address. First, I need to administer the oath we give to all of our nominees, so please raise your right hand. I am not seeing here on the monitor, but I am assuming you are with us.

Ms. HIPPI. Yes, I am.

Chairwoman STABENOW. Good morning.

Ms. HIPPI. Good morning, Madam Chair.

Chairwoman STABENOW. All right. Please raise your right hand. Do you swear or affirm that the testimony you are about to provide is the truth, the whole truth, and nothing but the truth, so help you God?

Ms. HIPPI. I do.

Chairwoman STABENOW. Thank you. Second, do you agree that, if confirmed, you will appear before any duly constituted committee of Congress if asked to appear?

Ms. HIPPI. I will.

Chairwoman STABENOW. Great. Thank you very much, and again, welcome. I look forward to learning more about your vision and priorities for the General Counsel's Office at the Department of Agriculture. Your testimony will be made a part of the record in its entirety, and you may proceed as you desire.

**STATEMENT OF JANIE SIMMS HIPPI, OF ARKANSAS, TO BE
GENERAL COUNSEL OF THE DEPARTMENT OF AGRICULTURE**

Ms. HIPPI. Thank you so much, Madam Chair Stabenow, and Senator Boozman, my fellow Razorback, and members of the Committee. I am really honored to be with you today and I am grateful and deeply humbled by President Biden's nomination of me to serve as General Counsel for USDA. If confirmed, I look forward to providing legal advice to Secretary Vilsack, a leader I deeply respect and admire. There are over 200 extremely talented lawyers at OGC, and if confirmed, I will join thousands of dedicated and passionate career USDA professionals across the U.S. and around the world. I look forward, if confirmed, to rejoining their ranks.

I extend my love and appreciation to my husband, Mitch, whose limitless support enables me to do the work I do every day; my sons and their wives; my sister, all of my family and friends, and my work colleagues across the U.S. I also extend my thanks to the countless farmers, ranchers, and forest landowners I have had the pleasure of working alongside for the past 36 years.

As was mentioned, I am a proud citizen of the Chickasaw Nation. My paternal grandmother was an original enrollee. I am deeply appreciative of my Tribe's leadership and Governor Anoatubby's vision and support for Chickasaw people. If confirmed, I will be the

first Native woman selected to serve as General Counsel, and I know the importance of that honor.

While I have worked with Tribes for over 20 years on food and agriculture issues, my work actually started long before then. I grew up in far southeast Oklahoma, small, rural, remote town of about 5,000 people. We were agriculture and forest dependent, and what a great place to grow up.

I was raised by educators. Higher education was never an option in our house; it was expected.

My grandfather ran a small tractor dealership—nothing fancy. I did the payroll every Saturday and my sister and I helped with the books every month. I grew up listening to farmers' stories as they came by for coffee.

I worked my way through Oklahoma State and finished at OU, spent several years in State public service, and then attended Oklahoma City University Law School at night while working during the day. After a short stint in private practice, I moved to the Oklahoma Attorney General's Office during the height of the farm financial crisis of the 1980's. Oklahoma was hit hard. Our State's farmers and ranchers were in trouble, and one of the casualties was in my own family. My grandfather's tractor dealership was lost. Oklahoma had the highest rates of farmer and rancher suicides in the country, and foreclosure rates were through the roof.

One day, the AG asked me to attend a meeting in February, in Minnesota, and I remember it being very cold, and while there I met an amazing group of lawyers taking action to support their own States' farmers and ranchers, advocating for stemming the tide of foreclosures and getting information into the hands of producers so their operations could be saved.

These folks are friends to this day. I am forever grateful for their work on farmer advocacy and all that they have taught me. I cut my teeth standing alongside farmers and ranchers throughout this country, and through these experiences I come to deeply understand the differences that solid, legal resources can make in agriculture.

Eventually, as Senator Boozman says, I found my way to the University of Arkansas to attend a new LLM in ag law programs, staying there to teach ag law and build my own body of work. While I consider Arkansas my permanent home, I have spent countless hours traveling throughout the U.S. and around the world as an ag lawyer. I held a teaching and extension appointment in Arkansas, but my work extended well beyond her borders. Over the years I have taught or discussed or written about almost every section in the farm bills dating back to the 1980's.

The Chairwoman has previously talked about how my work at USDA NIFA and after that with Secretary Vilsack, who appointed me as his Senior Advisor for Tribal Relations, and in that location within his office I worked across the entirety of USDA, across a wide variety of issues impacting Tribal governments, and then returned back to Arkansas and launched an initiative focusing on indigenous food and agriculture, but also then later working as CEO of the Native American Ag Fund.

I have worked with small, midsized, large producers, processing plant owners, local food folks, urban farmers, new and beginning

farmers, socially disadvantaged farmers and ranchers, national policy groups, foresters, farm credit—you name it. I have worked with them all. I have also worked alongside food distribution and anti-hunger advocates to keep people fed. I refer to myself as a mechanic under the hood and a practical problem-solver.

Some of my most enjoyable moments are those spent with young folks who are passionate about food and agriculture, because I see in their eyes that we will all be okay with them as our new leaders. If confirmed, I am honored to work alongside Secretary Vilsack again and to fulfill our roles within USDA. I will work tirelessly to seek access and equity in the conduct of USDA's programs in search for meaningful and informed and practical solutions to the complex challenges we face.

I will never forget where I grew up, and I will work alongside each of you in a transparent and collaborative manner. I will always keep our Nation's farmers and ranchers, no matter who they are, as my guiding light and my North Star.

Thank you, and I look forward to your questions and our important work together. Thank you.

[The prepared statement of Ms. Hipp can be found on page 20 in the appendix.]

Chairwoman STABENOW. Well, thank you so much, Ms. Hipp, and I just have to say, as someone who has been in the Senate now for 20 years, on this Committee for 20 years, I cannot think of someone who has come before us as a nominee that has had more experience or breadth of experience and depth of experience than you possess. I appreciate very much your willingness to serve our country again in the U.S. Department of Agriculture.

We are going to begin, for members' knowledge, of course, a round five-minute questions, and let me start first saying that given all of your extensive experience, what have you learned from your previous positions, and how do you think those experiences will help you as General Counsel at the USDA?

Ms. HIPPI. Madam Chairwoman, I was asked this the other day and I gave it a moment's thought and then I immediately knew what my answer was. I learned a long time ago, particularly in my LLM program work, that I did not go very far without a really great agricultural economist and a wonderful ag scientists at my elbow. I learned that because agricultural lawyers cannot solve all of the problems and the challenges and the opportunities that we face in agriculture. I learned a long time ago that I need very important experts at my elbows, and there are many of those throughout the agriculture sector.

I think also one of the most important things that I can always do is to listen, and to listen to where people are coming from, what is important to them, what their issues are, and really absorb that and use that to inform us as we work within the Office of General Counsel, doing our jobs every day. Farmers need markets, they need clarity, they need security so that they can keep facing the challenges that they face every day to feed us, and I think that is probably the most important thing I have ever learned across my entire career.

Chairwoman STABENOW. Thank you. Well given that, what are your priorities as General Counsel?

Ms. HIPPIE. Well, the first priority is to get a handle exactly on where all of our cases stand and where all of our challenges are, where the regulations are that are pending before us, what issues are waiting for OGC offices to actually do our part of the equation, which is to interpret and to assist our clients throughout the Department. My priorities include, first of all, getting a handle on everything that we have in front of us.

Also, I think it is really important for us to establish a regular mechanism so that we can communicate with the Committee. I think that is extremely important, and throughout my entire career in agricultural law I have never known a circumstance when it was not valuable for OGC lawyers to be regularly communicating with the Committee and their staff. That is important as well.

I think getting a sense of what we have before us in the Office of General Counsel. We have such an incredible group of people who are so highly trained in that department, in OGC, and I think it is really important for us to also plan for the future and determine how we bring up new lawyers as we need to fill the positions that might be vacated by someone who is retiring.

When I was at USDA before there were a lot of folks who, that is their home for 30 years or more, and we need their expertise in the next generation of legal advisors that come through the Department.

In terms of OGC itself, and I interpreted your question to be that, those are my top priorities for the immediate future.

Chairwoman STABENOW. Well, thank you. Talk a little bit more about Department morale, because over the last few years staff morale has really dropped sharply, particularly in the Office of General Counsel. I am very concerned about this. In fact, in 2019 there was a survey that showed that the office ranked 414th out of 420 subagencies for employee engagement, and they particularly talked about concerns with the leadership of OGC.

How would you address this? You talked a little bit about it, but how will you focus on improving morale of the excellent staff that are there?

Ms. HIPPIE. Well, Chairwoman, one of the first things that I will do is I will sit down with not only the leadership of OGC as it stands right now but every single one of our OGC attorneys and staff. We need to listen to them. We need to find out what exactly is driving the lower morale. I will work diligently to address their needs and to boost that morale as much as I can.

I have worked within big lawyers' offices before, I have worked in state attorneys general offices before, where you are surrounded by lawyers, and a lot of work gets done in those offices. Sometimes we just need to pause and sit with each other and determine how we can best support each other. I will do my best to infuse a new sense of mission and purpose and support within that office. I will honor those qualified and extremely talented professionals, and I will hold that as one of my top priorities, to improve the morale within OGC.

Chairwoman STABENOW. Well, thank you very much. Many questions I could ask you, given your broad experiences and the issues you will be involved in, but I want to adhere to my time being up

so that we can keep the Committee on schedule. I am going to turn to Senator Boozman.

Senator BOOZMAN. Thank you, Madam Chair, and again, we are very grateful for your willingness to serve. You are a talented lady that has got so much to offer, and certainly make a lot more money in the private sector and this and that, but much of your career has been spent in public service, and we really do appreciate that.

During your staff interview you discussed your past practice and speaking “truth to power” and your intention to continue that practice as General Counsel. Can we count on you to continue delivering measured legal advice to Secretary Vilsack and the Department regarding administration policies, and will you commit to being transparent by publishing legal opinions on administration policy proposals, including briefing us on those opinions?

I will say that we really do appreciate the great work of the career staff at USDA. They have been invaluable in helping both sides of the aisle always and giving us good technical advice as we try and push things forward. Will you, again, as I described, give the advice that we would like and publishing legal opinions, et cetera?

Ms. HIPPIE. Senator Boozman, I promise to you that I will. I believe in transparency. I believe in frank discussions. Sometimes folks misinterpret the law, and you need to actually explain exactly what the language says. Sometimes we can be a little bit too technical. I can be technical. As a lawyer I trained to be technical. Particularly having spent so much time in public government service as a lawyer, I can switch that on in a heartbeat.

It is also really important, I have found, particularly when you are doing front-facing work with your stakeholders that you actually speak in normal English, and that is really, really important, I think, in terms of communicating what exactly the Department is doing. I promise to you that I will be transparent with you all, I will be transparent with our stakeholders, and we will be as fastidious as we possibly can be to reach the goals that you set forward, which is to have that front-facing ability for not only you all and your staff, the Department’s clients itself, but also our stakeholders, to understand where OGC is coming from and how we are interpreting the laws before us.

Senator BOOZMAN. Very good. We appreciate that. Let me ask you about the National Agricultural Law Center, which you have been an integral part of. Truly, I think it is a treasure that congressional members and their staff rely upon to get updates on legal matters affecting agriculture. In January 2019, USDA and the Law Center entered into an MOU to provide a cooperative framework for the parties to develop and maintain an unpaid legal internship program that would facilitate the Law Center research fellows, gaining legal experience and guidance by USDA, OGC attorneys. All of this helped the fellows gain educational excellence and develop legal talent in agricultural law, which I think is a win for both the Law Center and USDA.

By all accounts it was a successful program. It expired after two years, in January 2021. If confirmed, do you commit to supporting the National Ag Law Center at the University of Arkansas, during your tenure, and will you commit to executing a fresh MOU to

allow this collaborative program, which was so successful, between this Law Center and USDA to continue to flourish?

Ms. HIPPIE. Well now, Senator Boozman, you know I would be remiss if I did not want to do that. That is my alma mater, of course. Yes, I am happy to take a look at that, if I am confirmed. I will also share with you too that, you know, I was in that first four or five years of LLM ag law classes, and a lot of my law friends in Oklahoma even were scratching their heads and wondering what it was that I was doing. I knew I was going in the right direction because ag needs a lot of legal talent that is very specialized.

Since the time that the LLM program has been stood up there have been other efforts around the country to actually focus our minds around some of the complexities that can assist farmers in other regions, right, to access legal explanations. That was one of the things we did the best was to explain the law to people.

I think it really serves us well not only to look at the Ag Law Center and the LLM program in Arkansas but also expand our horizons a bit, because the last thing that I would want to do is to have a lot of OGC, wonderful, mature attorneys leave and not have a highly qualified, very specialized team to rise up to take their place. I think we have got a lot of opportunity for actually encouraging more intern programs like that.

Senator BOOZMAN. You are a good lawyer. Thank you, Madam Chair.

Chairwoman STABENOW. Thank you, Senator Boozman. I am now going to call on Senator Klobuchar and then Senator Grassley will be next. Welcome, Senator Klobuchar.

Senator KLOBUCHAR. Well, thank you very much, Senator Stabenow, and thank you very much, Ms. Hippie. I heard you mention Minnesota at the beginning and how you had worked with farmers during the farm crisis. You did say it was cold—I am going to let that go. I will not hold that against you. Could you tell me a little bit about that work?

Ms. HIPPIE. Well, first of all, Senator Klobuchar, I mentioned it was cold because it was seared into my mind because I did not have a proper coat, so I will never make that mistake again.

That work was incredible. I actually was able to sit with other assistant attorneys general from around the country, and we were all deeply concerned about what was happening within our States. The foreclosure rates were out of control, and the suicide rates were high. We were grasping at what we could do, as assistant attorneys general, to actually stem the tide.

What we found was that we were powerful working together, helping farmers and ranchers really understanding the complexities of restructuring their loans. This Committee actually passed out the Ag Credit Act of 1987. All of that happened during that time period, and we were all instrumental in getting the word out.

I personally did work with multiple, 300- to 400-person events with farmers in Oklahoma. I know that work was going on in Minnesota. It was going on everywhere. I think we discount the importance of actually having that specialized focus for lawyers within the States, such as yours and such as mine, to actually be there as a support system to farmers and ranchers. What came out of that was a whole history of farm advocacy and farm work, explana-

tory measures for farmers and ranchers so they understand the laws and regulations more deeply, and really can adjust them to their business plan.

Senator KLOBUCHAR. Okay. Very good. Measuring the impact of conservation practices on greenhouse gas emissions was listed as a priority for USDA. Senator Thune and I have long worked on legislation to strengthen conservation data management and analysis. In your opinion, how can we get the most out of pilot projects that measure this, and will you commit to work with us to protect producer privacy while allowing for the delivery of technical assistance to farmers?

Ms. HIPPIE. Senator Klobuchar, I will commit to you to focus on data privacy. I know it is terribly important to farmers and ranchers across the country. I have to admit, straight up, that I am an agricultural data nerd, and agricultural data is critical, not only for us to really understand food security across our country, bio-defense, and all of those other, including conservation and climate issues. Farmers and ranchers need good data to enhance their own productivity and enhance their own work at the farm level. Gathering that data and making sure it is accessible and usable to people but also that we protect the data and that the data has privacy sitting around it, that is terribly important.

One of my favorite agencies at the Department is NASS, so you can tell that I really love data and I like to know as much as I can.

Senator KLOBUCHAR. Okay. The RFS, something else. Maybe Senator Grassley will ask you about that. He and I have done a lot of work on it. As you know, the EPA implements the RFS in consultation with the Department of Energy and Agriculture. If confirmed, will you confirm that the Department of Agriculture's role in implementing the RFS is not overlooked or diminished? We obviously had problems over the last four years with that.

Ms. HIPPIE. Senator Klobuchar, I promise you that I will be a big voice at interdepartmental tables. I think it is critical. I have learned it so many times in my own career and life. I have had opportunities to sit across the table with other departments of the Federal Government. Sometimes the voices of farmers and ranchers and agriculture get drowned out by other voices, but they have not heard my voice yet.

Senator KLOBUCHAR. Okay. I like that answer. Last, Senator Moran and I just introduced a bill to open up the market with Cuba, and this is a great opportunity. Obviously, 11 million people 90 miles off our shore. We keep in place the human rights provisions as well as the ability to make claims on land. This has been at a standstill for the last four years. It is a great opportunity for my State and many States.

How does your experience working on trade adjustment assistance and risk management programs help inform your view of USDA's role in promoting exports, not just in Cuba but around the world?

Ms. HIPPIE. Well, specifically to the Trade Adjustment Assistance Program that I was the national program leader of, that particular program was meant to actually assist farmers and ranchers and fishers when they were impacted, their operations were impacted

by trade, trade wrinkles, or something that happened in the trade arena that took away that market for them.

That program was quite effective. We did a lot of business and market training, and there were cash payments that you all authorized that went into the hands of the farmers and fishers that actually participated in the TAA program.

I will tell you, that sort of technical assistance that sits up under the farmers, specifically, that helps them adjust and begin to quickly pivot and get into new markets, or to adjust their operations so they can stay in the markets that they are in, those things are really, really important, no matter who our trading partners are.

Senator KLOBUCHAR. Exactly. Okay. My time is up. Thank you. I look forward to working with you.

Ms. HIPPIE. Thank you. I look forward to working with you too.

Chairwoman STABENOW. Thank you very much. As we know, members are juggling multiple committees this morning. I believe that we have Senator Fischer with us, so we will turn to her. Senator Fischer.

Senator FISCHER. Well, thank you, Senator Stabenow, and thank you, Ms. Hipp, for being here today.

Ms. Hipp, both the Department of Justice and the USDA have been looking at large meatpackers in recent years, due to the concern about the historic spread between cattle prices and boxed beef prices, and to see if anticompetitive activities are occurring. If confirmed, how do you envision the USDA and DOJ working together, both on the current investigation as well as the ongoing oversight of beef packers, and what do you think effective coordination would look like between the USDA and DOJ?

Ms. HIPPIE. Senator Fischer, I think OGC, specifically, but not just OGC, other departmental offices within USDA, need to be very connected, if you will, with DOJ during this process. I have been hearing of these issues for as long as I have been an agricultural lawyer, and they seem to ebb and flow in terms of spikes of concern. I believe that I am seeing a bipartisan approach to this issue that has risen to a level I have not seen it before.

I pledge to you all and the Committee and you that we will be a strong voice, and we will sit down with DOJ regularly, as we are prone to do anyway. This issue is very important. It can be extremely technical. We have got a lot of economic analysis and issues that sit up underneath it. It is a high issue of mine and concern.

As you know, Tribes around the country, over half of our market value is in livestock, so it is really an important issue for me, personally, but it is also important for the Department and for the entire agricultural sector. I will be on it.

Senator FISCHER. I agree with you. We are right now seeing a huge spike in concern about this issue. I would also say that we are seeing bipartisan momentum. You heard Ranking Member Boozman, his comments at the beginning of this hear about a coming together, the need that we have a hearing on the livestock market reauthorization soon, because that will be an opportunity where we can come together as Senators to be able to address this. I appreciate your comments.

Right now I am actually working on legislation that would address Federal and State enforcement efforts to address competition problems that we are seeing. I believe that improved tools and heightened partnership between our key Federal agencies—USDA and DOJ—on antitrust in agriculture are going to help to make sure that producers are not being harmed by this anticompetitive activity we are seeing. I thank you for that.

Mexico has announced that they would ban GMO corn by 2024. Mexico takes a large percentage of our corn, both from Nebraska and across the country, and this ban would be devastating. Moreover, it is troubling to see Mexico adopting Europe's precautionary principle as the basis for rejecting import permits and delaying product approvals. These actions contravene the commitments we made in the USMCA.

Could you comment on this and what you see as the OGC's role in addressing USMCA enforcement priorities, and what would be your understanding of the OGC's role in advising on international trade deals?

Ms. HIPPIE. Well, Senator Fischer, as you know the Foreign Ag Service is a part of our agencies within the Department. We also have relationships with USTR, obviously, as well as any other entity within the Federal family.

I think our role is to be fully engaged on these issues from the get-go, and to remain fully engaged as the Department, because we have to deal with the issues that spin off from our trading partners taking steps that impact our landscape. I will pledge to you that we will be aggressively involved and follow the lead of our leadership, Secretary Vilsack, and be concerned, and lend the appropriate backup within OGC to whatever we need to do to bring to the table to inform the conversation.

Senator FISCHER. Great. I think it is vital to address the enforcement priorities that were made in the USMCA, so thank you very much. Thank you, Chairwoman.

Chairwoman STABENOW. Thank you very much. Senator Luján, Ben Ray Luján is, I believe, with us.

Senator Luján. Good morning, Chair Stabenow, and to all the Committee members. Thank you so much, Ms. Hipp, for being with us today as well. I very much appreciate your willingness to continue to serve the people of America.

I know that I speak for many of my colleagues when I say the Federal response to PFAS contamination has been inadequate. The communities impacted by PFAS contamination is an issue that hits very close to home. It has harmed the livelihood of farmers in eastern New Mexico who saw the region's groundwater contaminated after years of firefighting drills at a nearby Cannon Air Force Base in Clovis, New Mexico.

That is how I came to know Art Schaap at Highland Dairy. The family farm is directly across the fence from Cannon Air Force Base and draws its water from the aquifer shared by the base and the dairy. Since we first learned of the PFAS contamination at the base, all of Highland's cows have been adulterated due to the drinking of the contaminated water, and as a result, all milk and beef sales were condemned in October 2018. Currently, 4,000 cows are stranded on the dairy and 1,100 have died onsite.

Over the past two years, Highland Dairy participated in a study conducted by FSIS, which determined that the cows could not be rehabilitated. While the FSIS tests were ongoing, the USDA provided support to the dairy indemnity payment program known as DIP. Unfortunately, Mr. Schaap has since exceeded the arbitrary 18-month cap under which someone can receive assistance under the DIP program.

The New Mexico [audio interruption] USDA the authority to purchase cows through the DIP program in last year's consolidated appropriation bill, but unfortunately USDA has still taken no action under this authority, and Highland Dairy is now in dire need of assistance and will cease operations.

Now I, along with some of my colleagues of the New Mexico delegation, sent letters to USDA on April 16th on this issue, but we have yet to get any kind of response here. If you are confirmed, I sincerely hope you and your colleagues at the Department of Agriculture will prioritize this issue and that we can work together to be able to provide the support and relief required to the family.

Will you commit to work with me on this issue and finding the way to ensure Highland Dairy and other ag-related businesses impacted by PFAS contamination are not forced to shutter?

Ms. HIPP. Senator Luján, I pledge to sit down with you and your staff and learn more about this issue. As you were explaining it, my mind was immediately going to several different agencies and program authorities that I was aware of. I just want to make sure that we are laying things all out on the table so that we can assist you and your constituents properly, and I pledge to you that as soon as I get confirmed that I would have this as a top priority, for sure.

Senator Luján. I appreciate that, Ms. Hipp. The Air Force did not do what they should have done, and we were told that these additional authorities were needed. Although the delegation disagreed with that assessment, we moved forward, and our colleagues supported us in securing the language. I would argue there is every tool that is required right now to get this done, but what we need is rule promulgation so that way we can make sure we are helping these family farms.

The second question I have, and just a point I want to raise, is historically the Department of Agriculture has faced charges and been found liable in court of discriminatory practices against socially disadvantaged communities, and unfortunately farmers and ranchers in New Mexico have directly been impacted by these past discriminatory practices.

First, do I have your commitment to work with myself and this committee to ensure that USDA is not only providing equitable services and outreach but also looking for opportunities to use existing authority to remedy and uplift communities that have been impacted by these harmful practices?

Ms. HIPP. Yes, Senator Luján, you have my pledge, as do all the other Committee members, to work on these issues. I have seen it myself, throughout the years, of structural issues that we need to really address and do our best to put our arms around and fix, once and for all. I have many ideas in that area, because I have spent so much work in that space myself. If I am confirmed, I am happy

to not only work across the Department and with Secretary Vilsack, who is very passionate about this issue, and do whatever I can within OGC itself and with our team of lawyers to really unpack some of the structural problems that we know exist and really address them. I look forward to working with all of you on that, in a very transparent way.

Senator Luján. Thank you, Ms. Hipp, and I do appreciate Mr. Vilsack's attention to many of these areas. He has already worked to help some farmers in New Mexico, in Rio Rico County, a predominantly Hispanic community, that were really treated unfairly under the Trump administration.

Then last, Chair Stabenow, I just want to recognize the work that Ms. Hipp has done in the Native American Agricultural Fund. I will submit a question to the record, but I definitely look forward to working with you when you are confirmed, and learning how Congress and the USDA can provide additional support and resources to these communities.

Thank you so much, and I yield back my time.

Ms. HIPPI. Thank you.

Chairwoman STABENOW. Thank you very much, and you are correct on her leadership in so many areas, including our last farm bill, working very, very closely with us on Tribal issues, and many of the successes in the 2018 Farm Bill directly related to her counsel and input. Thank you for raising that.

Senator Marshall?

Senator MARSHALL. Thank you, Madam Chair, and it is exciting to get to almost meet Ms. Simms Hipp. I thought, first of all, I would just give you an opportunity to talk about the advantages of Allis-Chalmers tractors.

Ms. HIPPI.

[Laughter.] I knew you were going to say that, Senator. We had a nice chat the other day about colors of tractors.

Senator MARSHALL. All right. Well, we are going to have to go to a tractor pull someday at the State fair in Kansas, and we will just settle this once and for all.

Of course, there are many serious topics to discuss today, and one of them is just the talk around the Capitol here, is carbon a commodity? You know, in my opinion, you are not being paid to produce the carbon. You are being paid for the value of the service of sequestration.

Do you have any type of a legal opinion? Is carbon a commodity?

Ms. HIPPI. Senator, at this point I am going to reserve my answer to get back to you on that. I would love to dig deeper into that issue. What I will say is that a lot of these questions come up in the context of utilization of the CCC for carbon sequestration purposes, and I think that the CCC has some very powerful authorities to actually sit up under and support our farmers and ranchers, and has been used for years and years in many ways to support farm bill programs. I look forward to digging deeper on this particular issue and getting back with you all on the Committee as we work through this together.

Senator MARSHALL. Okay. Well, thank you, and we look forward to those discussions as well.

I am not sure if we talked about the SALE Act, which we passed last December. You may recall my first job off the family farm was working at our local sale barn. I started there for minimum wage and worked my way up. Anyway, the SALE Act is a livestock dealer trust, and I am not sure if you have had a chance to even look at that, but I just want to make sure that you are committed to fulfilling the USDA's role in this, implementing guidance, and enforce the priority of unpaid livestock sellers.

Ms. HIPP. Senator, we talked about this the other day, and I will followup and dig deeper into the SALE Act. I did share with you, when we visited, that I had previous experience with trusts of that nature that are created under Federal law, in other arenas, and they are such very powerful tools and very effective. I look forward to digging deeper and getting back with you and the Committee on this issue, and seeing what needs to be done to fully implement.

Senator MARSHALL. Great. I want to just talk about the price divergence issues in the cattle market, and I understand you answered a similar question earlier, but I had to go vote in another committee. I am going to kind of repeat probably the same question you heard or something close to it.

Over a year ago, we asked the USDA and DOJ to study this and come back and tell us, is there, frankly, any funny business going on in these markets, if there is any unlawful market behavior. I think the USDA gave us a partial answer but really not to the extent that I was satisfied with. I just have to tell you again, my phone is blowing up with this issue, that my friends and family members, the people I grew up with, families that are fifth, sixth, seventh generation cattle people, cow-calf folks, people that do backgrounding, people that have the small feed lots only having one buyer show up and say, "Here is the price. Take it or leave it."

I am very concerned about this and just want to make sure that if you are confirmed you will commit to providing Congress with an immediate update onto the investigation and release the complete findings of the investigation for industry review as timely as possible.

Ms. HIPP. Senator, I commit to you all that I will get on this as one of my very, very top priorities. My phone is blowing up as well, and I just want to assure you that this is one of the top priorities we will be working on if I am confirmed, and I will communicate with you all regularly about it.

Senator MARSHALL. Great. You mentioned in your opening remarks living through the decade of inflation, and I remember that too, in the 1980's. I am not sure which is worse, \$2 wheat or paying 12, 16 percent for your operation loan. I do not think many people understand that a farmer typically, at the start of the season, has an operation credit, and it really depends on what the short-term interest rates are. You know, is there any concern on your part about inflation and how it would impact agriculture?

Ms. HIPP. Senator, this is one of the areas that I have spent a lot of my career in, all the way back to the 1980's. Farmers and ranchers are so sensitive to the credit markets, and I know they are concerned, and I know that they are concerned no matter what the situation is, because they have to have security, they have to have flexibility.

I have discussed with many of my colleagues the importance of being in a place, across the entire capital market sector, that we become a bit more flexible. Farmers and ranchers need that flexibility and need that assurance that their capital is not going to evaporate, and it happens when there are fluctuations.

I think this is a top priority issue for me, personally, and I hope to bring attention through the Office of General Counsel to these sorts of issues. They permeate the agricultural sector and they are terribly important.

Senator MARSHALL. Well, thank you so much for your direct responses. Madam Chair, I have one more question, but I will circle back if we get a second round. Thank you.

Chairwoman STABENOW. Thank you very much. Senator Hyde-Smith.

Senator HYDE-SMITH. Thank you, Madam Chair. Ms. Hipp, thank you for appearing before the Committee, and I certainly enjoyed our visit on the phone earlier this week. One of the things that we talked about then, and I want to re-emphasize today, is I mentioned to you regarding the Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program, the ELAP program.

As I mentioned, farm-raised catfish producers are not eligible for the death losses due to bird predation under ELAP. Mississippi grows more catfish than any State in the Nation. We are No. 1 in catfish production, so this is really important to my State. ELAP is supposed to be for producers who were not covered under any other USDA disaster assistance program such as the Livestock Indemnity Program. Catfish producers are not covered under any other program.

Here is a hypothetical example to help explain what catfish producers are experiencing, and have for a long time. A large flock of birds, cormorants, makes home on a producer's catfish operation for sometimes two weeks, usually two weeks. The cormorants, on average, eat about 1.5 pounds of fish per day. That is their diet, is fish, so they obviously come to these catfish farms. A reasonable price paid to producers is \$1 per pound. One thousand cormorants eating a pound and a half of fish per day for 14 days amounts to 21,000 pounds of fish eaten. With a catfish price of about \$1 per pound, that is \$21,000 that they would lose just during that time, on one pond.

To me that certainly sounds like a disaster, an emergency. The joint explanation statements accompanying the Fiscal Year and Fiscal Year omnibus appropriation bills direct USDA to update its ELAP regulation so that farm-raised fish producers are eligible for death losses due to this, because it is a serious loss.

Can you elaborate on any legal reasons why USDA cannot, or should not, carry out this directive that comes from Congress?

Ms. HIPPI. Senator, I very much appreciate our visit the other day about this. We commiserated quite a bit about it, because I do live in Arkansas and we are familiar with this issue. I also shared with you my prior experience as National Program Leader for Risk Management and my work at RMA, so I am passingly familiar with the whole arena of crop insurance and disaster assistance and things of that nature.

I will commit to you that I will have this on my top five list when I walk in the door, if confirmed, and I will get back with you on this. I need to unpack where we are with the regulations and see what next needs to be done.

Senator HYDE-SMITH. I certainly appreciate that, and I appreciate your commitment to the livestock producers as well, because as the rest of us, my phone is blowing up over that. It is just so unfair right now with the market. I certainly appreciate that and look forward to working with you.

Ms. HIPPI. I look forward to working with you too.

Chairwoman STABENOW. Thank you very much. Now we will turn to Senator Hoeven.

Senator HOEVEN. Thank you, Madam Chair, I appreciate it, and Ranking Member Boozman.

Ms. Hipp, the first question I have is in regard to the Commodity Credit Corporation (CCC). We are working with our Chairman on the whole carbon issue relative to farmers, and getting some compensation for carbon capture. One of the issues that has come up is whether or not that USDA could implement a carbon bank using the CCC funds without congressional approval. Do you believe that the CCC Charter Act gives the USDA authority to establish a carbon bank?

Ms. HIPPI. Senator Hoeven, first of all that is a really important question. I believe that the CCC has tremendous authorities, but I think that, you know, any time we move into an arena where we are considering new issues that could be addressed through the CCC, we need to work very closely with you all on those issues, and I pledge to you we will do that.

Senator HOEVEN. I will give it one more try. Do you think the Charter Act has that authority, or do you think that it does not and would require legislation for establishing a carbon bank?

Ms. HIPPI. I have to confess to you that I have not done the significant amount of legal research that I feel compelled to do to actually unpack the entirety of that question, but I promise to you that I will and I will get back to you and we can have a deeper discussion about it.

Senator HOEVEN. Thank you. That goes to my next question and that is, if confirmed, will you commit to improve transparency from the OGC, including sharing legal justifications on any decision you make?

Ms. HIPPI. Yes, sir, I will.

Senator HOEVEN. One of our big concerns in the ag sector is livestock, lack of transparency in competition in the cattle market. We have seen the negative effects of low levels of sales and volatility it has created in the market. If confirmed, will you commit to working with the Ag Marketing Service to ensure rigorous enforcement of the Packers and Stockyards Act?

Ms. HIPPI. Yes, sir, I will.

Senator HOEVEN. Thank you. Crop insurance. No. 1 risk management tool for farmers is crop insurance. If confirmed, will you ensure USDA abides by provisions in the farm bill and rejects any cuts to crop insurance, which we wrote specifically into the last two farm bills?

Ms. HIPPI. Sir, crop insurance is one of my family homes within USDA. It is so terribly important to all of our producers, and I will commit to you to strongly work with you all around crop insurance. If we do not have it, producers are left with little to work with. We have to have strong crop insurance.

Senator HOEVEN. Yes, right on. Thank you. Sugar is hugely important in our State—14,000 jobs, \$1.8 billion annual economic impact. Nationally, 142,000 jobs, \$20 billion a year. If confirmed, will you commit to administering sugar policy as prescribed by the 2018 Farm Bill?

Ms. HIPPI. Sir, I believe the Office of General Counsel's responsibilities are to take the law as written, to have reasonable interpretations of the law, and to drive through toward completion of our responsibilities as authorized by you all. I confirm to you that I will strongly support our continued work in that area to that legal standard.

Senator HOEVEN. That legal standard being—

Ms. HIPPI. Our conformance with the law.

Senator HOEVEN. Okay. Forest Service. Little Missouri Grassland, we have got a number of grasslands. Little Missouri National Grasslands is actually the largest—and is that in the country or in our State?—in the country. Anyway, so we have a number of grasslands. We work with our grazers—multiple use in the grasslands, including our grazers.

If confirmed, will you ensure that the Forest Service fulfills their good neighbor obligation and follows applicable laws and regulations regarding local consultation. That is what is so important, and I know you have run into it. Anybody that has worked in ag has, and that is with the Federal Government it is very important that we consult with the people on the ground and work with the people on the ground. Will you commit to do that?

Ms. HIPPI. I will commit to do that. I have worked long and hard with the Forest Service in my prior responsibilities, and I believe they do a great job of doing consultation. It becomes really a challenge when you are in the middle of fire season. I will share with you that. They get stretched really thin. I really love our Forest Service folks, and I think consultation with local folks is critical.

Senator HOEVEN. Thank you. I appreciate it very much.

Ms. HIPPI. Thank you, sir.

Chairwoman STABENOW. Thank you very much. Having concluded the number of Senators that have questions this morning I want to thank you again, Ms. Hipp, for your knowledgeable answers to all of our questions, and again, you have a big job ahead of you, if you are confirmed as General Counsel. I am certain that your nearly four decades of experience in agricultural law makes you eminently qualified for this position. You have a clear dedication to our Nation's producers and to rural America. I have no doubt that you are uniquely equipped to meet the moment, and you have my full support.

This concludes our hearing today. The record will remain open until tomorrow at 5 p.m. for members to submit additional questions or statements. With that the hearing is adjourned.

Ms. HIPPI. Thank you.

[Whereupon, at 10:35 a.m., the Committee was adjourned.]

A P P E N D I X

MAY 27, 2021

**Opening Statement of Janie Simms Hipp Before the Senate Committee on Agriculture, Nutrition,
and Forestry
May 27, 2021
Remarks as Prepared**

Thank you, Chairwoman Stabenow, Senator Boozman and members of the Committee. I am honored to be with you today and am grateful and humbled by President Biden's nomination to serve as General Counsel for the United States Department of Agriculture. If confirmed, I look forward to returning to my federal agency home, providing legal advice to Secretary Vilsack, who I deeply respect, alongside a talented, dedicated staff of lawyers at the USDA Office of General Counsel. I also look forward to rejoining thousands of outstanding USDA professionals working every day to support the citizens of this country and working with each of you and your staff.

I extend my love and appreciation to my husband Mitch whose limitless support enables me to do the work I do every day; my sons and their wives; my sister, my family and friends, and my work colleagues across the U.S. I have had the honor and privilege of working alongside throughout my career. If you will indulge me a moment, I would like to share a bit of my background and why I do what I do and why I will serve in this role with all my energy and focus.

I grew up in far southeastern Oklahoma in a small rural, remote town of about 5,000 people, a few miles from Arkansas on the east and Texas to the south, about as far to the edge of Oklahoma you can get without falling into another state. We were agriculture and forest dependent, surrounded by national forests, abundant wildlife and clear water.

I was raised by educators. My grandmother taught elementary school for 50 years and only left her post at age 80. My mother was also a public schoolteacher. My grandmother had what we called a shrine in our kitchen to Congressman and Speaker Carl Albert, the Little Giant, a college friend of my grandfather.

My grandfather ran a small tractor dealership – nothing fancy. I did the payroll every Saturday and the books every month and could tell you which farmers were able to pay off their bills and which ones ran into weather trouble and needed us to be patient. I grew up listening to their stories as they came by for coffee and a chance to visit. Higher education was never an option in our house – it was expected.

I worked my way through Oklahoma State and finished at University of Oklahoma, followed by several years in state public service. I was admitted to Oklahoma City University Law School, attending at night while working during the day. When I left law school, I joined a private commercial litigation practice, during the height of the farm financial crisis of the 1980s. Banks, savings and loans, the oil and gas industry and the agriculture sector were in trouble in Oklahoma, all at once. Oklahoma had the highest rates of farmer and rancher suicides in the country and foreclosure rates were through the roof. One of the casualties was in my own family - my grandfather's tractor dealership was lost.

It was about this time I joined the Oklahoma Attorney General Robert Henry's office. Shortly thereafter, Robert picked me to go to St. Paul in the middle of February to attend a national gathering of agriculture attorneys general, working to support their various states' farmers and ranchers fighting back against

waves of foreclosures. During this time, my dear friend Sarah Vogel brought a national class action to halt USDA foreclosures, and Congress thereafter stepped in to pass the Agricultural Credit Act of 1987.

My first farm advocacy training was hosted by Farm Aid. The next several years were spent as a public sector lawyer focusing on agriculture, representing 12 different state agencies simultaneously. But I knew I needed more. I found out about a new Masters in Ag Law program at the University of Arkansas and packed up my young son, moved to Fayetteville, AR and ended up staying, working for many years at the National Ag Law Center, teaching at the University in five different colleges and building a body of work in agriculture law and policy.

In 2007 I accepted a position as the USDA National Institute of Food and Agriculture national program leader for farm financial management, risk management education, trade adjustment assistance and the beginning farmer and rancher program. I worked alongside faculty throughout the 1862, 1890, 1994 and Hispanic-serving institutions that make up the land grant system, later also serving at the Risk Management Agency, and interfacing with other nation's agriculture systems through government-sponsored delegations abroad.

I am a proud citizen of the Chickasaw Nation; my paternal grandmother was an original enrollee. I am deeply appreciative of my Tribe's leadership and vision for the support of all Chickasaw people through health care, nutrition, education, homeownership, and entrepreneurship. Under Governor Bill Anoatubby's leadership our tribal nation has become strong. For about twenty years I have worked in Indian Country on agriculture and food issues, working with Tribes from across the U.S., not just my own.

In 2009 I was asked to serve Secretary Vilsack as his senior advisor for tribal relations and stood up the USDA Office of Tribal Relations. I worked across the country with all federally and state recognized tribes and the entirety of USDA's programs, the White House and other federal agencies. After returning to the Univ. of Arkansas in 2013, I launched the Indigenous Food and Agriculture Initiative focusing on Tribal governance in food and in agriculture economic development.

In the late 1990s, the Keepseagle case was filed against USDA, along with the Pigford, Love and Garcia cases. For years, I had countless clients and friends impacted by the discrimination at the core of those cases. By mid-2018, the Native farmers' case was finally settled, and I was appointed by the court to serve as founding CEO of the Native American Agriculture Fund, a private charitable spend-down trust funded through settlement of the litigation. The Fund is the largest philanthropic entity ever created to serve Native farmers and ranchers, focusing on their success and continued engagement in agriculture.

I've spent the better part of the last 35 years translating the law, advising all farmers and ranchers, public agencies and players throughout the agriculture and food sector on every conceivable topic you can imagine. I have worked with small, mid-sized, and large producers; helped build processing plants; analyzed agriculture laws and educated the next generation. I refer to myself as a mechanic under the hood. Some of my most enjoyable moments are those spent with young folks coming up behind us who are as passionate about food and agriculture as we ever were and through them, I can see we will all be okay. We just need to support them as our new leaders.

I am honored and grateful for this opportunity to serve. If confirmed, I will work tirelessly to seek access and equity in the conduct of USDA's programs. I will seek informed and practical solutions to the complex challenges we face in the areas of climate, finance and trade. I will never forget the rural and

remote places I grew up in and the infrastructure needs they face. I will bring my broad experiences to bear on the legal challenges ahead. And I will always keep our nation's farmers and ranchers – no matter who they are – as my guiding light and north star. Thank you.

**DOCUMENTS SUBMITTED FOR THE
RECORD**

MAY 27, 2021



CHIEF EXECUTIVE OFFICER
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April 26, 2021

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U.S. Senate
322 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, D.C. 20515

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
317 Russell Senate Office Building
Washington, D.C. 20510

The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry Office Building
328A Russell Office Building
Washington, D.C. 20515

**Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA
General Counsel**

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking
Member Boozman:

As the CEO of the American Indian Alaska Native Tourism Association, I would like to
submit my personal support as well as that of our association for President Biden's
nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of
Agriculture (USDA).

While we recognize the USDA's vital role in keeping America's farmers and ranchers
in business, we'd also like to shine a reminder on the important role the USDA plays in
economic development through the support and growth of tourism economies, especially
those in rural communities.

As you know, the Biden administration has indicated its support of growing the
economic power of tourism, most recently forming a new Senate subcommittee on
tourism. The committee's first meeting, earlier this month, was tasked with examining
"regional impacts of COVID on tourism-heavy economies and those communities
disproportionately affected by the pandemic's resulting economic downturn."

While witnesses to this subcommittee hearing were representatives of some of the major
tourism economies in the country (Las Vegas CVA, MGM Resorts and Visit Florida),
tourism, in fact, plays an equally significant if not more critical role in rural areas.

According to the report, *Recreation Economy at USDA, Economic Development
Resources for Rural Communities*, published in 2020 by Rural Development, U.S.
Department of Agriculture:

“Outdoor recreation is an economic powerhouse in the United States; each year generating \$646 billion in consumer spending and 6.1 million direct jobs. In many rural places, hunting, fishing and wildlife watching have boosted rural tourism, spurred business growth and contributed to strong land-value gains. The brightest prospects, though, still lie ahead. Rural communities fortunate enough to have other amenities to complement their natural resource base are in the best position to reap new economic benefits from this booming industry.”

USDA’s tourism development programs will play a vital role in economic recovery as we re-group from the devastating effects of the Coronavirus pandemic. It is important to fill the role of USDA General Counsel with someone who not only understands the needs of farmers, ranchers and food producers, but also someone who understands tourism is not a frivolous endeavor, but instead a significant economic driver.

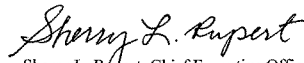
The nomination of Janie Simms Hipp to serve as USDA General Counsel is historic for so many reasons. As a citizen of the Chickasaw Nation, Janie represents America’s first farmers. As a world renowned food and agriculture legal mind with more than 35 years of experience, Janie’s legal experience and expertise with food and agriculture law is unparalleled.

As an agricultural lawyer during the devastating farm financial crisis of the 1980s, Janie also has experience assisting ag and food producers through incredibly tough times, an essential need for public servants today as our country’s ag and food producers weather the economic and health crises brought on by the pandemic. Janie’s nomination is a strong statement that agriculture and Rural America must have people in the building at USDA who know what they are going through, and most importantly how to help during these very difficult times. Janie Hipp is exactly the right person at the right time, because difficult times call for extraordinary leadership.

In working alongside producers to solve the complex legal changes they face, Janie’s expertise spans the entirety of USDA’s programs and authority. She has extensive experience in food law and policy, trade, credit and finance, conservation, sustainable and regenerative ag, ag business, risk management, federal nutrition programs, research and education, and rural development to name a few. Janie is an encyclopedia of agricultural legal knowledge and directly connects the law to the histories and challenges our producers face with a specific eye on how it can be applied to make it better for the producer. Not only does Janie know the law, she knows its applications within USDA inside and out – just like a farmer knows their tractor – which is essential for General Counsel who has to look at the legal and program authorities across the entire agency.

As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA’s agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to the agency’s ongoing pandemic response and the support USDA provides to all of our country’s food and agriculture producers.

Sincerely,



Sherry L. Rupert, Chief Executive Officer
American Indian Alaska Native Tourism Association, Inc. (AIANTA)

May 26, 2021

The Honorable Debbie Stabenow, Chairwoman
The Honorable John Boozman, Ranking Member
U.S. Senate Committee on Agriculture, Nutrition, and Forestry
328A Russell Senate Office Building
Washington, D.C. 20510

Dear Chairwoman Stabenow and Ranking Member Boozman:

The undersigned food and agriculture trade associations respectfully urge confirmation of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA).

Our associations represent the vast majority of the food and agriculture sector that is responsible for roughly one-fifth of the country's economic activity, directly supporting over 23 million jobs – constituting nearly 15 percent of total U.S. employment.

Ms. Hipp is eminently qualified and has a fundamental understanding of the legal complexities surrounding agricultural law. We especially value Ms. Hipp's distinguished career that spans over thirty-five years, which includes teaching agricultural law and food policy, and advocating on behalf of farmers and ranchers. We submit that this background and understanding are essential to the success of the next General Counsel in ensuring the fair and equitable implementation of USDA programs. We believe that Ms. Hipp has the experience and expertise necessary to carry out the Office of the General Counsel's mission and duties.

Please feel free to call upon any of the undersigned associations to expand upon our rationale for supporting the nomination of Janie Hipp.

Sincerely,

American Farm Bureau Federation
American Seed Trade Association
American Soybean Association
Biotechnology Innovation Organization
CropLife America
Farm Credit Council
Farmer's Business Network, Inc. & Gradable
LLC
National Association of State Departments
of Agriculture

National Association of Wheat Growers
National Cotton Council
National Council of Farmer Cooperatives
National Farmers Union
National Grain and Feed Association
National Milk Producers Federation
National Pork Producers Council
National Sorghum Producers
National Young Farmers Coalition
USA Rice Federation



1451 SIXTY-SIXTH STREET • EMERYVILLE, CA 94608-1004 • 800 884 8254 • CLIFBAR.COM

Tuesday, May 26, 2021

Chairwoman Debbie Stabenow
U.S. Senate Committee
on Agriculture, Nutrition and Forestry
Washington, D.C. 20510

Ranking Member John Boozman
U.S. Senate Committee
on Agriculture, Nutrition, and Forestry
Washington, D.C. 20510

Dear Chairwoman Stabenow and Ranking Member Boozman:

I write today to express our support for and recommendation of Janie Hipp as the General Counsel at the U.S. Department of Agriculture.

As you well know, Janie Hipp has most recently served as the CEO of the Native American Agriculture Fund and was the founding director of the Indigenous Food and Agriculture Initiative at the University of Arkansas. She also served in multiple roles within USDA, including as the senior advisor to the Secretary on tribal relations, Director of the Office of Tribal Relations, and as the national program leader for Farm Financial Management, Trade Adjustment Assistance, Risk Management Education, and the Beginning Farmer and Rancher Development programs. She also brings 35 years of experience in agriculture and food law and policy – with a special focus in the intersections with Indian law.

Janie's leadership at USDA during this critical time would be invaluable. We would welcome her creativity, innovation, and deep knowledge of the law as we as a country navigate the enormous disruptions caused by COVID-19 and respond to the foundational opportunity we have to build a more fair and just food system, by investing in the practices, programs, and policies that build intergenerational equity and increased sustainability.

Thank you for the opportunity to share this recommendation with you.

Sincerely,

Matthew Dillon
VP of Government Affairs
Clif Bar & Company





March 25, 2021

The Honorable Debbie Stabenow
Chair, Senate Committee on Agriculture,
Nutrition and Forestry
731 Hart Senate Office Building
Washington, D.C. 20510-2204

The Honorable John Boozman
Ranking Member, Senate Committee on
Agriculture, Nutrition and Forestry
141 Hart Senate Office Building
Washington, DC 20510

Dear Chair Stabenow and Ranking Member Boozman:

On behalf of the Farm Credit System, I write to strongly endorse President Biden's nomination of Ms. Janie Simms Hipp for General Counsel at the U.S. Department of Agriculture.

Farm Credit has worked closely with Ms. Hipp for many years. She is a thoughtful, inclusive individual who has demonstrated the ability to work with a variety of groups toward equitable solutions.

Specifically, we have worked with her through the Native American Farm Bill Coalition, and she joined the Farm Credit Council's Indian Ag Country Workgroup to advise on policy impacts.

We also collaborated with Ms. Hipp on developing curriculum for the Native American Youth Summit, presenting financial skills training to tribal members and developing broad opportunities for beginning farmer training programs at USDA's National Institute of Food and Agriculture.

With her candid personal manner and strongly inclusive approach, she would bring important experience from across agriculture and agricultural law to the position of General Counsel in support of America's farmers and ranchers, and the dedicated staff at USDA. Farm Credit Council urges you and the committee to support Ms. Janie Simms Hipp's nomination.

Sincerely,

A handwritten signature in dark ink, appearing to read "Todd Van Hoose".

Todd Van Hoose
President and CEO

Fort Belknap Indian Community



Fort Belknap Agency
656 Agency Main Street
Harlem, Montana 59526-9455
PH: (406) 353-2205
FAX: Council – (406) 353-4541
FAX: Departments – (406) 353 - 2797

Fort Belknap Indian Community
(Tribal Gov.)
Fort Belknap Indian Community
(Elected to administer the affairs of the community and
to represent the Assiniboine and the Gros Ventre Tribes
of the Fort Belknap Indian Reservation)

April 23, 2021

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

**Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA
General Counsel**

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member
Boozman:

On behalf of the Fort Belknap Indian Community, I write in support of President Biden’s nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA’s agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to the agency’s ongoing pandemic response and the support USDA provides to all of our country’s food and agriculture producers.

The nomination of Janie Simms Hipp to serve as USDA General Counsel is historic for several key reasons. As a citizen of the Chickasaw Nation, Janie represents America’s first farmers. As a world renowned food and agriculture legal mind with more than 35 years of experience, Janie’s legal experience and expertise with food and agriculture law is unparalleled. As an agricultural lawyer during the devastating farm financial crisis of the 1980s, Janie also has experience assisting ag and food producers through incredibly tough times, an essential need for

public servants today as our country's ag and food producers weather the economic and health crises brought on by the pandemic. Janie's nomination is a strong statement that agriculture and Rural America must have people in the building at USDA who know what they are going through, and most importantly how to help during these very difficult times. Janie Hipp is exactly the right person at the right time, because difficult times call for extraordinary leadership.

Janie Hipp's career and reputation are extraordinary. She has dedicated her entire legal career to working on behalf of Rural America and our food producers. It's not only her passion, but it's in her heart. Being from a small, rural southeastern Oklahoma town that was agriculture-dependent and infrastructure-poor, she planted her professional and home roots firmly in Arkansas while traveling the country and world to help farmers and ranchers. Whether speaking one-on-one with a producer, or speaking on a stage in front of thousands, she always brings the same passion and brilliance and speaks truth to power on behalf of agriculture and Rural America. Janie grew up there, lives there, and serves the people there.

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Janie also has over seven years of experience working at USDA in various capacities, including serving as a national program leader for Farm Financial Management, Trade Adjustment Assistance, Risk Management Education, and the Beginning Farmer and Rancher Development programs at the United States Department of Agriculture National Institute for Food and Agriculture. She was then tapped by Secretary Vilsack to work closely with him as Senior Advisor for Tribal Relations and Director of the Office of Tribal Relations, during the Obama Administration. In a majority of these roles, Janie worked across programs and USDA agencies to create new connections to help farmers and ranchers. With her legal mind back at USDA as General Counsel, we believe that she will help Secretary Vilsack get the Department running better than ever during a time when we need USDA the most.

While Janie's legal expertise is unmatched, so is her experience working on behalf of Rural America. Janie sat at kitchen tables to help producers during the farm financial crisis of the

1980s. Janie sat at conference tables across the country listening to Tribal leaders and state and local government officials looking to build strong agricultural economies. Janie has sat at tables at USDA, the White House, the U.S. Congress, and the United Nations to guide lawmakers tackling the most difficult issues facing America's food producers at the national and international levels. In all of these spaces, Janie brings her unparalleled passion, heart, experience, and intelligence to make sure that agriculture and Rural America are represented, and that everyone has a seat at the table and voice in the effort.

We urge the U.S. Senate to swiftly confirm Janie Simms Hipp to serve as the next General Counsel of USDA. There is much work to do to address the systemic, historic, and current barriers facing our country's food producers, and we believe there is no one better than Janie Simms Hipp to lead USDA's Office of General Counsel.

Sincerely,

A handwritten signature in black ink, appearing to read 'A' followed by a long horizontal stroke.

ANDREW WERK, Jr.
President



**MENOMINEE INDIAN TRIBE OF WISCONSIN
CHAIRMAN'S OFFICE**

P.O. Box 910
Keshena, WI 54135-0910

April 16, 20201

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA General Counsel

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

On behalf of the Menominee Indian Tribe, we write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to the agency's ongoing pandemic response and the support USDA provides to all of our country's food and agriculture producers.

The nomination of Janie Simms Hipp to serve as USDA General Counsel is historic for several key reasons. As a citizen of the Chickasaw Nation, Janie represents America's first farmers. As a world renowned food and agriculture legal mind with more than 35 years of experience, Janie's legal experience and expertise with food and agriculture law is unparalleled. As an agricultural lawyer during the devastating farm financial crisis of the 1980s, Janie also has experience assisting ag and food producers through incredibly tough times, an essential need for public servants today as our country's ag and food producers weather the economic and health crises brought on by the pandemic. Janie's nomination is a strong statement that agriculture and Rural America must have people in the building at USDA who know what they are going through, and most importantly how to help during these very difficult times. Janie Hipp is exactly the right person at the right time, because difficult times call for extraordinary leadership.

Janie Hipp's career and reputation are extraordinary. She has dedicated her entire legal career to working on behalf of Rural America and our food producers. It's not only her passion, but it's in her heart. Being from a small, rural southeastern Oklahoma town that was agriculture-dependent and infrastructure-poor,

she planted her professional and home roots firmly in Arkansas while traveling the country and world to help farmers and ranchers. Whether speaking one-on-one with a producer, or speaking on a stage in front of thousands, she always brings the same passion and brilliance and speaks truth to power on behalf of agriculture and Rural America. Janie grew up there, lives there, and serves the people there.

In working alongside producers to solve the complex legal changes they face, Janie's expertise spans the entirety of USDA's programs and authority. She has extensive experience in food law and policy, trade, credit and finance, conservation, sustainable and regenerative ag, ag business, risk management, federal nutrition programs, research and education, and rural development to name a few. Janie is an encyclopedia of agricultural legal knowledge and directly connects the law to the histories and challenges our producers face with a specific eye on how it can be applied to make it better for the producer. Not only does Janie know the law, she knows its applications within USDA inside and out – just like a farmer knows their tractor – which is essential for General Counsel who has to look at the legal and program authorities across the entire agency.

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We urge the U.S. Senate to swiftly confirm Janie Simms Hipp to serve as the next General Counsel of USDA. There is much work to do to address the systemic, historic, and current barriers facing our country's food producers, and we believe there is no one better than Janie Simms Hipp to lead USDA's Office of General Counsel.

Sincerely,



Gunnar Peters
Chairman
Menominee Tribal Legislature
Menominee Indian Tribe of Wisconsin



April 21, 2021

The Honorable Charles Schumer
Majority Leader
 U.S. Senate
 Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
 U.S. Senate
 Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
 U.S. Senate Committee on Agriculture,
 Nutrition, and Forestry
 328A Russell Office Building
 Washington, DC 20515

The Honorable John Boozman
Ranking Member
 U.S. Senate Committee on Agriculture,
 Nutrition, and Forestry
 328A Russell Office Building
 Washington, DC 20515

Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA General Counsel

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

On behalf of Dream of Wild Health, an Indigenous-led nonprofit and agricultural producer serving the Native communities in MN, I write in full support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to the agency's ongoing pandemic response and the support USDA provides to all of our country's food and agriculture producers.

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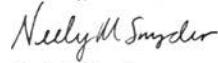
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We urge the U.S. Senate to swiftly confirm Janie Simms Hipp to serve as the next General Counsel of USDA. There is much work to do to address the systemic, historic, and current barriers facing our country's food producers, and we believe there is no one better than Janie Simms Hipp to lead USDA's Office of General Counsel.

Sincerely,



Neely M. Snyder
Executive Director
Neely@dreamofwildhealth.org



Inter Tribal Association of Arizona

21 TRIBAL NATIONS

April 23, 2021

Ak-Chin Indian Community
Cocopah Tribe
Colorado River Indian Tribes
Fort McDowell Yavapai Nation
Fort Mojave Indian Tribe
Gila River Indian Community
Havasupai Tribe
Hopi Tribe
Hualapai Tribe
Kaibab Band of Paiute Indians
Pascua Yaqui Tribe
Pueblo of Zuni
Quechan Tribe
Salt River Pima-Maricopa Indian Community
San Carlos Apache Tribe
San Juan Southern Paiute Tribe
Tohono O'odham Nation
Tonto Apache Tribe
White Mountain Apache Tribe
Yavapai-Apache Nation
Yavapai-Prescott Indian Tribe

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA General Counsel

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

On behalf of the Inter Tribal Association of Arizona, we write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to the agency's ongoing pandemic response and the support USDA provides to all of our country's food and agriculture producers.

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Sincerely,

Shan Lewis
President, Inter Tribal Association of Arizona
Vice Chairman, Fort Mojave Indian Tribe



Sisseton-Wahpeton Oyate

LAKE TRAVERSE RESERVATION
P.O. Box 509
12554 BIA Hwy. 711
Agency Village, South Dakota 57262
Phone: (605) 698-3911

April 21, 2021

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA General Counsel

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

On behalf of the Sisseton Wahpeton Oyate, we write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to the agency's ongoing pandemic response and the support USDA provides to all of our country's food and agriculture producers.

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We urge the U.S. Senate to swiftly confirm Janie Simms Hipp to serve as the next General Counsel of USDA. There is much work to do to address the systemic, historic, and current barriers facing our country's food producers, and we believe there is no one better than Janie Simms Hipp to lead USDA's Office of General Counsel.

Sincerely,



Delbert Hopkins – SWO Tribal Chairman





FORT INDEPENDENCE INDIAN RESERVATION

P.O. BOX 67 • INDEPENDENCE, CA 93526 • (760) 878-5160 • FAX (760) 878-2311

April 15, 2021

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA General Counsel

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

On behalf of the Fort Independence Community of Paiute Indians of the Fort Independence Indian Reservation, we write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to the agency's ongoing pandemic response and the support USDA provides to all of our country's food and agriculture producers.

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Respectfully,


 Carl Dahlberg
 Tribal Chairman



April 20, 2021

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA General Counsel

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

On behalf of the Pocasset Wampanoag Tribe of the Pokanoket Nation / Watuppa Reservation, write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to the agency's ongoing pandemic response and the support USDA provides to all our country's food and agriculture producers.

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As Descendants of the Algonquin Language Bands, our Pocasset Wampanoag Tribe is a member of the original Pokanoket Federation led by Grand Sachem Massasoit otherwise known as Ousamequin (Yellow Feather). The Pocasset Tribe encompassed present-day Tiverton, Rhode Island and parts of Southeastern Massachusetts including Fall River, Freetown, Dartmouth, Fairhaven, Westport, and Middleboro. The Pocasset Tribe was a first contact tribe

headed by Chief Corbitant, father of Female Sachem Weetamoe, King Phillips' Sister-in-Law. The Pocasset was one of the largest and most powerful tribes in the Pokanoket Federation. Our reservation was the first deeded reservation and is the only Pocasset Territory reserved indefinitely for the Royal Family line of Massasoit and his Clans. Today the Pocasset's have a traditional 'Clan Style' Tribal Council of Chiefs that administers the tribes' day to day operations.

What we hope to emphasize is that the omission of non-federally recognized tribes from such discussions leads to the exclusion of perspectives, experiences, and knowledge that could enhance programs and policies designed to serve those same populations. Our work to educate the surrounding community, to advocate for resources that address the needs of our people, provide us with a deeper understanding. We have successfully formed the only tribal alliance with a casino in Massachusetts and Rhode Island. We currently hold the only tribal land trust, Pocasset Pokanoket Land Trust, in this region. These efforts and our growing regional alliances have positioned us to receive grant funding from the U.S.D.A. Natural Resources Conservation Service that will help advance outreach and conservation efforts in support of non-tribal communities, refugees, and under-served groups across New England.

We urge the U.S. Senate to swiftly confirm Janie Simms Hipp to serve as the next General Counsel of USDA. There is much work to do to address the systemic, historic, and current barriers facing our country's food producers, and we believe there is no one better than Janie Simms Hipp to lead USDA's Office of General Counsel.

With great respect,
Chief George Spring Buffalo
Pocasset Tribe of the Pokanoket Nation / Watuppa Reservation



4180 HIGHWAY 281
BELCOURT, ND 58316
TMBCI.ORG

April X, 2021



FROM THE OFFICE OF THE CHAIRMAN

JAMIE AZURE
TRIBAL CHAIRMAN
JAMIE.AZURE@TMBCI.ORG

701.477.2673

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
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328A Russell Office Building
Washington, DC 20515

The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA General Counsel

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

On behalf of the **Turtle Mountain Band of Chippewa Indians**, I write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to the agency's ongoing pandemic response and the support USDA provides to all of our country's food and agriculture producers.

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Sincerely,

Jamie Azure



Jamie Azure, Tribal Chairman

4180 Highway 281, PO Box 900

Belcourt ND, 58316

O: (701) 477-2673

C: (701) 278-2253

Jamie.azure@tmbci.org

P (918) 540-2535
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PEORIA TRIBE
OF INDIANS OF OKLAHOMA
118 S. Eight Tribes Trail • P.O. Box 1527
Miami, Oklahoma 74355

CHIEF
Craig Harper
SECOND CHIEF
Logan Pappenfort

April 20, 2021

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
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328A Russell Office Building
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The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA General Counsel

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

On behalf of the Peoria Tribe of Indians of Oklahoma I write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to the agency's ongoing pandemic response and the support USDA provides to all of our country's food and agriculture producers.

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SECRETARY Tonya R. Mathews	TREASURER Hank Downum	FIRST COUNCILMAN Carolyn Ritchey	SECOND COUNCILMAN Kara D. North	THIRD COUNCILMAN Isabella Burrell
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Craig Harper, Chief



April 21, 2021

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Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
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328A Russell Office Building
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The Honorable John Boozman
Ranking Member
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328A Russell Office Building
Washington, DC 20515

Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA General Counsel

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

On behalf of the Climate Change Leadership Institute and the New Mexico Healthy Soil Working Group, we write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's

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Sincerely,

Robb Hirsch
Executive Director of the Climate Change Leadership Institute
Co-founder of the NM Healthy Soil Working Group
www.takeresponsibility.us / robb@takeresponsibility.us / 505-988-3364



**National Association of Food Distribution
Programs on Indian Reservations**

April 21, 2021

The Honorable Charles Schumer

Majority Leader

U.S. Senate

Washington, DC 20510

The Honorable Debbie Stabenow

Chairwoman

U.S. Senate Committee on Agriculture,
Nutrition, and Forestry

328A Russell Office Building

Washington, DC 20515

The Honorable Mitch McConnell

Minority Leader

U.S. Senate

Washington, DC 20510

The Honorable John Boozman

Ranking Member

U.S. Senate Committee on Agriculture,
Nutrition, and Forestry

328A Russell Office Building

Washington, DC 20515

**Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA
General Counsel**

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking
Member Boozman:

On behalf of the National Association of Food Distribution Programs on Indian Reservations, we write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to

Mary Greene-Trotter,
President
Spirit Lake Nation
Mt. Plains Region
P.O. Box 414
Fort Totten, ND 58335
Phone: (701) 766-4684
sitfdp@gondtc.com

Marisa Fuller, Secretary
Omaha Tribe of Nebraska
Mt. Plains Region
P.O. Box 135
Macy, NE 68039
Phone: (402) 349-5408

Jaime Prouty, Treasurer
Comanche Nation
Southwest Region
P.O. Box 908
Lawton, OK 73501
Phone: (580) 492-3327

Rex Halley,
Parliamentarian
Seminole Nation
Southwest Region
P.O. Box 111
Seminole, OK 74818
Tel: (405) 234-5240

MIDWEST REGION
Joseph VanAlstine, VP
Little Traverse Bay Band of
Odawa Indians

MOUNTAIN PLAINS
Charles "Red" Gates, 1st VP
Standing Rock Sioux Tribe

SOUTHWEST REGION
Wayne Martinez, VP
Eight Northern Pueblo's

WESTERN REGION
AC Sanchez, VP
Couer d'Alene Tribe

the agency's ongoing pandemic response and the support USDA provides to all of our country's food and agriculture producers.

The nomination of Janie Simms Hipp to serve as USDA General Counsel is historic for several key reasons. As a citizen of the Chickasaw Nation, Janie represents America's first farmers. As a world renowned food and agriculture legal mind with more than 35 years of experience, Janie's legal experience and expertise with food and agriculture law is unparalleled. As an agricultural lawyer during the devastating farm financial crisis of the 1980s, Janie also has experience assisting ag and food producers through incredibly tough times, an essential need for public servants today as our country's ag and food producers weather the economic and health crises brought on by the pandemic. Janie's nomination is a strong statement that agriculture and Rural America must have people in the building at USDA who know what they are going through, and most importantly how to help during these very difficult times. Janie Hipp is exactly the right person at the right time, because difficult times call for extraordinary leadership.

Janie Hipp's career and reputation are extraordinary. She has dedicated her entire legal career to working on behalf of Rural America and our food producers. It's not only her passion, but it's in her heart. Being from a small, rural southeastern Oklahoma town that was agriculture-dependent and infrastructure-poor, she planted her professional and home roots firmly in Arkansas while traveling the country and world to help farmers and ranchers. Whether speaking one-on-one with a producer, or speaking on a stage in front of thousands, she always brings the same passion and brilliance and speaks truth to power on behalf of agriculture and Rural America. Janie grew up there, lives there, and serves the people there.

In working alongside producers to solve the complex legal changes they face, Janie's expertise spans the entirety of USDA's programs and authority. She has extensive experience in food law and policy, trade, credit and finance, conservation, sustainable and regenerative ag, ag business, risk management, federal nutrition programs, research and education, and rural development to name a few. Janie is an encyclopedia of agricultural legal knowledge and directly connects the law to the histories and challenges our producers face with a specific eye on how it can be applied to make it better for the producer. Not only does Janie know the law, she knows its applications within USDA inside and out – just like a farmer knows their tractor – which is essential for General Counsel who has to look at the legal and program authorities across the entire agency.

Janie also has over seven years of experience working at USDA in various capacities, including serving as a national program leader for Farm Financial Management, Trade Adjustment Assistance, Risk Management Education, and the Beginning Farmer and Rancher Development programs at the United States Department of Agriculture National Institute for Food and Agriculture. She was then tapped by Secretary Vilsack to work closely with him as Senior Advisor for Tribal Relations and Director of the Office of Tribal Relations, during the Obama Administration. In a majority of these roles, Janie worked across programs and USDA agencies to create new connections to help farmers and ranchers. With her legal mind back at USDA as General Counsel, we believe that she will help Secretary Vilsack get the Department running better than ever during a time when we need USDA the most.

While Janie's legal expertise is unmatched, so is her experience working on behalf of Rural America. Janie sat at kitchen tables to help producers during the farm financial crisis of the 1980s. Janie sat at conference tables across the country listening to Tribal leaders and state and local government officials looking to build strong agricultural economies. Janie has sat at tables at USDA, the White House, the U.S. Congress, and the United Nations to guide lawmakers tackling the most difficult issues facing America's food producers at the national and international levels. In all of these spaces, Janie brings her unparalleled passion, heart, experience, and intelligence to make sure that agriculture and Rural America are represented, and that everyone has a seat at the table and voice in the effort.

We urge the U.S. Senate to swiftly confirm Janie Simms Hipp to serve as the next General Counsel of USDA. There is much work to do to address the systemic, historic, and current barriers facing our country's food producers, and we believe there is no one better than Janie Simms Hipp to lead USDA's Office of General Counsel.

Sincerely,



Mary Greene Trotter, President



Shiprock Traditional Farmers Cooperative
P.O. Box 4380
Shiprock, New Mexico 87420
shiprocktraditionalfarmers@gmail.com

April 22, 2021

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA General Counsel

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

On behalf of the, Shiprock Traditional Farmers Cooperative, we write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to the agency's ongoing pandemic response and the support USDA provides to all of our country's food and agriculture producers.

The nomination of Janie Simms Hipp to serve as USDA General Counsel is historic for several key reasons. As a citizen of the Chickasaw Nation, Janie represents America's first farmers. As a world renowned food and agriculture legal mind with more than 35 years of experience, Janie's legal experience and expertise with food and agriculture law is unparalleled. As an agricultural lawyer during the devastating farm financial crisis of the 1980s, Janie also has experience assisting ag and food producers through incredibly tough times, an essential need for public servants today as our country's ag and food producers weather the economic and health crises brought on by the pandemic. Janie's nomination is a strong statement that agriculture and Rural America must have people in the building at USDA who know what they are going through, and most importantly how to help during these very difficult times. Janie Hipp is exactly the right person at the right time, because difficult times call for extraordinary leadership.

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We urge the U.S. Senate to swiftly confirm Janie Simms Hipp to serve as the next General Counsel of USDA. There is much work to do to address the systemic, historic, and current barriers facing our country's food producers, and we believe there is no one better than Janie Simms Hipp to lead USDA's Office of General Counsel.

Sincerely,

Beverly Maxwell, President
Joann Tyler, Vice President
Betsy Yazzie, Secretary

Board Members: Lula Sandoval
Clarina Clark
Wallace Buck Jr.

Harrison Yellowman

P.O. Box 4339
San Felipe Pueblo, NM 87001



Phone: (505) 867-3381/3382
FAX: (505) 867-3383

Office of the Governor

April 21, 2021

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA General Counsel

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

On behalf of the Pueblo of San Felipe we write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a Native American with the knowledge and experience that comes from working with all different types of producers, Janie Hipp is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to the agency's ongoing pandemic response and the support USDA provides to all of our country's food and agriculture producers.

The nomination of Janie Simms Hipp to serve as USDA General Counsel is historic and as a citizen of the Chickasaw Nation, Janie represents America's first farmers, and has extensive experience working on behalf of rural America.

We urge the U.S. Senate to swiftly confirm Janie Simms Hipp to serve as the next General Counsel of USDA. There is much work to do to address the systemic, historic, and current barriers facing our country's food producers, and we believe there is no one better than Janie Simms Hipp to lead USDA's Office of General Counsel.

Sincerely,
Pueblo of San Felipe


Governor Anthony Ortiz


Lt. Governor James Tenorio





GANADO FARM BOARD
Serving the Ganado Chapter

P.O. BOX 188 * GANADO, ARIZONA 86505 * (928)755-5920 * FAX (928) 755-

JONATHAN NEZ
 PRESIDENT

MYRON LIZER
 VICE PRESIDENT

April 14, 2021

The Honorable Charles Schumer
Majority Leader
 U.S. Senate
 Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
 U.S. Senate
 Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
 U.S. Senate Committee on Agriculture,
 Nutrition, and Forestry
 328A Russell Office Building
 Washington, DC 20515

The Honorable John Boozman
Ranking Member
 U.S. Senate Committee on Agriculture,
 Nutrition, and Forestry
 328A Russell Office Building
 Washington, DC 20515

Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA General Counsel

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

On behalf of the Navajo Nation Ganado Farm Board, we write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to the agency's ongoing pandemic response and the support USDA provides to all of our country's food and agriculture producers.

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of thousands, she always brings the same passion and brilliance and speaks truth to power on behalf of agriculture and Rural America. Janie grew up there, lives there, and serves the people there.

In working alongside producers to solve the complex legal changes they face, Janie's expertise spans the entirety of USDA's programs and authority. She has extensive experience in food law and policy, trade, credit and finance, conservation, sustainable and regenerative ag, ag business, risk management, federal nutrition programs, research and education, and rural development to name a few. Janie is an encyclopedia of agricultural legal knowledge and directly connects the law to the histories and challenges our producers face with a specific eye on how it can be applied to make it better for the producer. Not only does Janie know the law, she knows its applications within USDA inside and out – just like a farmer knows their tractor – which is essential for General Counsel who has to look at the legal and program authorities across the entire agency.

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We urge the U.S. Senate to swiftly confirm Janie Simms Hipp to serve as the next General Counsel of USDA. There is much work to do to address the systemic, historic, and current barriers facing our country's food producers, and we believe there is no one better than Janie Simms Hipp to lead USDA's Office of General Counsel.

Sincerely,


Evangeline Curley-Thomas
Ganado Farm Board President
P.O. Box 188
Ganado, AZ 86505



National Association of Conservation Districts

April 20, 2021

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA General Counsel

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow and Ranking Member Boozman:

On behalf of the National Association of Conservation Districts (NACD), I write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA, as her expertise is critically important to the agency's ongoing pandemic response and the support USDA provides to all of our country's food and agriculture producers.

NACD represents America's 3,000 conservation districts and the more than 17,000 men and women who serve on their governing boards. Conservation districts are local units of government established under state law to carry out natural resource management programs at the local level. Conservation districts work with millions of cooperating landowners and operators to help them manage and protect land and water resources on private and public lands in the United States.

In 2019, serving in her role as Executive Director of the Native American Agriculture Fund (NAAF), Janie delivered a speech to NACD's Tribal Outreach and Partnership Resource Policy Group (Tribal RPG) in Santa Fe, N.M. The Tribal RPG, first convened five years ago, continues to build positive relationships with tribes and tribal producers across the country. Janie's guidance and encouragement as a mentor to both myself and NACD has helped build and strengthen relationships with Native producers.

The nomination of Janie Simms Hipp to serve as USDA General Counsel is historic for several key reasons. As a citizen of the Chickasaw Nation, Janie represents America's first farmers. As a world-renowned food and agriculture legal mind with more than 35 years of experience, Janie's legal experience and expertise with food and agriculture law is unparalleled. As an agricultural lawyer during the devastating farm financial crisis of the 1980s, Janie also has experience assisting ag and food producers through incredibly tough times, an essential need for public servants today as our country's ag and food producers weather the economic and health crises brought on by the pandemic. Janie's nomination is a strong statement that agriculture and Rural America must have people in the building at USDA who know what they are going through, and most importantly, how to help during

NACD • 509 Capitol Ct, NE • Washington, DC 20002 • (202) 547-6223 • www.nacdnet.org



National Association of Conservation Districts

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Janie Hipp's career and reputation are extraordinary. She has dedicated her entire legal career to working on behalf of Rural America and our food producers. It's not only her passion, but it's in her heart. Being from a small, rural southeastern Oklahoma town that was agriculture-dependent and infrastructure-poor, she planted her professional and home roots firmly in Arkansas while traveling the country and world to help farmers and ranchers. Whether speaking one-on-one with a producer or speaking on a stage in front of thousands, she always brings the same passion and brilliance and speaks truth to power on behalf of agriculture and Rural America. Janie grew up there, lives there, and serves the people there.

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Janie also has over seven years of experience working at USDA in various capacities, including serving as a national program leader for Farm Financial Management, Trade Adjustment Assistance, Risk Management Education, and the Beginning Farmer and Rancher Development programs at the United States Department of Agriculture National Institute for Food and Agriculture. She was then tapped by Secretary Vilsack to work closely with him as Senior Advisor for Tribal Relations and Director of the Office of Tribal Relations during the Obama Administration. In a majority of these roles, Janie worked across programs and USDA agencies to create new connections to help farmers and ranchers. With her legal mind back at USDA as General Counsel, we believe that she will help Secretary Vilsack get the Department running better than ever during a time when we need USDA the most.

While Janie's legal expertise is unmatched, so is her experience working on behalf of Rural America. Janie sat at kitchen tables to help producers during the farm financial crisis of the 1980s. Janie sat at conference tables across the country listening to Tribal leaders and state and local government officials looking to build strong agricultural economies. Janie has sat at tables at USDA, the White House, the U.S. Congress and the United Nations to guide lawmakers tackling the most difficult issues facing America's food producers at the national and international levels. In all of these spaces, Janie brings her unparalleled passion, heart, experience and intelligence to make sure that agriculture and Rural America are represented, and that everyone has a seat at the table and a voice in the effort.

We urge the U.S. Senate to swiftly confirm Janie Simms Hipp to serve as the next General Counsel of USDA. There is much work to do to address the systemic, historic and current barriers facing our nation's food producers, and we believe there is no one better than Janie Simms Hipp to lead USDA's Office of General Counsel.

Sincerely,

Michael Crowder
NACD President

NCTCA

NORTHERN CALIFORNIA TRIBAL CHAIRMEN'S ASSOCIATION



April 19, 2021

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

Re: Support for the Nomination and Confirmation of Janie Simms Hipp as USDA General Counsel

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

The Northern California Tribal Chairman's Association (NCTCA) is a growing intertribal consortium that coordinates the activities of several tribes in the Northern California area on issues of mutual interest. The area of jurisdiction is bound and defined by the Bureau of Indian Affairs Northern California Agency. The current NCTCA Member Tribes are: Bear River Band of the Rohnerville Rancheria, Big Lagoon Rancheria, Blue Lake Rancheria, Elk Valley Rancheria, Hoopa Valley Tribe, Karuk Tribe, Pitt River Tribe, Quartz Valley Indian Reservation, Redding Rancheria, Resighini Rancheria, Susanville Rancheria, Tolowa Dee-ni' Nation, Trinidad Rancheria, and the Wiyot Tribe.

On behalf of the NCTCA, I write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically



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Sincerely,

A handwritten signature in black ink, appearing to read "Garth Sundberg".

Garth Sundberg
NCTCA Chairman



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World Food Policy Center, Duke University

Brod Leibow, Vice Chair
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GRACE Communications Foundation

Mark Muller
Regenerative Agriculture Foundation

Carol Pickering
Diet & Farmers

Mikki Sager
The Conservation Fund

**SUSTAINABLE AGRICULTURE
and FOOD SYSTEMS FUNDERS**

133 E De La Guerra #306
Santa Barbara, California 93101

safsf.org
(805) 687-0551

United States Senate Committee on Agriculture, Nutrition & Forestry
328A Russell Senate Office Building
Washington, DC 20510

May 24, 2021

Dear Chairwoman Stabenow, Ranking Member Boozman and
Members of the Committee:

On behalf of the Sustainable Agriculture and Food System Funders, we write
in support of President Biden's nomination of Janie Simms Hipp to serve as
General Counsel of the U.S. Department of Agriculture (USDA).

The Sustainable Agriculture and Food System Funders (SAFSF) is the leading
national network for philanthropic grantmakers and mission-based
investors working in support of just and sustainable food and agriculture
systems. We are writing to you to **offer our full support for your Committee
to vote to recommend to the full Senate that Janie Simms Hipp be
confirmed to serve as General Counsel of USDA.**

SAFSF members include community and corporate foundations, private
foundations, health conversion foundations, investment organizations,
individual donors and investors, and more. SAFSF members make
investments at local, regional, state, Tribal, national, and international
levels to support activities and strategies related to justice, farms and
farming systems, environmental sustainability, markets, health, agricultural
products, and much more within the food system.

With Janie's leadership of the Native American Agriculture Fund (NAAF), she
was a valuable part of the SAFSF membership. Janie's incredible depth of
knowledge and experience that comes from working across the country
with all different types of producers makes her uniquely qualified to provide
sound legal advice to Secretary Vilsack and all of USDA's agencies.

She has dedicated her entire legal career to working on behalf of Rural
America and farmers and ranchers. In working alongside farmers and
ranchers to solve the complex legal changes they face, Janie's expertise
spans the entirety of USDA's programs and authority. She has extensive
experience in food law and policy, trade, credit and finance, conservation,
sustainable and regenerative ag, ag business, risk management, federal
nutrition programs, research and education, and rural development to
name a few. Janie is an encyclopedia of agricultural legal knowledge and
directly connects the law to the histories and challenges farmers and
ranchers face. Not only does Janie know the law, she fundamentally
understands its applications within USDA.

Janie brings years of experience working within USDA as a national
program leader for Farm Financial Management, Trade Adjustment
Assistance, Risk Management Education, and the NIFA operated
Beginning Farmer and Rancher Development programs and



then as Vilsack's Senior Advisor for Tribal Relations and Director of the Office of Tribal Relations, during the Obama Administration. In a majority of these roles, Janie worked across programs and USDA agencies to create new connections to help farmers and ranchers.

We urge the Senate Committee on Agriculture, Nutrition and Forestry to advance Janie Simms Hipp for confirmation to serve as General Counsel of USDA, and for the U.S. Senate to swiftly confirm her nomination. There is much work to do to address the systemic, historic, and current barriers facing our country's food producers, and we believe there is no one better than Janie Simms Hipp to lead USDA's Office of General Counsel.

Sincerely,


VIRGINIA CLARKE
Executive Director


TRACI BRUCKNER
Public Policy Director

**177 Tribal Governments, Tribal & Partner Organizations, and Individuals
In Support of Janie Simms Hipp Nomination for USDA General Counsel**

May 24, 2021

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

The Honorable John Boozman
Ranking Member
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Office Building
Washington, DC 20515

**Re: Support for the Nomination and Confirmation of Janie Simms Hipp to serve as
USDA General Counsel**

Dear Leader Schumer, Leader McConnell, Chairwoman Stabenow, and Ranking Member Boozman:

On behalf of the Intertribal Agriculture Council and over 170 Tribal governments, Tribal organizations, Partner Organizations, and Individuals, we write in support of President Biden's nomination of Janie Simms Hipp to serve as General Counsel of the U.S. Department of Agriculture (USDA). As a strong Indigenous woman with an incredible depth of knowledge and experience that comes from working across this country and the world with all different types of producers, Janie is uniquely qualified to provide sound legal advice to Secretary Vilsack and all of USDA's agencies. We urge the U.S. Senate to swiftly confirm Ms. Hipp as the next General Counsel of USDA as her expertise is critically important to the agency's ongoing pandemic response and the support USDA provides to all of our country's food and agriculture producers.

The nomination of Janie Simms Hipp to serve as USDA General Counsel is historic for several key reasons. As a citizen of the Chickasaw Nation, Janie represents America's first farmers. As a world-renowned food and agriculture legal mind with more than 35 years of experience, Janie's legal experience and expertise in food and agriculture law is unparalleled. As an agricultural lawyer during the devastating farm financial crisis of the 1980s, Janie also has experience assisting ag and food producers through incredibly tough times, an essential need for public servants today as our country's ag and food producers weather the economic and health crises brought on by the pandemic. Janie's nomination is a strong statement that agriculture and Rural America must have people in the building at USDA who know what they are going through, and most importantly how to help during these very difficult times. Janie Hipp is exactly the right person at the right time, because difficult times call for extraordinary leadership.

Letter from 177 Tribes, Organizations, & Individuals
Support for Janie Simms Hipp USDA General Counsel Nomination
May 24, 2021

Janie Hipp's career and reputation are extraordinary. She has dedicated her entire legal career to working on behalf of Rural America and our food producers. It's not only her passion, but it's in her heart. Being from a small, rural southeastern Oklahoma town that was agriculture-dependent and infrastructure-poor, she planted her professional and home roots firmly in Arkansas while traveling the country and world to help farmers and ranchers. Whether speaking one-on-one with a producer, or speaking on a stage in front of thousands, she always brings the same passion and brilliance and speaks truth to power on behalf of agriculture and Rural America. Janie grew up there, lives there, and serves the people there.

In working alongside producers to solve the complex legal changes they face, Janie's expertise spans the entirety of USDA's programs and authority. She has extensive experience in food law and policy, trade, credit and finance, conservation, sustainable and regenerative ag, ag business, risk management, federal nutrition programs, research and education, and rural development to name a few. Janie is an encyclopedia of agricultural legal knowledge and directly connects the law to the histories and challenges our producers face with a specific eye on how it can be applied to make it better for the producer. Not only does Janie know the law, she knows its applications within USDA inside and out – just like a farmer knows their tractor – which is essential for General Counsel who has to look at the legal and program authorities across the entire agency.

Janie also has over seven years of experience working at USDA in various capacities, including serving as a national program leader for Farm Financial Management, Trade Adjustment Assistance, Risk Management Education, and the Beginning Farmer and Rancher Development programs at the United States Department of Agriculture National Institute for Food and Agriculture. She was then tapped by Secretary Vilsack to work closely with him as Senior Advisor for Tribal Relations and Director of the Office of Tribal Relations during the Obama Administration. In a majority of these roles, Janie worked across programs and USDA agencies to create new connections to help farmers and ranchers. With her legal mind back at USDA as General Counsel, we believe that she will help Secretary Vilsack get the Department running better than ever during a time when we need USDA the most.

While Janie's legal expertise is unmatched, so is her experience working on behalf of Rural America. Janie sat at kitchen tables to help producers during the farm financial crisis of the 1980s. Janie sat at conference tables across the country listening to Tribal leaders and state and local government officials looking to build strong agricultural economies. Janie sat at tables at USDA, the White House, the U.S. Congress, and the United Nations to guide lawmakers in tackling the most difficult issues facing America's food producers at the national and international levels. In all of these spaces, Janie brings her unparalleled passion, heart, experience, and intelligence to make sure that agriculture and Rural America are represented, and that everyone has a seat at the table and voice in the effort.

We urge the U.S. Senate to swiftly confirm Janie Simms Hipp to serve as the next General Counsel of USDA. There is much work to do to address the systemic, historic, and current

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May 24, 2021

barriers facing our country's food producers, and we believe there is no one better than Janie Simms Hipp to lead USDA's Office of General Counsel.

Sincerely,

A Well-Fed World
Acoma Pueblo
Airfresh Seafoods
Akiptan, Inc
Alabama State Association of Cooperatives
Alianza Nacional de Campesinas, Oxnard, Ca
American Federation of Government Employees, Local 3354 (AFL-CIO)
American Indian Mothers Inc
Amy Huie, Individual
Animo Partnership in Natural Resources
Ashley Babcock, Individual
Atrisco
Blackfeet Agriculture Resource Management Plan (ARMP)
Blackfeet Nation Stockgrowers Association
Blackfeet Natural Resource Conservation District
Border Agricultural Workers Project
Bridget Sweet, Individual
Brynlee Rolland, Individual
California Association of Food Banks
Campaign for Family Farms and the Environment
CHANGE Philanthropy
Cheyenne Stone, Individual
Church Women United in New York State
Climate Change Leadership Institute and the New Mexico Healthy Soil Working Group
College of Menominee Nation
Community Hunger Solutions
Compañeras Campesinas
Cottage House Inc.
Dakota Rural Action
Dream of Wild Health
DX Beef, LLC
Elizabeth Hoover, Individual
Ella Robertson, Individual
Ellen Vandevisse, Individual
Endangered Habitats League
Eskehyll Farm
Family Farm Action
Farm Aid
Farm Credit Council
Farm Journal Foundation
Feeding America
First American Capital Corp.

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First Nations Development Institute
Flowering Tree Permaculture Institute
Food Animal Concerns Trust
Food Research & Action Center
Fort Belknap Indian Community
Fort Independence Tribe of Paiute Indians
Fort Lewis College
Four Bands Community Fund
Foxhead Regenerative Agriculture Project
Friends of the Earth
Good Earth Garden School
Guidiville Rancheria of California
HEAL (Health, Environment, Agriculture, Labor) Food Alliance
Heartwood
Hempstead Project Heart
Heroda Bikax^e Consulting LLC
Hope's Harvest RI
Hopland Band of Pomo Indians
Ilima Ho-Lastimosa, Individual
Indian Land Tenure Foundation
Indigikitchen
Institute for Agriculture and Trade Policy
Inter Tribal Association of Arizona
Intertribal Agriculture Council
InterTribal Buffalo Council
Iowa Citizens for Community Improvement
Jason George, Individual
Johns Hopkins Center for a Livable Future
Joseph Gazing Wolf, Individual
Joseph Seller, Individual, Lead Counsel of Keepseagle Class Action Litigation
Julie Sevier Miller, Individual
Lac Courte Oreilles Ojibwe College
Lakota Funds
Land Stewardship Project
LaSalle Cattle
Latino Farmers of the Southeast
LEAD for Pollinators, Inc.
Makoce Agriculture Development, Inc
Maryland Hunger Solutions
MAZON: A Jewish Response to Hunger
Melissa Leilani DeMello, Individual
Menominee Nation of Wisconsin
Michael Fields Agricultural Institute
Michelle Schulz, Individual
Midwest Organic & Sustainable Agriculture
Mississippi Association of Cooperatives
Modoc Nation

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National Association of Conservation Districts
National Association of Food Distribution Programs on Indian Reservations
National Association of State Departments of Agriculture
National Congress of American Indians
National Cooperative Business Association CLUSA International
National Farm to School Network
National FFA Organization
National Latino Farmers & Ranchers Trade Association
National Wildlife Federation
Native American Fish and Wildlife Society
Native American Natural Foods
Native American Rights Fund
Native Americans in Philanthropy
Native CDFI Network
Native Food and Nutrition Resource Alliance
Natural Resources Defense Council
Natwani Coalition
Navajo Nation Ganado Farm Board
North American Climate, Conservation and Environment (NACCE)
North American Traditional Indigenous Food Systems (NATIFS)
North Carolina Association of Black Lawyers Land Loss Prevention Project
North South Institute
Northeast Sustainable Agriculture Working Group
Northern California Tribal Court Coalition
Now You Know New Mexico
Nueta Hidatsa Sahnish College
Ohe.laku Cooperative
Ohio Ecological Food and Farm Association
Oklahoma Association of Conservation Districts
Oklahoma Black Historical Research Project, Inc.
Opus Consulting
Organization en California de Lideres Campesinas
Osage Nation Ranch LLC
Oweesta Corporation
Passamaquoddy Wild Blueberry Company
People's Action
Peoria Tribe of Indians of Oklahoma
Pesticide Action Network
Pocasset Wampanoag Tribe of the Pokanoket Nation
Pueblo of San Felipe
Quality Equipment, LLC
Quentin Means
Quivira Coalition
Red Feathers Native American Cuisine
Red Willow Center, Taos Pueblo
Reinvestment Fun
Rhode Island Food Policy Council

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Rosalie Z. Fanshel, Individual
Rosebud Economic Development Corporation
Rural Advancement Fund of the National Sharecroppers Fund,
Rural Coalition
Rural Development Leadership Network
San Diego Hunger Coalition
Santa Clara Pueblo
Share Our Strength
Shiprock Traditional Farmers Cooperative
Sicangu Community Development Corporation
Sierra Club
Sisseton Wahpeton Oyate Nation
South Dakota Indian Business Alliance
Spirit Lake Tribe
Sustainable Agriculture and Food System Funders
Sweet Grass Consulting, LLC
Tanka Fund
Tanka Resilient Agriculture
The Akana Group Inc
The California Indian Museum and Cultural Center
The Common Market
The DX Ranch
The Sioux Chef
Thunderbird Strategic LLC
Tortugas Pueblo and Zia Queenbee Farm & Field Institute
Travois
Turtle Mountain Band of Chippewa Indians
Tyler Ranch
Uncas Consulting LLC
United South and Eastern Tribes Sovereignty Protection Fund
United States Cattlemen's Association
University of Minnesota Extension
University of Wisconsin - Center for Integrated Agricultural Systems
Victory Hemp Foods
Wallace Center at Winrock International
Washington State University Western Center
WATCH, INC
White Earth Land Recovery Project (WELRP)
Wisconsin Farmers Union
Wisdom of the Elderberry Farm (Deg Hit'an Dine, Inupiaq)
World Farmers

**U.S. SENATE COMMITTEE ON AGRICULTURE, NUTRITION & FORESTRY
Questions for Executive Nominees
117th Congress**

1. Basic Biographical Information

Please provide the following information.

<i>Position to Which You Have Been Nominated</i>	
<u>Name of Position</u>	<u>Date of Nomination</u>
General Counsel, United States Department of Agriculture	03/15/2021

<i>Current Legal Name</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Janie	Simms	Hipp	

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street:		
City: Fayetteville	State: AR	Zip: 72701	City:	State:	Zip:

<i>Other Names Used</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<small>Check if Maiden Name</small>	<u>Name Used From</u> (Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
Janie		Simms		x	1955 Est	1978 Est x
Janie	Simms	Craig			06/1978 x	06/1979 x

Janie		Simms		X	06/1979	Est x	06/1985	Est x
Janie	Simms	Hipp			06/1985		Present	

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day.)	Place of Birth
1955	Oceanside, CA

<i>Marital Status</i>					
Check All That Describe Your Current Situation:					
Never Married	Married	Separated	Annulled	Divorced	Widowed
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Spouse's Name (current spouse only)</i>			
Spouse's First Name	Spouse's Middle Name	Spouse's Last Name	Spouse's Suffix
Clyde	Mitchell	Rogers	

<i>Spouse's Other Names Used (current spouse only)</i>						
First Name	Middle Name	Last Name	Suffix	Check if Maiden Name	Name Used From (Year) (Check box if estimate)	Name Used To (Month/Year) (Check box if estimate)
Mitch		Rogers			1944	Est <input type="checkbox"/>
						present
						Est <input type="checkbox"/>

<i>Children's Names (if over 18)</i>			
First Name	Middle Name	Last Name	Suffix
Jesse	Neil	Hipp	
William	Luke	Rogers	

2. Education

List all post-secondary schools attended.

Name of School	Type of School (vocational/technical/trade school, college/university/military college, correspondence/distance/extension/online school)	Date Began School (month/year) (check box if estimate)	Date Ended School (month/year) (check box if estimate) (check "present" box if still in school)	Degree	Date Awarded
Oklahoma State University	University (Public)	08/1973 <input type="checkbox"/> Est <input type="checkbox"/>	08/1975 <input type="checkbox"/> Est <input type="checkbox"/> Present <input type="checkbox"/>	Sociology/English	N/A
University of Oklahoma	University (Public)	08/1975 <input type="checkbox"/> Est <input type="checkbox"/>	12/1978 <input type="checkbox"/> Est <input type="checkbox"/> Present <input type="checkbox"/>	B.A., Social Work	1978
Oklahoma City University	University (Private)	08/1981 <input type="checkbox"/> Est <input type="checkbox"/>	12/1984 <input type="checkbox"/> Est <input type="checkbox"/> Present <input type="checkbox"/>	J.D.	1984
University of Arkansas	University (Public)	08/1992 <input type="checkbox"/> Est <input type="checkbox"/>	05/1993 <input type="checkbox"/> Est <input type="checkbox"/> Present <input type="checkbox"/>	LL.M.	1996

3. Employment

(A) In reverse chronological order, list all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

<u>Type of Employment</u> (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other Federal employment, State Government (Non-Federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other)	<u>Name of Your Employer/Assigned Duty Station</u>	<u>Most Recent Position Title/Rank</u>	<u>Location</u> (City and State only)	<u>Date Employment Began</u> (month/year) (check box if estimate)	<u>Date Employment Ended</u> (month/year) (check box if estimate) (check "present" box if still employed)
Private Charitable Trust/Nonprofit Organization	Native American Agriculture Fund	CEO	Fayetteville, AR	07/2018 Est x	Est Present □ x
Non-Government; Consultant	Native Solutions, LLC; entity is in good standing but dormant	President	Fayetteville, AR	12/2015 Est x	Est Present □ x
State Government/University	Indigenous Food and Agriculture Initiative, University of Arkansas	Director	Fayetteville, AR	01/2013 Est x	01/2019 Est x
Non-Government; Private Law	Olsson Frank Weeda Terman and Matz	Of Counsel	Washington, DC	01/2013 Est x	05/2014 Est x
Federal Government	United States Department of Agriculture, Office of the Secretary	Senior Advisor to the Secretary, Director of the Office of Tribal Relations	Washington, DC	11/2009	01/2013

Federal Government	United States Department of Agriculture, Risk Management Agency	Risk Management Education Division, Director	Washington, DC	07/2009		11/2009	
Federal Government	United States Department of Agriculture, National Institute of Food and Agriculture	National Program Leader	Washington, DC	04/2007		07/2009	
State Government/University	Division of Agriculture Cooperative Extension Service University of Arkansas Fayetteville	Agricultural Law and Natural Resources Public Policy Specialist and Assistant Professor of Agricultural Law	Fayetteville, AR	10/2000	Est X	04/2007	Est X
Non-Government; Private for Profit	Firefly Enterprises, Inc. dba Spinning Star Fabrics	President	Fayetteville, AR	02/2000	x	12/2007	x
Non-Government; Private Consulting	Consultant	Sole Proprietor Consultant to numerous clients	Fayetteville, AR	10/1999	Est X	04/2007	Est Present X
Non-Government; Non-Profit Entity	Kerr Center for Sustainable Agriculture	Director of Public Policy	Poteau, OK	01/1999	x	10/1999	x
State Government/University	University of Arkansas School of Law, National Center for Agricultural Law Research and Information	Interim Director & Assistant Research Professor of Law	Fayetteville, AR	08/1998 (est.)		10/1999 (est.)	
State Government/University	University of Arkansas School of Law; National Center for Agricultural Law Research and Information	Associate Director & Assistant Research Professor of Law	Fayetteville, AR	08/1996 (est.)		10/1998 (est.)	
Tribal Government	Cherokee Nation Employee Appeals Board	Hearing Officer	Tahlequah, OK	01/1996 (est.)		12/2003 (est.)	
State Government/University	University of Arkansas School of Law; National Center	Staff Attorney & Assistant Research	Fayetteville, AR	08/1993 (est.)		10/1996 (est.)	

	for Agricultural Law Research and Information	Professor of Law			
State Government/University	University of Arkansas School of Law; National Center for Agricultural Law Research and Information	Fellow	Fayetteville, AR	08/1992 (est.)	08/1993 (est.)
Non-Government; Private Consulting	Center for International Trade Development; Oklahoma State University	Consultant	Stillwater, OK	08/1992 (est.)	08/1993(est.)
State Government	Oklahoma Employment Security Commission	Associate Director Special Counsel to the Executive Director and Supervisor of the Division of Hearings and Appeals	Oklahoma City, OK	01/1991 (est.)	08/1992 (est.)
State Government	Office of the Attorney General, State of Oklahoma	Assistant Attorney General	Oklahoma City, OK	08/1987 (est.)	01/1991 (est.)
Non-Government; Private Law Practice	Jerry L. Steward & Associates	Attorney	Oklahoma City, OK	08/1986 (est.)	08/1987 (est.)
Non-Government; Private Law Practice	McKinney, Stringer & Webster	Attorney	Oklahoma City, OK	08/1984 (est.)	08/1986 (est.)
State Government	Oklahoma Supreme Court	Law Clerk	Oklahoma City, OK	08/1983 (est.)	08/1984 (est.)
Non-Government	Legal Aide of Western Oklahoma	Law Clerk	Oklahoma City, OK	08/1982 (est.)	08/1983 (est.)
State Government	Oklahoma Department of Mental Health and Substance Abuse Services	Assistant Director of Planning	Oklahoma City, OK	01/1980(est.)	12/1982 (est.)
State Government	Oklahoma Department of Mental Health and Substance Abuse Services	Affirmative Action Officer	Oklahoma City, OK	01/1978 (est.)	01/1980 (est.)

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

<u>Name of Government Entity</u>	<u>Name of Position</u>	<u>Date Service Began</u> (month/year) (check box if estimate)	<u>Date Service Ended</u> (month/year) (check box if estimate) (check "present" box if still serving)
Advisory Committee on Beginning Farmers and Ranchers	FACA Advisory Committee Member (appointed by USDA Secretary Johanns)	01/2005 Est X	12/2007 Est Present X X
Advisory Committee on Beginning Farmers and Ranchers	FACA Advisory Committee Member by USDA Secretary Schafer)	01/2008 Est X	12/2008 Est Present X □
USDA Sustainable Agriculture Research and Education Program	Southern Region Administrative Council; Vice Chair	01/2000 x	01/2001 x
USDA Sustainable Agriculture Research and Education Program	Southern Region Administrative Council; Chair	01/2001 x	01/2002 x

4. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

Distinguished Service Award: American Agricultural Law Association (2019)

Recognition of Leadership: Intertribal Agriculture Council (2018)

Tim Wapato Public Advocate of the Year Award: National Center for American Indian Economic Development (2017)

Lifetime Achievement Award for Voluntary Service: Corporation for National and Community Service (2016)

Distinguished Alumni: Oklahoma City University (2016)

Recognition of Leadership: National Association of Food Distribution on Indian Reservation Program Managers (2016)

Distinguished Alumni: University of Arkansas (2014)

Distinguished Service Award: American Agricultural Law Association (2014)

Honorary American FFA Degree: National FFA Organization (2012)

Women in Blue Jeans Spirit and Inspiration Award: South Dakota Women in Agriculture organization (2009)

Fellow: National Center for Agricultural Law Research and Information; University of Arkansas School of Law (1992 & 1993)

Scholarship/Internship: University of Arkansas School of Law, LLM in Agricultural Law (1992-1993)

Member: Phi Alpha Delta legal fraternity; Oklahoma City University School of Law (1982-1984). Received AmJur Awards for highest rank in individual courses of legal study (1982, 1983 and 1984).

Scholarships: Oklahoma State University (1973-1975)

5. Memberships

List all memberships that you have held in professional, social, business, fraternal, scholarly, civic, or charitable organizations in the last 10 years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax deductible donation of \$1,000 or less, Parent-Teacher Associations or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such as AAA), discounts clubs (such as Groupon or Sam's Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

<u>Name of Organization</u>	<u>Dates of Your Membership</u> (You may approximate.)	<u>Position(s) Held</u>
University of Arkansas Diversity and Inclusion Advisory Committee; Fayetteville, AR	02/2021 – present	Member, Advisory Committee (to the Chancellor, Univ. of Arkansas)
U.S. Farmers and Ranchers in Action; Washington DC	11/2020 – present	Member, Board of Directors
Food Research and Action Center (FRAC); Washington DC	01/2018 – present	Member, Board of Directors
National Farm to School Network	01/2018 - 12/2020	Member, Advisory Council
TRUE Advisory Group of Northwest Arkansas – racial justice, diversity and inclusion in NW Arkansas	01/2018 - 01/2020	Member, Advisory Council
Center for Indian Country Development, Minneapolis Federal Reserve; St. Paul, MN	01/2016 - 01/2020	Member, Advisory Council
Farmers Legal Action Group; St. Paul, MN	01/2013 - 01/2016	Member, Board of Directors
Federal Bar Association	01/2013 – present	Member
American Agricultural Law Association	08/1992 – present	Member

American Bar Association	12/1985 – present	Member
Oklahoma Bar Association	12/1985 – present	Member

6. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?

Yes No (If yes, please complete the chart below)

<u>Name of Office</u>	<u>Elected/Appointed/ Candidate Only</u>	<u>Year(s) Election Held or Appointment Made</u>	<u>Term of Service (if applicable)</u>

(B) List any offices held in or services rendered, including volunteer services, to a political party or election committee during the last 10 years that you have not listed elsewhere.

<u>Name of Party/Election Committee</u>	<u>Office/Services Rendered</u>	<u>Responsibilities</u>	<u>Dates of Service</u>
Presidential Transition Team	Agency Review Team, Department of Interior, Bureaus of Indian Affairs and Indian Education	Serve within the Department of Interior Biden-Harris Presidential Transition Team Agency Review Team (ART) with specific assignment to the Bureau of Indian Affairs and the Bureau of Indian Education within the DOI. Performed top	11/8/2020 – 1/15/2021

		to bottom agency review of both agencies (budget, policy analysis, pending matters, etc.); acted as liaison to stakeholders and prepared analysis for the incoming administration.	

(C) Itemize all individual political contributions of \$200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

<u>Name of Recipient</u>	<u>Amount</u>	<u>Year of Contribution</u>
Paulette Jordan (Paulette for Senate 2020)	250.00	2020
Biden for President	500.00	2020
Biden for President	500.00	2020
Biden for President	500.00	2020
Biden Victory Fund	500.00	2020
Biden for President	500.00	2020
Biden Victory Fund	500.00	2020
Biden for President	250.00	2020
Biden for President	250.00	2020
Heidi for Senate	500.00	2018
Hillary for America	208.00	2016

7. Publications and Speeches

(A) List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles published on the Internet. Please provide the Committee with all listed publications via email or other digital format and list all required publications even if no copy of the publication is available to provide.

NOTE: In addition to the titles listed below, please see the attached additional listing of speeches and presentations. Dates of publication are included and links to relevant supporting information are provided, if available.

Title	Publisher	Date(s) of Publication
Sowing an Updated Dispute Resolution System; https://www.americanbar.org/groups/dispute_resolution/publications/dispute_resolution_magazine/2021/dr-magazine-reckoning-with-race-and-racism/sowing-an-updated-dispute-resolution-system/	American Bar Association; Dispute Resolution Magazine	2021
Reimagining Native Food Economies; co-author Maria Givens, et al.; https://nativeamericanagriculturefund.org/wp-content/uploads/2020/10/NAAF_NativeFoodEcon_Spread.pdf	Published by the Native American Agriculture Fund	2020
Traditional Food Knowledge Among Native Americans: Building Trust, Healing Trauma, and Restoring Health; V. Segrest and J. Hipp, co-authors; https://www.aft.org/hc/fall2020/segrest_hipp?fbclid=IwAR2Zlcdnpp2xZGS115c4Cc7M2g7aqMX3NLFkju8N62vb3n9K9ikFsOpvLM	American Federation of Teachers; AFT Health Care Magazine	2020
Building Indian Country's Future through Food, Agriculture, Infrastructure, and Economic Development in the 2018 Farm Bill (Hipp, Duren and Parker, co-authors); 2018; https://scholarworks.uark.edu/cgi/viewcontent.cgi?article=1038&context=jflp	Journal of Food and Agriculture Law	2018
Regaining Our Future: An Assessment of Risks and Opportunities for Native Communities in the 2018 Farm Bill; co-author Colby Duren, JD, LL.M.; https://secureservercdn.net/104.238.69.81/jm4.e6c.myftpupload.com/wp-content/uploads/2019/12/Farm-Bill-Report_WEB.pdf	Commissioned by the Shakopee Mdewakanton Sioux Community	2017
Applying an equity lens to the child care setting; 2016 Public Health Law Conference; https://www.cambridge.org/core/journals/journal-of-law-medicine-and-ethics/article/abs/applying-an-equity-lens-to-the-child-care-setting/D58F4C58EA8FCFA566EE856891E8F60C	Journal of Law, Medicine & Ethics	2016

(Publication provided as pdf separately.)	45 1 S77(5) American Society of Law, Medicine & Ethics 1073- 1105	
Land Grants: Back to the Future; co-author Michael V. Martin; Choices, August 2016; https://www.choicesmagazine.org/choices-magazine/submitted-articles/land-grants-back-to-the-future	Choices Magazine	2016
Intertribal Food Systems: A national intertribal survey and report; co-author Erin Parker, JD, LL.M, et al.; http://community.food.wkcf.org/pix/WKCF_food-scan_IFA1_r304.pdf	Funded by the W.K. Kellogg Foundati on	2015
Feeding Ourselves: Food access, health disparities and the pathways to healthy Native American Communities; co-author Wilson Pipestem, JD and Crystal Echo Hawk; http://www.heart.org/idc/groups/heart-public/@wcnm/@adv/documents/downloadable/ucm_475567.pdf	Commis sioned by the American Heart Associati on, Voices for Health Kids	2015
A Practical Guide to Food Safety Regulation (out of print)	Universit y of Arkansas	2006
The Legal Environment Facing Economic Agents in Production; with Harriet Francis (2005); https://ageconsearch.umn.edu/record/43508?ln=en	Journal of Agricultu ral and Applied Economi cs	2005
Food Safety Laws and Regulations (50-state series; 50 separate titles); Copeland, Hipp et al authors (out of print)	National Center for Agricultu ral Law Research and Informati on; Universit y of Arkansas School of Law	1999 (no longer in print)

Food Assistance, Nutrition Programs and the USDA (out of print)	West's Federal Practice Manual	1997 (no longer in print)
Environmental Laws Impacting Livestock Producers (50-state series; 50 separate titles); Copeland, Hipp, et al; https://agris.fao.org/agris-search/search.do?recordID=US9552778 The link provided reflects the existence of this 50-state series publication series. All publications are outdated and out of print but some are still searchable online.	National Center for Agricultural Law Research and Information; University of Arkansas School of Law	1997
Environmental Laws Affecting Agricultural Operations (50-state series; 50 separate titles); Copeland, Hipp, et al; https://efotg.sc.egov.usda.gov/references/public/OR/Archived_OregonLaws_170831.pdf ; The link provided above is an example of each of the types of publications. This was a 50-state series produced in the late 1990s; all are out of print, but some are still searchable online.	National Center for Agricultural Law Research and Information; University of Arkansas School of Law	1997
Sustaining the Family Farm: Old and New Tools for Survival in a World of Contracts and Corporations (out of print)	University of Arkansas	1996 (no longer in print)
Oklahoma Administrative Rulemaking: The 1987 Revisions (out of print)	Oklahoma Attorney General's Office	1987 (no longer in print)

(B) List any formal speeches you have delivered during the last 10 years relevant to the position to which you have been nominated, and all speeches you have delivered related to any topic for the last five years. Include any testimony to Congress or any other legislative or administrative body. Please provide the Committee with copies of all listed speeches via email or other digital format and list all known required speeches even if no copy is available to provide.

NOTE: Please see the attached additional listing of speeches and presentations. Dates of presentation or available publications are included and links to relevant supporting information are provided, if available. If further information is required, please advise.

<u>Title/Topic</u>	<u>Place/Audience</u>	<u>Date(s) of Speech</u>

8. Lobbying

In the past 10 years, have you registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State).

U.S. Senate: 2013

- Lobbying activity in role with OFW Law Firm (Olson Frank Weeda Truman and Matz, Washington DC)
- Topic: "Monitor and advocate regarding nutrition program issues, welfare issues, breastfeeding initiatives and appropriations"
- Client: Ross Products Division/Abbott Laboratories
- Link to the form filed: <https://lda.senate.gov/filings/public/filing/33feb22a-0ea7-4be6-8031-d1efa48091e9/print/>
- This was also disclosed on ethics form.

Attachment to Core Questionnaire_SCANF_117_Hipp
Speeches and Presentations; Additional Written Materials; Official Congressional Record of
Proceedings – Janie Simms Hipp

Where written records exist of the presentation, materials or records, the link to same is provided. Where the written records or online location for the presentation is no longer available or never created, that information is noted. Due to extensive nature of my presentation and public engagement history over multiple decades, many of the entries below reflect “no written presentation retained”.

Title/Topic	Place/Audience	Date(s) of Speech
“Fighting Hunger, Economic Insecurity and Racism in America”; opening plenary at the virtual 2021 National Anti-Hunger Policy Conference; “We are not “Something Else”: Food Access and Security in Native American Communities” workshop; no links are available for either presentation as the event was so recently held; will provide as those links become available; please see the agenda, found at www.antihungerpolicyconference.org ;	Washington, DC (virtual event)	March 2021
IFAD (International Fund for Agriculture Development); The Value of Indigenous Food Systems: Resilience in the Context of the COVID-19 Pandemic; Keynote webcast; no written presentation retained. https://www.ifad.org/en/ipforum2021	International Fund for Agriculture Development	February 2021
The Future of Rural America; no written presentation prepared; webinar panel; https://www.kenyon.edu/events/the-future-of-rural-america-under-president-biden/2021-02-18 ;	Kenyon University	February 2021
The Origins and Vision for the Native American Agriculture Fund; Duke Sanford World Food Policy Center; no other written presentation retained; 2018. https://wfpc.sanford.duke.edu/podcasts/origins-and-vision-native-american-agriculture-fund	Online	February 2021
National Center for American Indian Economic Development annual conference, keynote address; no written presentation retained https://www.youtube.com/watch?v=Rv7lakOxnWE	National Center for American Indian Economic Development, Las Vegas, NV	July 2020
Yale Philanthropy Conference 2020; conference held February 2020; report released July 2020; Panel on Environmental Philanthropy; no written presentation retained. https://som.yale.edu/news/2020/07/yale-philanthropy-conference-2020	Yale University	February 2020
Land Policy: Towards a More Equitable Farming Future; 2020 National Young Farmers Coalition; interview granted as input for project report; report released November 2020; no written presentation retained: https://www.youngfarmers.org/land/wp-content/uploads/2020/11/LandPolicyReport.pdf	National Young Farmers Coalition	November 2020

Native Voices Convene for Food Tank Summit on Indigenous Foods; no written presentation retained. https://foodtank.com/news/2020/01/native-voices-convene-for-food-tank-summit-on-indigenous-foods/	Online presentation aired from Phoenix, AZ	January 2020
American Indian Tourism Association annual meeting: Blending Agriculture and Tourism; no written presentation retained. https://www.aianta.org/aitc/aitc-schedule-of-events/	Virtual Webinar	September 2020
Speech to the LLM Agriculture and Food Law class; no written presentation retained. https://www.agfoodllm.com/2019/11/	University of Arkansas, Fayetteville AR	November 2019
Native Leaders Help Tribal Communities Achieve Traditional Goals While Engaging in New Agricultural Opportunities; no written presentation retained. https://www.ssawg.org/ssawg-blawg/2019/11/16/native-leaders-help-tribal-communities-achieve-traditional-food-goals-while-engaging-in-new-agricultural-opportunities	Written Article released online including interview	November 2019
Food Sovereignty and the Role of Extension Partnerships that Work; webinar panel presenter; no written presentation retained. https://www.canr.msu.edu/resources/food-sovereignty-and-the-role-of-extension-webinar	Online webinar presentation hosted by Center for Regional Food Systems, Michigan State University	September 2019
Interview with the Tribal Business Journal; no written presentation retained. http://tribalbusinessjournal.com/janie-hipp-passion-growing-indigenous-foods/	Interview published	September 2019
American Indian Tourism Association annual meeting: Tribal Agriculture Tourism Development ; no written presentation retained; https://www.aianta.org/aitc-2019-conference-agenda/	Tulsa, OK	September 2019
6 th Indigenous Trade Mission and Conference; June 3, 2019; University of Oklahoma College of Law; video link: https://iitio.org/conference_program_6/	University of Oklahoma ; remote webinar	June 2019
Center for Sovereign Nations, Oklahoma State University; December 2018; presentation on Sovereignty Speaks@21: Food Sovereignty and the Role of Tribal Governments; no written presentation retained. https://www.youtube.com/watch?v=ZArl4x0q3c	Stillwater, OK	December 2018
National Tribal Conservation Districts and USDA; no written presentation retained. https://tribaltownradio.wordpress.com/2018/11/25/national-tribal-conservation-districts-and-usda-tribal-conference-hosted-by-indian-nations-conservation-alliance-inca-november-26-30-2018/	Tulsa, OK	November 2018

Empowering a Culture of Health for Lasting Change in Indian Country; National Indian Health board; no retained presentation; https://www.nihb.org/docs/nthc18/282410_NIHB%20NTHC%20Program%20Book.pdf	Oklahoma City, OK	September 2018
2018 National Native Media Conference; Farm Bill: Covering the Impact on Indian Country; panel presentation; no written presentation retained. https://najanewsroom.com/national-native-media-conference-2018/ ; video interview: https://kzsection.info/green/fnx-now-janie-simms-hipp-speaks-on-the-importance-of-the-farm-bill/0WGLg1SFd2egdoE.html	Miami, FL	July 2018
Sovereignty Symposium: Infrastructure; panel on Economic Development – Supporting Infrastructure; no written presentation retained. http://www.thesovereigntysymposium.com/Documents/agenda-2018.pdf	Oklahoma City, OK	June 2018
Power of Procurement; National Summit; Moving the Needle (plenary panel); no written presentation retained. https://powerofprocurement.org/program/	Chicago, IL	May 2019
Native American Financial Officers Association annual meeting, Plowing for Economic Development Treasures in the Farm Bill; https://nafoa.org/events/36th-annual-conference/agendas/print ; no written presentation retained.	New Orleans, LA	April 2018
Farm Bill 2018: Policy, Politics, and Potential; hosted by Berkeley Food Institute; March 2018; Panel on Farm Bill Titles; https://food.berkeley.edu/policy-symposia/farmbill/ ; no written presentation retained.	Online	March 2018
Farm Bill 2018: Policy, Politics and Potential; American University, School of International Service; panel speaker; no written presentation retained. http://www.farmbillfairness.org/farm-bill-symposium	Washington, DC	March 2018
Addressing United Nation Expert Group; presentation on impact of Farm Bill on Native communities; Model Food and Agriculture Code; native youth; US feeding programs; food and agriculture Infrastructure; https://www.youtube.com/watch?v=RORXGivLVe8	New York City, NY	January 2018
Senate Oversight Hearing; Breaking New Ground in Agribusiness Opportunities in Indian Country; January 17, 2018; https://www.indian.senate.gov/hearing/oversight-hearing-breaking-new-ground-agribusiness-opportunities-indian-country ; Transcript: https://www.indian.senate.gov/sites/default/files/documents/CHRG-115shrg32783.pdf	Senate Committee on Indian Affairs	January 2018
Roundtable on Advancing Native Food Traditions in Indian Country; Senate Committee on Indian Affairs; January 18, 2018; https://www.indian.senate.gov/hearing/roundtable-advancing-native-food-traditions-indian-country	Senate Committee on Indian Affairs	January 2018
Native Farm Bill Coalition Webinar; discussion on ag credit and rural development; February 2, 2018; https://www.youtube.com/watch?v=4U8EsBqTaH8 ; https://www.youtube.com/watch?v=X5SF4h8J94k ; https://www.youtube.com/watch?v=tvFrH47wY7s ; in-person presentation at National Indian Gaming Association (no written record of the presentation exists)	Webinars	January – April 2018; December 2017
Native America Calling radio interview discussing food safety regulations; https://nativeamericacalling.com/friday-september-1-2017-tribal-growers-brace-new-food-safety-rules/ ; no other publication of remarks exists.	Radio interview	September 2017

Food Sovereignty and the Law; panel presentation; University of Wisconsin-Madison School of Law; no written presentation retained. https://secure.law.wisc.edu/newsletter/Featured_Events/Food_Sovereignty_the_Law_2017-03-10	Madison, WI	March 2017
Credit and FSA Program Webinar series; 2017 Webinar Series; Indigenous Food and Agriculture Initiative; Fayetteville, AR; https://www.youtube.com/watch?v=gnuHFRcprk ; https://www.youtube.com/watch?v=RgOTew-k_PY ;	Webinar; Fayetteville, AR	January 2017
2 nd Annual Conference on Native American Nutrition; speaker on agricultural law and food/nutrition policy at both events; no written presentation retained. https://www.ndsu.edu/fileadmin/publichealth/inbre/2017NativeNutrition_FINAL.pdf	Minneapolis, MN	September 2017
PROFIT: Crop Insurance, Financial management Updates and Food Safety Risk Prevention; 2017 Webinar series; Indigenous Food and Agriculture Initiative; Fayetteville, AR: https://www.youtube.com/watch?v=AhgPLvmfnCs ; https://www.youtube.com/watch?v=KBWYoMmcyPM ; https://www.youtube.com/watch?v=2CwnEwIokQA ; https://www.youtube.com/watch?v=g6hYE17d3IU ;	Webinars; Fayetteville, AR	January 2016
Fertile Ground II: Growing the Seeds of Native American Health; no written presentation retained; panel on Exemplary Examples of Health Advocacy in Indian Country; http://www.heart.org/idc/groups/heart-public/@wcm/@adv/documents/downloadable/ucm_484954.pdf	Minneapolis, MN	May 2016
An In-Depth Update on FSMA and How Crop Insurance Figures into Food Safety; publication date May 2016; no written presentation retained. https://agrisk.umn.edu/Library/Record/an_indepth_update_on_fsma_and_how_crop_insura	Webinar; Fayetteville, AR	May 2016
2016 Indian Law Conference; Minnesota American Indian Bar Association; May 2016; panel presentation no written presentation retained. https://turtletalk.files.wordpress.com/2016/03/2016_indianlaw-003.pdf	Prior Lake, MN	May 2016
Question and Answer, the UC Food Observer; no written presentation retained. http://ucfoodobserver.com/2016/01/08/qa-part-2-janie-simms-hipp-indigenous-food-and-agriculture-initiative-leader/	Webinar	January 2016
Voices from the Field: 25 Years in the Field; speech by J. Hipp related to reflections on sustainable agriculture; no publications exist. https://brtom.typepad.com/wberry/appearances/page/4/	Louisville, KY	January 2016
2016 Harvard Food Law Conference; Racial Legacies; discussion of American land access; no written presentation retained. http://foodbetter.squarespace.com/session-descriptions	Cambridge, MA	January 2016
American Agricultural Law Symposium, October 2016; American Indian Legal Issues in Food and Agriculture panel presentation; no written presentation retained; https://www.aglaw-assn.org/wp-content/uploads/2016-AALA-Symposium-Synopses-Final-for-website-1.pdf	Oklahoma City, OK	October 2016
Native Agriculture and Food Safety Modernization Act Compliance; webinar and in-person trainings to the FSMA standard curriculum through the Indigenous Food and Agriculture Initiative, University of Arkansas School of Law, designated by the Food	Webinars and In-Person	Presentations through

<p>and Drug Administration as the Native American Tribal Center for Food Safety Outreach, Education, Training and Technical Assistance; https://secureservercdn.net/104.238.69.81/jm4.e6c.myftpupload.com/wp-content/uploads/2020/10/2020-Tribal-CA-IFAI-FDA-Final-Report-v9-1.pdf ; see also: https://www.nativefoodsafety.org/videos</p> <p>*Note: This is the recap from the first three years of the report of work that we did at IFAI while Janie Hipp was director. She was the PI on the 3-year project funded by FDA. The report evidences the work. She had left the organization by the time the report was provided to the public, but the work recapped included her. There are various power point presentations referenced in this chart related to food safety webinars done as part of the project.</p>	Trainings throughout the US	out 2016-2018
<p>1st Annual Conferences on Native American Nutrition; speaker on agricultural law and food/nutrition policy at both events; no written presentation retained. https://seedsofnativehealth.org/wp-content/uploads/2016/09/Nutrition-Agenda-FINAL.pdf</p>	Minneapolis, MN	September 2016
<p>Sovereignty Symposium: A Fair Impartial Independent Judiciary; panel on Initiatives for Economic Development; no written presentation retained. https://silo.tips/download/a-fair-impartial-independent-judiciary</p>	Oklahoma City, OK	June 2016
<p>Menchu's Legacy: Indigenous Women's Activism, Social Justice, and the Mayan Diaspora; hosted by University of Arkansas; panel on Food Sovereignty and Social Justice; no written presentation retained. https://uark.libguides.com/menchu/symposium.</p>	Fayetteville, AR	October 2015
<p>Lending to the Next Generation of Agriculture conference, hosted by Farm Credit Council: "At the Edge of Farm Credit" panel; no written record of presentation exists. https://na.eventscloud.com/ehome/132355/305604/</p>	Louisville, KY	September 2015
<p>Fertile Ground I: Planting the Seeds for Native American Nutrition and Health Funders Roundtable; hosted by Shakopee Mdewakanton Sioux Community and the American Heart Association Voices for Healthy Kids; panel presentation at 2-day event; no written presentation retained. Agenda: https://seedsofnativehealth.org/wp-content/uploads/2015/10/10-6-15-Agenda.pdf final report: https://seedsofnativehealth.org/wp-content/uploads/2015/12/12-3-15-Fertile-Ground-Final-Report-LR.pdf</p>	Minneapolis, MN	October 2015
<p>Whole Farm Revenue Protection; Crop Insurance for Small Farms – A Crash Course; https://asdevelop.org/wp-content/uploads/2018/02/Sec-10-Whole-Farm-Revenue-Protection-Materials.pdf (the original presentation was provided via webinar in May 2015; the link above took the original presentation and adapted it for a 2018 audience.</p>	Webinar Fayetteville, AR	May 2015
<p>Tribal Stewardship and Food Sovereignty Conference; Native American Law Conference; Tribal Perspectives on the Legalization of Marijuana/Hemp; panel member; no written presentation retained. https://www.lib.uidaho.edu/digital/uinews/item/tribal-stewardship-and-food-sovereignty-conference-march-30.html</p>	Moscow, ID	March 2015
<p>Why a Model Food and Agriculture Code is Needed in Indian Country; 2014; https://www.firstnations.org/wp-content/uploads/publication-attachments/Why%20a%20Model%20Food%20and%20Agriculture%20Code%20Is%20Needed%20in%20Indian%20Country.pdf</p>	Fayetteville, AR	2014

Sovereignty Symposium Presentation: Tribal Nations – Global Impacts, no presentation records exist; panel on Tribal Economic Development – Tribal and Local Government Cooperation; no written presentation retained. http://www.thesovereigntvsymposium.com/Documents/Agenda2014.pdf	Oklahoma City, OK	June 2014
Reaching Women in Agriculture with Legal/Regulatory Education; 2014 Women in Agriculture Educators National Conference; no written presentation retained. https://agrisk.umn.edu/Conferences/Presentation/reaching_native_women_in_agriculture_with_leg	Indianapolis, IN	April 2014
Keeping Native American Communities Connected to the Land: Women as Change Agents; Rangeland magazine; no written presentation retained. https://www.sciencedirect.com/science/article/pii/S0190052813500125	Fayetteville, AR	December 2013
American Agricultural Law Association; annual conference; no written record remains; Beyond the USDA Civil Rights Settlements: Legal Challenges and Opportunities for Success; Update on Resolution of Discrimination Cases & What's Next: Tribal Food Agriculture Initiatives; https://www.aglaw-assn.org/wp-content/uploads/2013-AALA-Agenda-Madison.pdf	Madison, WI	October 2013
Food Hero: Janie Simms Hipp, Founder of the Indigenous Food and Agriculture Initiative; interview published by the FoodTank online publication; https://foodtank.com/news/2013/08/food-hero-janie-simms-hipp-co-founder-of-the-indigenous-food-and-agricultur/	Fayetteville, AR	August 2013
Keepseagle Tax Clinics: series of tax clinics throughout the country in over 30 locations in person and through multiple webinar trainings, in order to ensure claimants had access to training related to tax treatment of settlement compensation. https://westrme.wsu.edu/keepseagle-tax-clinic-presentations-and-tools/ ; Keepseagle Settlement Tax Issues: The Importance of Attention to Tax Concerns: https://westrme.wsu.edu/keepseagle-tax-clinic-presentations-and-tools/	Fayetteville, AR webinar & multiple locations in the US	Throughout 2013
Examining Agriculture Opportunity in Indian Country; co-authors J. Hipp, V. Logan, S. Leeds; commissioned by the Farm Credit System; https://53fed25a58d1ef673896-a86c1a4d8c4b6ef99cf871415c584e2c.ssi.cfl.rackcdn.com/Examining-Agriculture-Opportunity-in-Indian-Country-Final.pdf *Note: This was a commissioned paper to the Farm Credit System and it was developed and delivered to them in 2013. It was never delivered as a "presentation" publicly except in private meetings with Farm Credit.	Fayetteville, AR	2013
6 th National Small Farm Conference; no record of presentation available; speaker; https://www.tnstate.edu/smallfarmconference/documents/new%206thnational%20small%20farm%20conferenceproceedings.pdf	Memphis, TN	September 2012
American Agricultural Law Association; annual conference presentation; no written record remains; Assisting America's New Farmers: USDA, the Farm Bill, Landowners, and the Role of Lawyers; https://www.aglaw-assn.org/wp-content/uploads/2011-AALA-Symposium-Schedule-Austin.pdf	Austin, TX	October 2011
Sovereignty Symposium: Seeds of Sovereignty; panel on the Preservation of Historic Seeds to the Future of food; no written presentation retained; http://www.thesovereigntvsymposium.com/Documents/Agenda2011.pdf	Oklahoma City, OK	June 2011

American Agricultural Law Association; Sustainability, Organic Production and Energy; annual conference; no written record remains; https://www.aglaw-assn.org/wp-content/uploads/2010-AALA-Symposium-Schedule-Omaha.pdf	Omaha, NE	October 2010
American Agricultural Law Association; Sustainability, Organic and Local Production and Energy; annual conference; no written presentation exists; https://www.aglaw-assn.org/wp-content/uploads/2009-AALA-Symposium-Schedule-Williamsburg-.pdf	Williamsburg, VA	September 2009
Online Investment Education for Farm Families; Roadmap to Success for Small Farmers and Ranchers; 5 th National Small Farm Conference; Springfield, IL; http://conferences.illinois.edu/resources/20033/Small_Farms_final_program_9_8.pdf	Springfield, IL	September 2009
Beginning Farmers and Ranchers: Preparing for the Next Generation; article prepared for the American Agricultural Law Association December 2008 newsletter. https://www.aglaw-assn.org/wp-content/uploads/12-08.pdf	Fayetteville, AR	December 2008
Final Report: Trade, tenure and tourism in the US Virgin Islands; https://projects.sare.org/project-reports/1s04-163/	Fayetteville, AR	December 2008
Legal Issues for Small Scale Poultry Processors; publication out of print.	Fayetteville, AR	December 2008
American Agricultural Law Association; annual conference; no written presentation remains; The Lifecycle Carbon Footprint of Biofuels: How carbon may generate producer profit; (2008); https://www.aglaw-assn.org/wp-content/uploads/2008-Agenda-Minneapolis.pdf	Minneapolis, MN	October 2008
Lead Instructor, USDA and EPA joint program within the Middle East Peace Process effort; sponsored through Foreign Agriculture Service and the U.S. State Department; "Air Pollution Regulation: Improving Compliance Through Incentives and Education;" Core Parties included Israel, Palestine and Jordan; workshop held in Istanbul, Turkey; no written presentation retained.	Istanbul, Turkey	August 2008
2006 National Public Policy Education Conference; annual conference funded by the Farm Foundation; Food Policy and Health; no record of presentation exists; https://www.farmfoundation.org/projects/2006-fayetteville-ark-392-d1/	Fayetteville, AR	September 2006
Native Women in Agriculture: Challenges and Opportunities; 2006 National Extension Women in Agriculture Conference, no written presentation retained. https://agrisk.umn.edu/Conferences/Presentation/native_women_in_agriculture_challenges_and_op	St. Louis, MO	April 2006
2005 National Public Policy Education Conference, funded by the Farm Foundation; Policy by Litigation; no record of presentation exists; https://www.farmfoundation.org/projects/national-public-policy-education-conference-2005/	Arlington, VA	September 2005
Protect Agricultural and Rural Areas Task Force of Washington Co, AR; Mechanisms to Protect Agriculture in Rural Areas; no written presentation retained; https://www.washingtoncountyar.gov/home/showpublisheddocument?id=10	Fayetteville, AR	October 2005
Ag Law 101; comprehensive training module prepared for the Arkansas Cooperative Extension Service for statewide in-service training; no written presentation retained	Little Rock, AR	July – August 2005

Southern Agricultural Economics Association; 37 th Annual Meeting; The Legal Environment Facing Economic Agents in Production: A Twenty-Year Retrospective of Legal Trends, panel speaker; no written presentation retained; Obesity, Food Labeling and Food Policy: Issues/Impacts for Southern Agriculture, panel speaker; no written presentation retained; Current Nutrition/Labeling/Food Safety Legislation and Litigation, panel speaker; no written presentation retained.	Little Rock, AR	February 2005
Clean Water Act Update; National Poultry Waste Management Symposium; no written presentation retained.	Memphis, TN	November 2004
Resolving Natural Resources Conflicts in Multi-State, Multi-Jurisdictional Contexts, Arkansas Water 2004: Challenges Ahead; no written presentation retained.	Little Rock, AR	November 2004
2004 National Public Policy Education Conference; Competing for Water: Policy Development, Collaboration & Cooperative Compliance with Existing Regulations; funded by the Farm Foundation; https://www.farmfoundation.org/projects/2004-st-louis-mo-handouts-86-d1/ ;	St. Louis, MO	September 2004
Lessons Learned on the Road to Sustainability: World Aquaculture Society; no written presentation retained; no online presentation available	Honolulu, HI	March 2004
Multi-Stakeholder Collaborative Avenues to Natural Resources Challenges; Missouri Natural Resources Conference; no written presentation retained.	Jefferson City, MO	February 2004
Public Issues Education Center University of Arkansas Division of Agriculture Cooperative Extension Service; county and state-wide presentations on public issues; no written record retained; https://www.uaex.edu/business-communities/public-policy-center/ ; two publications remain available online: https://www.uaex.uada.edu/business-communities/voter-education/ReferredQuestion1-2004-Statewide-Property-Tax-for-Schools.pdf https://www.uaex.uada.edu/business-communities/voter-education/ProposedAmendment2of2004-Economic-Development-Bonds-Amd-82.pdf	Little Rock, AR	Throughout 2004
Water: Arkansas Water Primer Series: Arkansas State Water Plan Compliance Certification, FSPPC106; Arkansas Water pollution Control Laws, FSPPC105; Water Rights in Arkansas, FSPPC101; Protecting Arkansas' Wetlands, FSPPC108; Glossary of Water-Related Terms, FSPPC109; Water Basics, FSPPC100; Partners in Protecting Arkansas' Waterbodies, FSPPC103; A History of National Water Legislation, FSPPC102; published by the University of Arkansas Division of Agriculture Public Policy Center; original research by Janie Hipp, adapted for use in each of the documents within the series: https://www.uaex.uada.edu/publications/PDF/FSPPC106.pdf https://www.uaex.uada.edu/publications/PDF/FSPPC105.pdf https://www.uaex.uada.edu/publications/PDF/FSPPC108.pdf https://www.uaex.uada.edu/publications/PDF/FSPPC101.pdf https://www.uaex.uada.edu/publications/PDF/FSPPC109.pdf https://www.uaex.uada.edu/publications/pdf/FSPPC100.pdf https://www.uaex.uada.edu/publications/PDF/FSPPC102.pdf https://www.uaex.uada.edu/publications/PDF/FSPPC103.pdf	Little Rock, AR	2004
Wildlife Leases and Liability Issues on Private Lands, University of Arkansas Division of Agriculture Cooperative Extension Service; https://www.uaex.uada.edu/publications/pdf/FSA-9089.pdf	Little Rock, AR	2004

Nutrient Management Planning for Livestock Operations: An Overview; University of Arkansas Division of Agriculture Cooperative Extension Service; (work cited within); https://www.uaex.uada.edu/publications/PDF/FSA-9515.pdf	Little Rock, AR	2004
Nutrient Analysis of Poultry Litter, University of Arkansas Division of Agriculture Cooperative Extension Service; (work cited within) https://www.uaex.uada.edu/publications/PDF/FSA-9529.pdf	Little Rock, AR	2004
New Arkansas Laws Regulate Use and Management of Poultry Litter and Other Nutrients, FSA29, 2003, University of Arkansas Cooperative Extension Service; co-authors Goodwin, HL and Jones, FT and Watkins, SE; https://www.uaex.edu/publications/PDF/FSA-29.pdf	Little Rock, AR	2003
How Risky Are You: A Risk Management Training Manual; provided to farmer and rancher audiences in Oklahoma and Arkansas; no written presentation retained.	Oklahoma and Arkansas (multiple locations)	Through out 2004 and 2003
Overview of Recent Food Safety Policies with Attention to COOL and the Proposed Animal Identification Plan, American Agricultural Law Association Education Conference; no written presentation retained.	San Antonio, TX	October 2003
Peoples Republic of China; Organic Food Mission examining emerging China organic sector; site visits in Beijing, Jinan, Weifang, Qingdao and Shanghai; funded through USDA Foreign Agricultural Service through Research and Scientific Exchange program US/PRC, no written presentations retained.	Multiple locations, China	August 2003
American Agricultural Law Association; annual conference presentation; no written record remains; Food Labeling, Food Safety and Check-off Marketing; https://www.aglaw-assn.org/wp-content/uploads/2003-AALA-Conference-Brochure-Text-copy.pdf	San Antonio, TX	October 2003
Truth or Consequences: The Future of Contracts in Agriculture; project funded by the Farm Foundation; https://www.farmfoundation.org/wp-content/uploads/2018/10/TR-May-2004.pdf ; agenda for convening: https://www.farmfoundation.org/projects/truth-or-consequences-the-future-of-contracts-in-agriculture-250-d1/	Kansas City, MO	September 2003
Proceedings of the 3 rd National Small Farm Conference; multiple presentations; no records remain available; https://aces.nmsu.edu/smallfarm2002/SmallFarmProc.pdf	Albuquerque, NM	September 2002
Agriculture Policy Project of the Henry A. Wallace Center for Agricultural & Environmental Policy at Winrock International; funded by the Farm Foundation and W.K. Kellogg Foundation; https://www.farmfoundation.org/projects/henry-a-wallace-institute-agricultural-policy-project-165-d1/ ; resulting in publication "Making Changes: Turning Local visions into National Solutions"; https://www.farmfoundation.org/wp-content/uploads/attachments/165-00-50.pdf	Little Rock, AR	2001
Balancing the Right to Farm with the Rights of Others; National Public Policy Conference; no written presentation retained; https://core.ac.uk/reader/6443150 ; https://ageconsearch.umn.edu/record/17935?ln=en	Minneapolis, MN	1998
Increasing Understanding of Public Problems and Policies; Land Use Conflicts on the Rural-Urban Interface; no written presentation retained. https://ageconsearch.umn.edu/record/17235?ln=en	Minneapolis, MN	1998

American Agricultural Law Association: annual conference presentation; no written presentation record exists: County v. City and Farmer v. Farmer: Legislation, Mediation and Reflection (1997); https://www.aglaw-assn.org/wp-content/uploads/1997-Agenda-Minneapolis.pdf	Minneapolis, MN	October 1997
Indigenous People and Rights to Water: A Case Comparison of Chile and the United States; 1997 International Symposium on the Human Dimensions of Natural Resources Management in the Americas; no written presentation retained.	Belize City, Belize	March 1997
Rural and Urban Interface; FARM Forum; no written presentation retained.	Dayton, OH	March 1997
Slovakia: Advisor to the Slovak Ministry of Agriculture, Bratislava, Slovakia; funded by the U.S. Agency for International Development; involved examination and advisory services concerning agricultural law and farm policy development post-Velvet Revolution, January-February 1997; no written presentations retained.	Bratislava, Slovakia	January – February 1997
Arkansas Water: New Challenges New Solutions; no printed record retained; statewide conference related to Arkansas water law and the impact of water challenges on Arkansas agriculture.	Little Rock, AR	1996
American Agricultural Law Association: annual conference; no written presentation record exists; https://www.aglaw-assn.org/wp-content/uploads/1996-Agenda-Seattle.pdf	Seattle, WA	October 1996
Educational exchange participant with agricultural specialists from the former Soviet Union and Ukraine; coordination of educational experiences of participants from Russia-Ukraine and served on exchange visit to Moscow; no written presentations retained.	Moscow, Russia & Fayetteville, AR	1995
Lecturer on variety of agricultural and policy related issues, various agricultural and technical schools in rural northern Chile over a multi-year period; no written presentations retained.	Pachica, Chile; Arica, Chile; Iquique, Chile	1995-1997
Farm Managers and Rural Appraisers, annual meeting; presentation on farmers liability insurance; no written presentation retained.	Carlsbad, NM	1994
Additional presentations provided on an annual basis annually for the last 30+ years for which no written presentations exist. <ul style="list-style-type: none"> Numerous locations within Tribal regions throughout the United States Annual presentations at the Intertribal Agriculture Council annual meeting held in Las Vegas, NV 3-day per week classroom education at the University of Arkansas (School of Law, College of Agriculture, College of Engineering, Honors College and College of Arts and Sciences) and periodic special presentations before university audiences Numerous presentations to farmer and rancher audiences and land grant/university/extension professionals while serving as a Cooperative Extension Service professional, a National Program Leader at NIFA USDA, a federal employee (career and appointee) working with RMA and the USDA Office of the Secretary; topics covered a wide variety of agriculture and food law and policy issues. 	Throughout the United States	1993-present

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



March 25, 2021

The Honorable Debbie Stabenow
Chairwoman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, DC 20510

Dear Madam Chairwoman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Janie Simms Hipp, who has been nominated by President Biden for the position of General Counsel of the Department of Agriculture.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

David J. Apol
General Counsel

Enclosures



March 8, 2021

Mr. Stuart Bender
Designated Agency Ethics Official
U.S. Department of Agriculture
J.L. Whitten Building
Room 347-W
1400 Independence Avenue, SW
Washington, DC 20250

Dear Mr. Bender:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of General Counsel of the U.S. Department of Agriculture. It is my responsibility to understand and comply with commitments outlined in this agreement.

SECTION 1 – GENERAL COMMITMENTS

As required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the particular matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me:

- Any spouse or minor child of mine;
- Any general partner of a partnership in which I am a limited or general partner;
- Any organization in which I serve as an officer, director, trustee, general partner, or employee; and
- Any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

In the event that an actual or potential conflict of interest arises during my appointment, I will consult with an agency ethics official and take the measures necessary to resolve the conflict, such as recusal from the particular matter or divestiture of an asset.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the regulatory exemption for diversified

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mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will receive a live ethics briefing from a member of the Office of Ethics after my confirmation but not later than 15 days after my appointment pursuant to the ethics program regulation at 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will submit my Certification of Ethics Agreement Compliance which documents my compliance with this ethics agreement.

I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13989) and that I will be bound by it. Among other obligations, I will be required to recuse from particular matters involving specific parties involving my former employer or former clients for a period of two years after I am appointed, with the exception of federal, state and local government.

I will not modify this ethics agreement without your approval and the approval of the U.S. Office of Government Ethics pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – EMPLOYMENT RELATED INTERESTS

Upon confirmation, I will resign my position with the Native American Agriculture Fund. Further, pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation from this entity, I will not participate personally and substantially in any particular matter involving specific parties in which I know that the Native American Agriculture Fund is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I am the sole proprietor of my company, which does business as Native Solutions, LLC. The company is currently dormant and will remain dormant and will not advertise during my appointment to the position of General Counsel. I will not perform any services for the company, except that I will comply with any requirements involving legal filings, taxes and fees that are necessary to maintain the business while it is in an inactive status. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of Native Solutions, LLC.

SECTION 3 – RESIGNATIONS

Upon confirmation, I will resign from the following positions:

- Board Member of the Food Research Action Center
- Advisory Board Member of U.S. Farmers and Ranchers in Action

Page 3

I resigned from my position with Biden Transition Team (PT Fund, Inc.) on January 20, 2021. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation, I will not participate personally and substantially in any particular matter involving specific parties in which I know either of these entities is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). I resigned from my advisory committee position with the Federal Reserve Bank of Minneapolis on November 30, 2020.

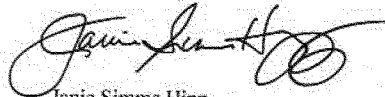
SECTION 4 – RETENTION OF POSITION AS TRUSTEE

I will retain my position as a trustee of my own revocable Family Trust. I will not receive any fees for the services that I provide as a trustee during my appointment to the position of General Counsel. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of my Family Trust unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

SECTION 5 – PUBLIC POSTING

I have been advised that this ethics agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,



Janie Simms Hipp

Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e)

Filer's Information

Hipp, Janie Simms

General Counsel, Department of Agriculture

Other Federal Government Positions Held During the Preceding 12 Months:
None

Names of Congressional Committees Considering Nomination:

- Committee on Agriculture, Nutrition, and Forestry

Electronic Signature - I certify that the statements I have made in this form are true, complete and correct to the best of my knowledge.

/s/ Hipp, Janie Simms [electronically signed on 02/04/2021 by Hipp, Janie Simms in integrity.gov]

Agency Ethics Official's Opinion - On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments below).

/s/ Bender, Stuart, Certifying Official [electronically signed on 03/17/2021 by Bender, Stuart in integrity.gov]

Other review conducted by

U.S. Office of Government Ethics Certification

/s/ Apol, David, Certifying Official [electronically signed on 03/25/2021 by Apol, David in Integrity.gov]

1. Filer's Positions Held Outside United States Government

#	ORGANIZATION NAME	CITY, STATE	ORGANIZATION TYPE	POSITION HELD	FROM	TO
1	Native American Agriculture Fund	Fayetteville, Arkansas	Non-Profit	Chief Executive Officer	1/2019	Present
2	University of Arkansas	Fayetteville, Arkansas	University/College	Director, Indigenous Food and Agriculture Initiative	1/2013	1/2019
3	Food Research Action Center	Washington, District of Columbia	Non-Profit	Board member	8/2019	Present
4	Center for Indian Country Development; Minneapolis Federal Reserve	St. Paul, Minnesota	Federal Reserve	Advisory Committee Member	1/2018	11/2020
5	US Farmers and Ranchers in Action	Washington, District of Columbia	Non-Profit	Advisory Board Member	11/2020	Present
6	Native Solutions LLC	Fayetteville, Arkansas	Corporation	President	12/2015	Present
7	Family Trust	Fayetteville, Arkansas	Trust	Co-Trustee	1/2007	Present
8	Biden Transition Team (PT Fund, Inc.)	Washington, District of Columbia	Presidential Transition Team	Member of Agency Review Team for Department of Interior	11/2020	1/2021

2. Filer's Employment Assets & Income and Retirement Accounts

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	Native American Agriculture Fund 401(k)	No			
1.1	AllianzGI Water Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)
1.2	Calvert US Lg Cap Core Resp Index Fund (CSRX)	Yes	\$1,001 - \$15,000		None (or less than \$201)
1.3	Fidelity International Index Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)
1.4	JPMorgan Emerging Markets Equity Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)
1.5	Principal SmallCap S&P 600 Index Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)
1.6	PIMCO Income Fund	Yes	\$1,001 - \$15,000		None (or less than \$201)
1.7	TIAA-CREF Core Impact Bond Fund Advisor Class Shares (TSBH)	Yes	\$1,001 - \$15,000		None (or less than \$201)
1.8	American Funds 2040 Target Date Retirement R6 Fund	Yes	\$15,001 - \$50,000		None (or less than \$201)
2	Native American Agriculture Fund	N/A		Salary	\$288,750
3	Native American Agriculture Fund	N/A		Bonus	\$31,920
4	University of Arkansas Retirement	No			
4.1	TIAA-CREF Social Choice R3 Plan	Yes	\$250,001 - \$500,000		None (or less than \$201)

3. Filer's Employment Agreements and Arrangements

#	EMPLOYER OR PARTY	CITY, STATE	STATUS AND TERMS	DATE
1	University of Arkansas	Fayetteville, Arkansas	I will continue to participate in this defined contribution plan, but the plan sponsor no longer makes contributions.	1/2017
2	Native American Agriculture Fund	Fayetteville, Arkansas	I will continue to participate in this defined contribution plan, but the plan sponsor will no longer make contributions after I am no longer an employee.	3/2020
3	Native American Agricultural Fund	Fayetteville, Arkansas	Term life insurance policy. Employer will not make any further payments after I am no longer an employee. After separation, subsequent insurance policy premium payments will be made by me.	3/2020

4. Filer's Sources of Compensation Exceeding \$5,000 in a Year

#	SOURCE NAME	CITY, STATE	BRIEF DESCRIPTION OF DUTIES
1	Native American Agriculture Fund	Fayetteville, Arkansas	Chief Executive Officer
2	University of Arkansas	Fayetteville, Arkansas	Director, Indigenous Food and Agriculture Initiative
3	Native Solutions LLC	Fayetteville, Arkansas	President of LLC
4	Cohen Milstein	See Endnote Washington, District of Columbia	Consulting

5. Spouse's Employment Assets & Income and Retirement Accounts

None

6. Other Assets and Income

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	Oil/Gas Mineral Interests; Casillas Petroleum Resource Partners LLC; Tulsa, OK; Grady Co, OK (Value Not Readily Ascertainable)	N/A		Rent or Royalties	\$5,001 - \$15,000
2	Oil/Gas Mineral Interests; Casillas Petroleum Resource Partners LLC #2; Tulsa, OK; Grady Co, OK (Value Not Readily Ascertainable)	N/A		Rent or Royalties	\$5,001 - \$15,000
3	Oil/Gas Mineral Interests; Daylight Petroleum, Inc., Houston, TX; Grady Co, OK(Value Not Readily Ascertainable)	N/A		Rent or Royalties	\$1,001 - \$2,500
4	Oil/Gas Mineral Interests; Continental Resources, Oklahoma City, OK; Grady Co., OK (Value Not Readily Ascertainable)	N/A		Rent or Royalties	\$2,501 - \$5,000
5	Oil/Gas Mineral Interests; Sheridan Production, Houston, TX; Grady Co, OK (Value Not Readily Ascertainable)	N/A		Rent or Royalties	\$201 - \$1,000
6	Taylor-Sheridan Settlement Fund (Oil and Gas Litigation Settlement from Sheridan Production Company LLC (SPC))	N/A	None (or less than \$1,001)	Rent or Royalties	\$201 - \$1,000
7	U.S. bank #1 (cash account)	N/A	\$50,001 - \$100,000	Interest	\$201 - \$1,000
8	U.S. bank #3 (cash account)	N/A	\$100,001 - \$250,000	Interest	\$201 - \$1,000
9	Oil/Gas Mineral Interests; Territory Resources LLC; Stillwater, OK; Grady Co. OK (Value Not Readily Ascertainable)	N/A		Rent or Royalties	\$1,001 - \$2,500
10	Oil/Gas Mineral Interests; Carbon Economy, LLC; Denver, CO; Grady Co., OK (Value Not Readily Ascertainable)	N/A		Rent or Royalties	\$1,001 - \$2,500
11	Merrill Lynch Brokerage Account	No			

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
11.1	UBS Group AG	N/A	\$1,001 - \$15,000		None (or less than \$201)
11.2	Walmart, Inc. (WMT)	N/A	None (or less than \$1,001)		None (or less than \$201)
12	Family Trust	No			
12.1	U.S. bank #2 (cash account)	N/A	\$50,001 - \$100,000	Interest	\$201 - \$1,000
13	Oil/Gas Mineral Interests: Gulfport MidCon, LLC; Oklahoma City, OK; Grady Co., OK (Value Not Readily Ascertainable)	N/A		Rent or Royalties	\$15,001 - \$50,000
14	Oil/Gas Mineral Interests: Red Rocks Oil and Gas Oper, LLC; Shawnee, OK; Grady Co., OK (Value Not Readily Ascertainable)	N/A		Rent or Royalties	None (or less than \$201)
15	Oil/Gas Mineral Interests: Streamline Oil and Gas, Inc.; Alex, OK; Grady Co., OK (Value Not Readily Ascertainable)	N/A		Rent or Royalties	None (or less than \$201)
16	Oil/Gas Mineral Interests: FDL Operating, LLC; Irving, TX; Grady Co., OK; (Value Not Readily Ascertainable)	N/A		Rent or Royalties	None (or less than \$201)

7. Transactions

(N/A) - Not required for this type of report

8. Liabilities

None

9. Gifts and Travel Reimbursements

(N/A) - Not required for this type of report

Endnotes

PART	#	ENDNOTE
1.	6	Native Solutions, LLC has had no clients in 2020 or in 2021.
1.	8	This was an uncompensated volunteer position.
4.	4	Consulting work was completed in 2018, but final payment was made in early 2019.

Summary of Contents

1. Filer's Positions Held Outside United States Government

Part 1 discloses positions that the filer held at any time during the reporting period (excluding positions with the United States Government). Positions are reportable even if the filer did not receive compensation.

This section does not include the following: (1) positions with religious, social, fraternal, or political organizations; (2) positions solely of an honorary nature; (3) positions held as part of the filer's official duties with the United States Government; (4) mere membership in an organization; and (5) passive investment interests as a limited partner or non-managing member of a limited liability company.

2. Filer's Employment Assets & Income and Retirement Accounts

Part 2 discloses the following:

- Sources of earned and other non-investment income of the filer totaling more than \$200 during the reporting period (e.g., salary, fees, partnership share, honoraria, scholarships, and prizes)
- Assets related to the filer's business, employment, or other income-generating activities (1) that ended the reporting period with a value greater than \$1,000 or (2) from which more than \$200 in income was received during the reporting period (e.g., equity in business or partnership, stock options, retirement plans/accounts and their underlying holdings as appropriate, deferred compensation, and intellectual property, such as book deals and patents)

This section does not include assets or income from United States Government employment or assets that were acquired separately from the filer's business, employment, or other income-generating activities (e.g., assets purchased through a brokerage account). Note: The type of income is not required if the amount of income is \$0 - \$200 or if the asset qualifies as an excepted investment fund (EIF).

3. Filer's Employment Agreements and Arrangements

Part 3 discloses agreements or arrangements that the filer had during the reporting period with an employer or former employer (except the United States Government), such as the following:

- Future employment
- Leave of absence
- Continuing payments from an employer, including severance and payments not yet received for previous work (excluding ordinary salary from a current employer)
- Continuing participation in an employee welfare, retirement, or other benefit plan, such as pensions or a deferred compensation plan
- Retention or disposition of employer-awarded equity, sharing in profits or carried interests (e.g., vested and unvested stock options, restricted stock, future share of a company's profits, etc.)

4. Filer's Sources of Compensation Exceeding \$5,000 in a Year

Part 4 discloses sources (except the United States Government) that paid more than \$5,000 in a calendar year for the filer's services during any year of the reporting period.

The filer discloses payments both from employers and from any clients to whom the filer personally provided services. The filer discloses a source even if the source made its payment to the filer's employer and not to the filer. The filer does not disclose a client's payment to the filer's employer if the filer did not provide the services for which the client is paying.

5. Spouse's Employment Assets & Income and Retirement Accounts

Part 5 discloses the following:

- Sources of earned income (excluding honoraria) for the filer's spouse totaling more than \$1,000 during the reporting period (e.g., salary, consulting fees, and partnership share)
- Sources of honoraria for the filer's spouse greater than \$200 during the reporting period
- Assets related to the filer's spouse's employment, business activities, other income-generating activities (1) that ended the reporting period with a value greater than \$1,000 or (2) from which more than \$200 in income was received during the reporting period (e.g., equity in business or partnership, stock options, retirement plans/accounts and their underlying holdings as appropriate, deferred compensation, and intellectual property, such as book deals and patents)

This section does not include assets or income from United States Government employment or assets that were acquired separately from the filer's spouse's business employment, or other income-generating activities (e.g., assets purchased through a brokerage account). Note: The type of income is not required if the amount of income is \$0 - \$200 or if the asset qualifies as an excepted investment fund (EIF). Amounts of income are not required for a spouse's earned income (excluding honoraria).

6. Other Assets and Income

Part 6 discloses each asset, not already reported, (1) that ended the reporting period with a value greater than \$1,000 or (2) from which more than \$200 in investment income was received during the reporting period. For purposes of the value and income thresholds, the filer aggregates the filer's interests with those of the filer's spouse and dependent children.

This section does not include the following types of assets: (1) a personal residence (unless it was rented out during the reporting period); (2) income or retirement benefits associated with United States Government employment (e.g., Thrift Savings Plan); and (3) cash accounts (e.g., checking, savings, money market accounts) at a single financial institution with a value of \$5,000 or less (unless more than \$200 in income was received). Additional exceptions apply. Note: The type of income is not required if the amount of income is \$0 - \$200 or if the asset qualifies as an excepted investment fund (EIF).

7. Transactions

Part 7 discloses purchases, sales, or exchanges of real property or securities in excess of \$1,000 made on behalf of the filer, the filer's spouse or dependent child during the reporting period.

This section does not include transactions that concern the following: (1) a personal residence, unless rented out; (2) cash accounts (e.g., checking, savings, CDs, money market accounts) and money market mutual funds; (3) Treasury bills, bonds, and notes; and (4) holdings within a federal Thrift Savings Plan account. Additional exceptions apply.

8. Liabilities

Part 8 discloses liabilities over \$10,000 that the filer, the filer's spouse or dependent child owed at any time during the reporting period.

This section does not include the following types of liabilities: (1) mortgages on a personal residence, unless rented out (limitations apply for PAS filers); (2) loans secured by a personal motor vehicle, household furniture, or appliances, unless the loan exceeds the item's purchase price; and (3) revolving charge accounts, such as credit card balances, if the outstanding liability did not exceed \$10,000 at the end of the reporting period. Additional exceptions apply.

9. Gifts and Travel Reimbursements

This section discloses:

- Gifts totaling more than \$415 that the filer, the filer's spouse, and dependent children received from any one source during the reporting period.
- Travel reimbursements totaling more than \$415 that the filer, the filer's spouse, and dependent children received from any one source during the reporting period.

For purposes of this section, the filer need not aggregate any gift or travel reimbursement with a value of \$166 or less. Regardless of the value, this section does not include the following items: (1) anything received from relatives; (2) anything received from the United States Government or from the District of Columbia, state, or local governments; (3) bequests and other forms of inheritance; (4) gifts and travel reimbursements given to the filer's agency in connection with the filer's official travel; (5) gifts of hospitality (food, lodging, entertainment) at the donor's residence or personal premises; and (6) anything received by the filer's spouse or dependent children totally independent of their relationship to the filer. Additional exceptions apply.

Privacy Act Statement

Title I of the Ethics in Government Act of 1978, as amended (the Act), 5 U.S.C. app. § 101 et seq., as amended by the Stop Trading on Congressional Knowledge Act of 2012 (Pub. L. 112-105) (STOCK Act), and 5 C.F.R. Part 2634 of the U. S. Office of Government Ethics regulations require the reporting of this information. Failure to provide the requested information may result in separation, disciplinary action, or civil action. The primary use of the information on this report is for review by Government officials to determine compliance with applicable Federal laws and regulations. This report may also be disclosed upon request to any requesting person in accordance with sections 105 and 402(b)(1) of the Act or as otherwise authorized by law. You may inspect applications for public access of your own form upon request. Additional disclosures of the information on this report may be made: (1) to any requesting person, subject to the limitation contained in section 208(d)(1) of title 18, any determination granting an exemption pursuant to sections 208(b)(1) and 208(b)(3) of title 18; (2) to a Federal, State, or local law enforcement agency if the disclosing agency becomes aware of violations or potential violations of law or regulation; (3) to a source when necessary to obtain information relevant to a conflict of interest investigation or determination; (4) to the National Archives and Records Administration or the General Services Administration in records management inspections; (5) to the Office of Management and Budget during legislative coordination on private relief legislation; (6) when the disclosing agency determines that the records are arguably relevant to a proceeding before a court, grand jury, or administrative or adjudicative body, or in a proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding; (7) to reviewing officials in a new office, department or agency when an employee transfers or is detailed from one covered position to another, a public financial disclosure report and any accompanying documents, including statements notifying an employee's supervising ethics office of the commencement or negotiations for future employment or compensation or of an agreement for future employment or compensation; (8) to a Member of Congress or a congressional office in response to an inquiry made on behalf of and at the request of an individual who is the subject of the record; (9) to contractors and other non-Government employees working on a contract, service or assignment for the Federal Government when necessary to accomplish a function related to this system of records; (10) on the OGE Website and to any person, department or agency, any written ethics agreement, including certifications of ethics agreement compliance, filed with OGE by an individual nominated by the President to a position requiring Senate confirmation; (11) on the OGE Website and to any person, department or agency, any certificate of divestiture issued by OGE; (12) on the OGE Website and to any person, department or agency, any waiver of the restrictions contained in Executive Order 13770 or any superseding executive order; (13) to appropriate agencies, entities and persons when there has been a suspected or confirmed breach of the system of records, the agency maintaining the records has determined that there is a risk of harm to individuals, the agency, the Federal Government, or national security, and the disclosure is reasonably necessary to assist in connection with the agency's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm; and (14) to another Federal agency or Federal entity, when the agency maintaining the record determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in responding to a suspected or confirmed breach or in preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity, the Federal Government, or national security. See also the OGE/GOVT-1 executive branch-wide Privacy Act system of records.

Public Burden Information

This collection of information is estimated to take an average of ten hours per response, including time for reviewing the instructions, gathering the data needed, and completing the form. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Program Counsel, U.S. Office of Government Ethics (OGE), Suite 500, 1201 New York Avenue, N.W., Washington, DC 20005-3917.

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May 24, 2021

The Honorable Debbie Stabenow, Chairwoman Committee on
Agriculture, Nutrition & Forestry
United States Senate
Washington, D.C. 20510

The Honorable John Boozman, Ranking Member
Committee on Agriculture, Nutrition & Forestry
United States Senate
Washington, DC 20510

Dear Chairwoman Stabenow and Ranking Member Boozman:

Please be advised that pursuant to section 101(b) of the Ethics in Government Act of 1978, as amended, I have informed the appropriate ethics officials that the information required by section 102(a)(1)(A) of the Act with respect to income and honoraria contained in OGE Form 278e (Executive Branch Public Financial Disclosure Report) executed by me on February 4, 2021 is correct.

This information is current as of Monday, May 24, 2021. This date is within five days prior to the date of the first hearing scheduled to consider my nomination.

Sincerely,



Janie Simms Hupp

QUESTIONS AND ANSWERS

MAY 27, 2021

Senate Committee on Agriculture, Nutrition, and Forestry
To consider the nomination of Janie Simms Hipp, of Arkansas, to be General Counsel of the
Department of Agriculture
May 27, 2021

Questions for the Record

Chairwoman Debbie Stabenow

1. The USDA's Office of the Inspector General and the Government Accountability Office play critical oversight roles. Do you commit to ensuring that USDA cooperates with requests for information from the Office of Inspector General and the Government Accountability Office?

Yes, I will.

2. In the 2018 Farm Bill, I authored new provisions on urban agriculture including the development of a new advisory committee, grant programs, and a new Office of Urban Agriculture. USDA has not fully implemented these provisions of the Farm Bill. Will you commit to expediting the implementation for any processes that go through the Office of General Counsel to ensure all aspects of urban agriculture from 2018 Farm Bill are implemented this year?

If confirmed, I commit to you to get briefed on the status of implementation of these provisions from the 2018 Farm Bill and will prioritize the Office of General Counsel's review of any relevant provisions in order to ensure they are implemented in a swift and sound manner.

3. If you are confirmed, I look forward to working with you, including on the upcoming Farm Bill and other issues of importance to American farmers, ranchers, and families. If confirmed, do you agree, without reservation, to:

a. Promptly reply to requests for information from me or any duly constituted committee of the Congress?

Yes, as appropriate.

b. Respond to my requests for data and technical assistance in informing or drafting legislation or implementation of the law?

Yes, as appropriate.

4. If confirmed as General Counsel, you will be asked for your legal opinion on proposed USDA policies and actions, and on occasion, you may believe that a proposed policy or action is not fully supported by law. Should such a situation arise, do you commit to clearly communicate your legal concerns to the appropriate senior USDA leadership? What will you do if other USDA officials or individuals outside USDA ask you to approve something that you do not feel the law, congressional intent, or the Constitution supports or allows?

I commit to provide my best counsel to USDA officials and others as appropriate on legal issues that come before me. This includes communicating clearly regarding any legal concerns to senior USDA leadership. In short, if I have legal concerns about a matter, I will clearly articulate them.

5. If confirmed, do you commit to working to ensure that all USDA employees and customers are treated with dignity and respect, and not discriminated against on the basis of race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity? How will you work to ensure equity in the administration of USDA's programs?

I commit to work to ensure that all USDA employees are treated with dignity and respect. I will also work to ensure that all customers engaging with USDA in whatever aspects of USDA's broad authorities are treated with dignity and respect. Non-discrimination and the achievement of equity in the administration of USDA's programs will be my top priority. I will work diligently with USDA leadership and employees to ensure that equity is the core value embedded in administration of USDA's programs. The principles of dignity, respect, non-discrimination and equity are important to me personally and have guided my work. I will bring those principles into the Office of General Counsel and will use my position to bring voice to others.

6. Many of the OGC attorneys belong to the recognized bargaining unit. As General Counsel how do you plan to interact with the OGC union? More generally, what role would you like to see unions play at USDA, and what style or arrangements involving labor and management do you intend to foster? For example, will you foster labor-management partnerships at the USDA or do you believe that other kinds of arrangements would be preferable? What steps would you take to achieve the kind of labor-management relationships you want?

As General Counsel I will work with the Union representing OGC staff. I believe Unions play an important role in making known and representing the interests and concerns of staff to management. Together the Union and OGC management can work to improve the working environment in OGC. If I have the honor of being confirmed, I will meet with the Union President and discuss ways to work together to improve the working environment at OGC. Particularly, given the recent FEVS scores of OGC raised during my confirmation hearing, I want to discuss ways to improve morale and rebuild trust with the staff.

7. The Forest Service has a long history of serious problems with sexual misconduct and retaliation against those who have made complaints. What are your thoughts on this issue? If confirmed, do you commit to addressing sexual misconduct issues at the Department and working proactively to prevent it?

If confirmed I will review these issues and work with the Department to determine the best path forward to address this history of problems.

8. According to data from the Office of Management and Budget, the USDA Office of the General Counsel had 7 percent fewer employees at the end of March 2021 compared to December 2016. Will you evaluate the most urgent hiring needs and recruit to fill vacancies with the most qualified employees?

Yes, if confirmed as General Counsel I will prioritize an internal analysis of the most urgent hiring needs for OGC and work diligently to recruit for vacancies that can be filled with qualified employees within the budget authorities we are provided.

Ranking Member John Boozman

1. If confirmed, do you agree to reply promptly, with any requested information, to any request from me, and to notify me or my staff in advance of making public any major legal positions USDA takes during your tenure?

Yes, I will.

2. There is a longstanding history of USDA generally, and specifically OGC, providing technical assistance to the Committee as we write legislation. This assistance has been provided to ensure the pragmatic workability of the legislation, without regard to whether or not the bill reflects the Administration's priorities. Will you commit to continuing to provide OGC resources towards technical assistance for the upcoming farm bill or other legislation?

Yes, during my confirmation hearing, I indicated that I support the role that OGC has historically played to respond to requests for technical assistance and to work with the Committee to provide such resources for upcoming farm bill negotiations and/or other legislation the Committee may consider.

3. The legislative process, for instance, the farm bill, sometimes yields results where the Secretary is delegated significant authority. During implementation of legislation, including when engaging in the rule-making process, will you commit to consulting with Congress if statutory language has rendered legislative intent unclear?

Yes, I commit to consulting with Congress when questions arise about legislative intent, when appropriate.

4. The Trump Administration used Commodity Credit Corporation (CCC) authority to provide Market Facilitation Payments to farmers, and there has been more than mere speculation that the Biden Administration will explore using the CCC to address climate change. How do you view the scope of CCC's existing authority relating to "agricultural commodities"? Further, in your opinion, under the law as it stands presently, does the Secretary have the authority to use the CCC as a "carbon bank", i.e., to buy, sell, trade carbon or environmental credits? If such a plan is the intention of the Secretary do you believe such authority needs to be granted through Congressional action?

As I discussed during my confirmation hearing, the CCC is a very powerful tool that enables the Secretary to take actions to provide assistance to agricultural producers in times of stress, help develop markets for agricultural commodities, and fund many critical programs at USDA. The application of CCC's authorities with respect to a "carbon bank" is something I have not studied. Before developing a legal opinion on this matter, I would need to have a greater understanding of the "carbon bank" proposal at issue. So, at this time, I do not have specific answers to these questions.

5. As you know, Congress acted to provide assistance in the CARES Act and most recently in the Omnibus appropriations bill to address needs in rural America. However, the Administration cited the White House memo "Regulatory Freeze Pending Review" and suspended the Coronavirus Food Assistance Program Additional Assistance (CFAPAA) Rule, which is designed to provide financial assistance to some producers who have yet to receive any help during this pandemic, and greatly need it. Unfortunately, those funds, while desperately needed, sat on a shelf. In the future, will you commit to quickly implementing the assistance that Congress has provided to USDA and minimize any delays in payments to farmers, ranchers, growers, and other stakeholders?

My understanding is that USDA paused processing of CFAPAA applications and payments in order to evaluate whether there were gaps and disparities in the previous rounds of pandemic assistance. In March, USDA announced the initial results of this review and found significant disparities. USDA also announced plans to re-open the sign-up for CFAP2 with improved outreach, develop programs to fill those gaps and that it was starting to make over \$6 billion in payments through formula payments or using existing programs. If confirmed, I will ask to be briefed on the plans to address the disparities in assistance and look for ways to expedite the assistance.

6. The National Agricultural Law Center (NALC), a unit of the University of Arkansas System Division Of Agriculture, is the nation's leading source of agricultural and food law research and information. The Center serves the nation's agricultural community, Cooperative Extension Service personnel, state and federal policymakers, attorneys, consumers, and others. While operating on a national scale, the Center conducts objective and scholarly agricultural and food law research and information. It is also a formal partner of the USDA National Agricultural Library (NAL), helping fulfill NAL's mission of advancing access to global information for agriculture. If confirmed, do you commit to supporting the mission and full funding of NALC during your tenure, and what measures will you undertake to ensure USDA continues to fully support the critical work of NALC, as mandated by Congress?

I am very familiar with the National Agricultural Law Center. I commit to review the ongoing relationship NALC has with the USDA National Agricultural Library and the budget that supports that work.

7. In January 2019, USDA and NALC entered into an MOU to provide a cooperative framework for the parties to develop and maintain an unpaid legal internship program that would facilitate NALC Research Fellows gaining legal experience and guidance by USDA OGC attorneys which would help the fellows gain educational excellence and develop legal talent in

agricultural law – a win for both NALC and USDA. The MOU operated for two years, expiring in January 2021. By all accounts it was a successful program providing opportunities for the excellent students at University of Arkansas. If confirmed, do you commit to executing a new MOU to allow the collaborative program between the NALC and USDA to continue to flourish? Further, please provide an update on the status of the NALC’s multi-year cooperative agreements with USDA.

I am very familiar with the National Agricultural Law Center and the work that it does. I will commit to review this MOU and discuss it with the NALC.

8. Over the years we have seen considerable consolidation and change within the agricultural industry. Pending agricultural mergers will affect farmers and ranchers through product availability, product pricing, and research for future products. How will you advise the Secretary regarding any questions or concerns he may have regarding these mergers and their impact on the customers of these products?

I have witnessed and studied these changes to agriculture and how they have impacted agricultural producers and consumers. With respect to future mergers, I will provide counsel based on the law through the lens of how it will impact both agricultural producers and consumers. Ultimately, you cannot separate these interests. Agriculture producers must respond to the needs and interests of consumers and consumers need viable agriculture producers to obtain the food and agriculture-based products they need.

9. What will be your posture as USDA General Counsel as it relates to interacting with Department of Justice on pending litigation? Will you defer to DOJ to develop the legal strategy, knowing that programs administered by USDA will be impacted by the outcome of the court’s decision, or will you take a more aggressive posture?

Under the law, the Attorney General of the United States has responsibility for all litigation. That said, I will work with the Department of Justice to forge a partnership in developing the legal strategy in litigation that impacts USDA, its programs, and most importantly its farmers/ranchers and other stakeholders.

10. What will be your posture as USDA General Counsel on communicating with stakeholders who may be impacted by the outcome of legal rulings on lawsuits involving USDA programs? Will you recommend to the Secretary that he be willing to meet with stakeholders prior to final decisions being made on legal strategies?

I believe it is important to know the interests of stakeholders on an on-going basis. I believe it is the role of the General Counsel to understand these interests as they relate to legal matters and where appropriate make the Secretary aware of these interests and concerns. Generally, issues that result in litigation may have been building over many years. As a result, it would be my goal to have a good understanding of stakeholder interests at the commencement of litigation and not have to specifically reach out to stakeholders at that time to learn of their concerns.

11. The Consolidated Appropriations Act, 2021 included the Clean Up the Code Act of 2019 which repealed section 707 of Title 18 United States Code relating to fraudulent use of the 4-H club emblem. It is my understanding that the Office of the General Counsel (OGC) has been reviewing this authority. When do you expect OGC to complete its review? What authorities remain for use by the U.S. Department of Agriculture to protect against the fraudulent use of the 4-H name and emblem? If confirmed, will you commit to reviewing the Act and keeping the Committee informed of any action taken by OGC relating to the protection of the 4-H club emblem?

If I have the honor of being confirmed, I will look into the status of OGC's review of this matter and will provide to the Committee the Department's views regarding this matter.

12. The Organic Trade Association (OTA) and others have pending litigation against the Department related to the withdrawal of the Organic Livestock and Poultry Practices Final Rule. On April 21, 2021 OTA and the Department filed a joint request for a 30-day extension in the deadline of a joint status report "to allow for continued discussion to resolve or narrow the litigation." According to the filing, OTA and the Department, along with the Center for Environmental Health, met on April 9, 2021 to discuss proposed settlement options. What is your opinion on the withdrawal of the final rule? What is the virtue of a settlement between OTA and the Department? Does the Department support reinstating the final rule without any changes? If not, what changes is the Department considering?

At this time, I do not have an opinion on the withdrawal of the final rule. Should I have the honor of being confirmed, I will review the status of this litigation and work with the appropriate officials of the Department and the Department of Justice on how this litigation should proceed.

13. Last December, USDA and FDA executed a Memorandum of Understanding to help modernize the Federal Government's regulatory oversight of certain gene-edited animals used for agricultural purposes. USDA also published an Advanced Notice of Proposed Rulemaking seeing the public's comments on how USDA should implement a predictable, science-based regulatory approach that will ensure the safe and timely review of these technologies. These actions were based on the interpretation that USDA has the legal authority to regulate such products under the Animal Health Protection Act. Do you believe USDA has this authority? Please explain your reasoning.

At this time, I do not have an opinion regarding the MOU or the Advanced Notice of Proposed Rulemaking. Should I have the honor of being confirmed, I will look into this matter.

14. In May 2020, USDA published in the Federal Register the Final Rule dubbed the Sustainable, Ecological, Consistent, Uniform, Responsible, Efficient (SECURE) Rule, modernizing the regulatory process with respect to plant organisms developed using genetic engineering. The rule is still being implemented on a timeline through October 1, 2021. Will you commit to supporting the Animal and Plant Health Inspection Service in completing the implementation timeline? In your role as General Counsel, if confirmed, will you commit to defending this regulatory process?

Thank you for this question. It is my understanding that the Animal and Plant Health Inspection Service (APHIS) is implementing a phased-in regulatory approach on a timeline established in the Final Rule. If confirmed I look forward to providing APHIS with legal support as needed for the agency's efforts, including support for any emergent legal challenge.

15. If confirmed, will you commit to administering all appropriated funds for the Office of the General Counsel (OGC) as intended by Congress? Further, do you commit to being fiscally responsible with the OGC budget, and working within budgetary constraints? Lastly, do you commit to communicating with US Senate Committee on Agriculture staff if OGC's needs or expenditures exceed its budgetary constraints?

If confirmed, I commit to managing the resources of the Office of General Counsel as intended by Congress and conferring with the Committee concerning the budgetary constraints and concerns experienced by the Office of General Counsel.

16. The Federal hiring process is often convoluted, complicated, and time consuming. At best, this process results in long delays in hiring qualified candidates. At worst, this process discourages qualified candidates from even applying. If confirmed, will you commit to improving the Department's hiring process to ensure Department agencies have the flexibility to hire the most qualified people to serve the agricultural community and ensure the effective and timely delivery of the Department's core mission? Further, if confirmed do you commit to updating the Committee on the current state of OGC FTE's, including how many attorneys have been hired and on boarded within the last year, any OGC hiring plans in place to address future needs, including applicable budgetary data relevant to this inquiry?

If confirmed, I will immediately turn my attention to the hiring situations that specifically impact the Office of General Counsel and update the Committee on the current state of OGC's budget and present and planned hiring trends. I also commit to working with USDA leadership to ensure that USDA has the ability to hire the most qualified individuals trained in the complexities of agriculture to help guide the work of the Department.

17. Rice farmers depend on trade and it's not just a priority for them, but a necessity. The Biden Administration has said that a priority is trade enforcement which is important to my rice farmers. That means rules under trade agreements like World Trade Organization (WTO) and US Mexico and Canada Agreement need to be enforced when a party steps out of line. Unfortunately it's been over four years since US Trade Representative (USTR) has taken a case at the WTO on behalf of agriculture.

Part of your role will be to ensure that agriculture has a seat at the table when USTR considers what disputes it's going to take and that will require your team to work proactively to prioritize issues and develop the legal arguments. Can you commit that you will prioritize trade enforcement in your role as USDA General Counsel and that you will work collaboratively with the Foreign Agricultural Service and the USTR General Counsel and agriculture offices to prioritize *agriculture* trade enforcement issues in particular?

I look forward to gaining a full appraisal of OGC staff time and resources currently dedicated to trade enforcement. This is an important function with critical impacts on agriculture, trade and the Department's many stakeholders. If confirmed I would seek a close working relationship with my counterparts at USTR and other agencies regarding trade enforcement activities.

18. Since 2016, it has been the position of the U.S. Government – including the Forest Service, Department of Justice, Fish and Wildlife Services, and National Marine Fisheries that a forest plan is not an ongoing action requiring initiation of consultation. Are you aware if the Administration has changed this position? What will be your position on this issue?

I am not aware of any change on this issue. I recognize the need to increase the pace and scale of science-based forest restoration and management on the National Forests in order to address catastrophic wildfire while also conserving wildlife.

19. I understand the Fish and Wildlife Service is reviewing comments received on the draft rulemaking pertaining to consultation requirements on completed forest plans. If confirmed, will you pledge to work with the U.S. Fish & Wildlife Service and the National Marine Fisheries Service to ensure that those regulations are finalized in a timely fashion?

Yes. If confirmed, I will pledge to work with my counterparts at USFWS and NMFS to finalize regulations pertaining to consultation requirements in a timely fashion.

20. The U.S. Forest Service has felt the impact from the Ninth Circuit's decision in *Cottonwood Environmental Law Center v. United States Forest Service* ("Cottonwood") more than any other agency. If confirmed, will you pledge to work with the career professionals at the Forest Service when determining how best to proceed with the draft rule mentioned above?

Yes. If confirmed, I will work with the Forest Service and the Natural Resources and Environment mission area on the draft rule addressing USFWS and NMFs consultation requirements.

21. Conflicting court opinions relating to USDA's interpretation of the *Families First Coronavirus Response Act* were given in implementing the SNAP Emergency Allotments. Instead of USDA defending its original position that was affirmed by one district court, the Administration reversed course, rewarding the challenging attorneys by paying their fees, and issued different guidance in order to provide billions in taxpayer money to SNAP recipients. USDA states that the new interpretation is purportedly in line with Congressional intent, when it remains unclear if Congress intended the funds to be spent in the manner as currently interpreted. If confirmed, how will you address the issue of "Congressional intent" in order to avoid conflicting opinions which unnecessarily cost money, time and good-will? How will you prioritize Congressional intent as you interpret new laws that may be adverse or different than this Administration's policy positions?

If I am confirmed as the General Counsel of USDA, I will follow the law and my advice and counsel will reflect that. Under the law, if the plain meaning of legislation enacted by Congress is not clear, I will look to sources of Congressional intent to help guide the interpretation of the

provision. One way to help ensure a clear understanding between Congress and the Department regarding legislation is for the Department to work with Congress through the provision of technical assistance. During my confirmation hearing, I indicated that I support the role that OGC has historically played to respond to requests for technical assistance.

22. Advancements in biotechnology give agricultural producers a significant tool in fighting pests & diseases, increasing yield, producing more on fewer acres, and countless other benefits in between. For some time U.S. livestock producers have been frustrated with the: (1) lack of regulatory certainty of Food and Drug Administration's (FDA) in reviewing these technologies; (2) idea FDA would label these innovations or the animals themselves as "drugs"; and (3) our competitors around the world are actively working to make these technologies available to their livestock producers. The benefits from these technologies have the potential to help reduce methane emissions, protect against devastating animal diseases, and improve animal care practices. Unfortunately, our current regulatory system is confusing, misleading, and has a chilling effect on the development, review, and adoption of these critical tools. Last December, USDA and FDA executed a Memorandum of Understanding (MOU) to help modernize the Federal Government's regulatory oversight of certain gene-edited (GE) animals used for agricultural purposes. USDA also published an Advanced Notice of Public Rulemaking seeking the public's comments on how USDA should implement a predictable, science-based regulatory approach that will ensure the safe and timely review of these technologies.

a. If confirmed, do you commit to continuing the effort of a predictable, science-based review of these technologies under USDA's jurisdiction?

If confirmed, I look forward to providing principals and agency staff with the foundational legal support in their ongoing efforts to develop and implement science-based regulatory programs that are able to withstand challenge and the test of time.

b. If confirmed, do you commit to defending USDA's authority to regulate GE amenable animals used for agricultural purposes?

If confirmed, I will work with others in the Department and at FDA to more fully examine the scientific basis for review of technologies and appropriate regulatory actions.

Senator Kirsten Gillibrand

1. Last week I led a bipartisan letter to Secretary Vilsack requesting a continuation of direct payments to dairy farmers for the first 6 months of 2021, retroactive to January 1st. USDA has multiple avenues through which they can distribute these payments, whether it be the Coronavirus Food Assistance Program, the Pandemic Assistance for Producers initiative, or any other program they deem fit.

Our dairy farmers are still reeling from the effects of the pandemic and they still need assistance and they need it now. If and when USDA does announce further payments for dairy producers, there will need to be a regulation or rulemaking process. Will you commit to making it a priority for an expeditious review of the rulemaking or regulations that may be needed to get further payments to dairy farmers out the door as quickly as possible?

If confirmed, I commit to looking into the rulemaking process in relation to these programs and further commit to ensuring that OGC provides legal advice that contributes to expeditious and thorough approaches to the rulemaking process.

2. Recently I introduced the *Universal School Meals Program Act* with Senator Sanders, which would provide universal free lunch, breakfast, and dinner for all students, and eliminate all of their school lunch debt. This legislation has broad support from stakeholders across the country and the support in the Senate is growing by the day. Currently, USDA is providing universal free school meals through the 2021-2022 school year, thanks to COVID waivers and flexibilities provided by USDA. Which has proven that free universal school meals can be successful and can be implemented in an efficient and thoughtful manner.

Can you speak to how the implementation of universal free school meals during the pandemic has been successful and do you believe that these waivers and flexibilities have created a pathway for a permanent free universal school meals program?

I know the Administration is committed to making sure that children—especially low-income children—have access to healthy food, and the school meals programs are a key piece of that equation. There are a lot of lessons to be learned from the pandemic response that can help us strengthen the nutrition programs going forward, and if confirmed, I will certainly support the USDA's work to strengthen the school meals programs however I can.

3. The final rules for hemp were reviewed and approved by the Biden administration in March. Due to many issues around sampling and testing raised by producers during the public comment period, the final rules were altered to accommodate some of the practical realities of hemp farmers including a revision to the testing window, negligence threshold, and sampling protocols. However, while these regulations may work for growers who are cultivating cannabinoid rich hemp at a small scale, they are unnecessary and over burdensome for hemp production for strictly industrial uses including for fibers and seed. By nature, a pollinated hemp crop for industrial use produces little to no plant material that could be used for its cannabinoid content and the genetics used in this type of production have been bred to produce miniscule amounts of THC. The USDA could simply exempt hemp growers from the sampling and testing requirements as long as they are planting approved seed for industrial use.

The USDA's final rules on hemp apply to anyone growing hemp no matter the crop's end use. As we are trying open up new opportunities for our farmers – especially ones that could benefit manufacturing industries with eco-friendly and American grown alternatives – I am worried that the rules as applied to hemp grown for industrial use will make us uncompetitive globally and serve as a disincentive for farmers to grow the crop. Will you commit to a review of the final rules to determine if in fact hemp growers for industrial use can be exempted from unnecessary compliance burdens?

Should I have the honor of being confirmed, I commit to studying the USDA final hemp rule and to working with AMS to see how these concerns can be addressed.

Senator Richard Durbin

1. For nearly twenty-five years, Illinois has operated a unique model to provide affordable, supportive living to low-income seniors and persons with disabilities in their communities. There are roughly 150 of these Supportive Living Facilities in Illinois, which serve more than 8,000 frail and low-income people. There is one in every Congressional district, and facilities in 73 of our 102 counties. To qualify, the seniors and residents with disabilities have to have very low incomes. To serve these individuals, Illinois obtained a federal Medicaid waiver and passed a state law. The way it works is that the facilities pool their residents' SNAP benefits to make it easier to provide them a nutritious meal—rather than having these vulnerable people go out and shop, which is especially important now during the pandemic.

For two decades, USDA has approved this model—routinely re-certifying these facilities to administer the SNAP benefits for residents. But a few years ago, USDA decided there was a problem, and that these facilities are out of compliance with regulations. USDA commissioned an independent report that found no allegations of fraud or abuse. Working with Senator Stabenow, we added language to the Farm Bill and then the Appropriations bill for the last two years to halt USDA from decertifying these facilities, which would have catastrophic implications for the residents. I'm hoping that the new team at USDA can take a fresh look at this issue and work collaboratively to address an issue that apparently was only caused in the first place by USDA's inconsistent definitions and repeated approvals. I know my team is in touch with USDA already, so I'd like to ask two very basic questions:

- a. If confirmed, will you commit that USDA will work with the residents, the facilities, the Illinois Department of Human Services, Senator Duckworth, and myself to prevent any de-authorizing actions and ensure adequate notification to all parties?
- b. If confirmed, will you commit to work with me and Senator Duckworth to explore every administrative flexibility, regulatory change, or statutory fix to ensure the long-term continuity of SNAP benefits for these 8,000 seniors in Illinois without disruption?

If confirmed, I commit to working with you and Senator Duckworth to understand this issue more fully and work towards achieving a solution to the issues identified.

2. Clothing sales dropped during the pandemic and will remain significantly below pre-COVID levels for the foreseeable future. A clothing manufacturer in my state, Hart Shaffner & Marx, which produces tailored business wear and employs more than 250 individuals, furloughed employees but remained operational due to mask manufacturing. Since 2014, USDA has administered the Wool Trust Fund and the Pima Cotton Trust Fund to provide payments to domestic suit and shirt manufacturers and textile companies, which are based on tariffs paid by the sectors, and is designed to preserve domestic apparel and textile manufacturing. Domestic apparel and textile industries that consume cotton and wool fibers, yarns and fabrics have sought support from USDA to assist with maintaining jobs in the wake of pandemic.

- a. Has USDA met with these domestic clothing manufacturers?

b. What is the status with USDA's efforts to identify financial assistance for these clothing domestic manufacturers?

If confirmed, I will commit to meet with interested parties to understand the challenges and best path forward.

3. President Obama issued an Executive Order relating to the hiring of people with disabilities for federal jobs, which included provisions on the centralization of federal funds for reasonable accommodations and accessible technologies. According to information provided by the National Association of the Deaf, USDA decentralized interpreting services for the deaf among its 17 different sub-agencies. It says this has led to steep learning curves for staff, budget shortfalls for contracting with interpreters for the deaf and hard of hearing, challenges with securing interpreters with subject-matter expertise specific to those 17 sub-agencies, and created great difficulties with accommodating staff who are deaf and hard of hearing.

a. What is the reasoning behind USDA decentralization of these services?

b. Were the objectives of that reasoning achieved?

c. Have interpretation services for the deaf improved with decentralization? Please provide documentation in that regard.

d. What are the USDA plans to re-centralize of funding for these purposes? If not, why not?

If confirmed, I will meet with appropriate USDA officials to learn more about this important issue. At this time, I am unfamiliar with the background, reasoning or circumstances that led to this decision but commit to learning more and taking appropriate steps to address the situation working alongside those officials within USDA involved with these matters.

Senator Reverend Raphael Warnock

Equity

Ms. Hipp, congratulations on your nomination to be General Counsel of the U.S. Department of Agriculture (USDA). You have an extensive resume with valuable experience in agricultural law. In my travels across rural Georgia, I have heard from farmers who feel they have been left behind by USDA or that their concerns are often ignored. I am committed to uplifting their priorities and ensuring their voices are heard. These farmers, typically socially disadvantaged or limited-resource producers, deserve access to a USDA that is responsive to their needs and recognizes their unique challenges.

Question 1: If confirmed, will you commit to prioritizing equity in your work within USDA's Office of General Counsel?

My commitment is in alignment with the history of my own career and if confirmed, I further commit to prioritizing equity in my work within USDA's Office of General Counsel.

Question 2: If confirmed, will you commit to working with me to ensure that the farmers and forest landowners of Georgia, particularly those who are socially disadvantaged or limited-resource, will be heard and considered throughout the work of your office?

My commitment is in alignment with the history of my own career and if confirmed, I further commit to prioritizing equity in my work within USDA's Office of General Counsel.

Heirs' Property

A major challenge facing farmers and forest landowners in Georgia is heirs' property. Issues with heirs' property present a major barrier for landowners who lack clear title to their land, historically preventing them from accessing USDA programs or easily transitioning their land to the next generation within their families. Simply put, heirs' property threatens secure land tenure and the ability for too many farming families in Georgia to build generational wealth.

Question 3: For landowners with heirs' property, how does a lack of access to adequate legal services contribute to their land tenure challenges, and how can USDA help landowners overcome these issues?

Producers need secure and stable access to land, including clear title to land. Being able to easily transition land to the next generation is important to the ongoing continuity of family and community wealth-building but also to ensuring national food security. Lack of access to legal services for some producers has put access to land and clear title in jeopardy. I look forward to, if confirmed, focusing effort on how best to assist producers in ensuring this concern is addressed in a meaningful manner within the authorities granted to USDA.

Senator Roger Marshall, M.D.

1. There is concern that through regulation banks will be required to assess a carbon score for the business they are lending to. Additionally, there is concern that radical environmentalists and animal rights activists will promote regulation to prevent certain types of businesses, like livestock producers, from accessing credit.

a. How can the USDA work to ensure that farmers, ranchers, and other livestock producers aren't required to walk through more bureaucratic red tape to keep access to affordable credit?

Programs and approaches that support climate-smart agriculture should keep the producers and landowners front of mind in order to ensure regulatory burdens or disincentives to participation in voluntary programs do not occur. If confirmed, I will be mindful of these concerns as we examine the best path forward within available authorities.

Senator Charles Grassley

1. In *National Meat Association vs. Harris*, Justice Kagan wrote the opinion that California may not indirectly regulate USDA inspected meatpacking facilities by prohibiting the sale of

certain meat products in that state. Justice Kagan wrote that the purpose of the California law was to function as a command to slaughterhouses to structure their operations in the exact way that California law requires and if that were allowed, then “any State could impose any regulation on slaughterhouses just by framing it as a ban on the sale of meat produced in whatever way the State disapproved. Do you agree with Justice Kagan in this opinion and will you defend the Department when states attempt to regulate in areas under the exclusive jurisdiction of the Department?

Under the law, the answer to this question requires closely examining the specific actions being taken by the state or states at issue. I am not able to provide a general answer to this question. If confirmed, I commit to review this issue.

2. Do states have the ability to regulate how animals are raised in other states? For example, may California regulate how hogs are raised in Iowa?

Under the law, the answer to this question requires closely examining the specific actions being taken by the state or states at issue. I am not able to provide a general answer to this question. If confirmed, I commit to review this issue.

3. It’s been reported that USDA plans to send five hundred staff to the southern border to assist HHS with the care and placement of unaccompanied alien children. Acting NRCS Chief Terry Cosby emailed staff at the agency asking them to consider answering this call to service. I’ve recently sent Secretary Vilsack a letter on this issue with Ranking Member Boozman. Would you be comfortable with members of your staff being detailed to assist HHS at the border?

USDA employees have a long history of answering the call to service during times of national need. If confirmed, I commit to work with Department leadership to manage our duties, should our employees answer the call to service.

4. Do you believe it is within the mission of USDA for an employee to assist HHS at the border?

USDA employees have a long history of answering the call to service during times of national need. If confirmed, I commit to work with Department leadership to manage our duties, should our employees answer the call to service.

5. If confirmed as USDA General Counsel, will you commit to providing a full response to the questions we asked in our letter of May 18, 2021?

If confirmed, I will review the May 18 letter you are referencing in your question and commit to ensuring you receive a response.

Senator John Thune

1. In 2019 and 2020, I led members of this committee in efforts to address the November 1 rule for cover crops on prevented plant acres. In 2019, USDA moved up the harvesting and grazing date from November 1 to September 1 nationwide. In 2020, USDA only moved up the date for certain counties in North Dakota and South Dakota. I'm concerned that the November 1 date puts northern states at a disadvantage due to the often adverse weather conditions and that it hinders cover crop adaptation.

Ms. Hipp, if confirmed, will you review the November 1 rule and consider permanent changes to make it more workable for producers?

If confirmed, I will work with others in the Department to ensure that producers have workable solutions.

2. Ms. Hipp, producers in my state are concerned with California Proposition 12 – the Farm Animal Confinement Initiative – in which California is essentially trying to regulate animal welfare in other states. California imports essentially all of the pork it consumes from out of state, which is why Prop 12 is especially concerning for pork producers in South Dakota who are already prioritizing the well-being of their animals.

In your opinion, do states have the ability to regulate animal welfare in other states? For example, may California regulate how animals are raised in South Dakota?

Under the law, the answer to this question requires closely examining the specific actions being taken by the state or states at issue. I am not able to provide a general answer to this question.

In your opinion, should the department continue to oppose California's Prop 12 on the grounds that it will reduce the buying power of the Supplemental Nutrition Assistance Program (SNAP), among other concerns?

I have not studied California's Proposition 12 and the position that the Department has taken regarding it. Should I have the honor of being confirmed, I will look into this matter.

3. Sen. Klobuchar and I worked to secure provisions of our Agriculture Data Act in the 2018 farm bill to help provide producers with access to information about conservation practices and their impact on reducing risk and improving profitability. I was pleased to see that USDA began work last fall on a pilot program to analyze how conservation practices affected farmers' ability to plant their crops in 2019.

If confirmed, will you commit to working with us to continue advancing this effort while also ensuring that we protect producers' privacy?

If confirmed, I commit to working with you and Senator Klobuchar to ensure we address the concerns related to agricultural data and producer privacy as identified in the Act.

4. Ms. Hipp, as I'm sure you know, the last few years have been especially challenging for cattle producers in South Dakota and across the country. They have faced significant market volatility following a 2019 fire, the pandemic, and reduced meatpacking capacity again this year. These occurrences have raised concerns with market integrity and meatpacking concentration.

What is your view on the enforcement of the Packers and Stockyards Act and ensuring transparency and integrity in the cattle market?

The Packers and Stockyards Act provides the Department with critical tools to protect the integrity of the marketing of livestock, meat, and poultry which is critical to producers. The enforcement of these protections requires the partnership amongst AMS, OGC, and the Department of Justice. If I have the honor of being confirmed, I will work to strengthen that partnership for the benefit of our producers.

5. Ms. Hipp, as you may know, individuals with expertise can develop a crop insurance policy and have it approved for sale under federal crop insurance if it meets basic criteria, including things like meeting a risk management need and actuarial soundness requirements. This is known as 508(h) private submission process, and some of the most effective crop insurance policies have come through this process, including revenue protection and, more recently, dairy revenue protection and livestock risk protection, which is especially important for South Dakota cattle producers' ability to manage risks given the current difficult situation they are facing. I'm concerned that in some instances, OGC may be slowing down the 508(h) process based on legal interpretations that seem out place.

If confirmed, will you commit to making timely consideration of crop insurance policies developed through this process a priority and ensuring that crop insurance is providing farmers and ranchers the safety net they need?

Having previously worked for the Risk Management Agency, I am acutely aware of the importance of the relationship between the Agency and OGC. Should I have the honor of being confirmed I will work to ensure that OGC is providing the legal assistance the Agency needs consistent with the law.

6. In May of 2020, USDA's Animal and Plant Health Inspection Service (APHIS) announced availability of the Final Rule for its biotechnology regulations - the Sustainable, Ecological, Consistent, Uniform, Responsible and Efficient (SECURE) rule. This was the first comprehensive revision of APHIS' biotechnology regulations since they were established in 1987.

How will you use your position in USDA's Office of General Counsel, if confirmed, to legally defend the SECURE rule?

It is my understanding that the Animal and Plant Health Inspection Service (APHIS) is implementing a phased-in regulatory approach on a timeline established in the Final Rule. If

confirmed I look forward to providing APHIS with legal support as needed for the agency's efforts, including support on any emergent legal challenge.

If confirmed, how will you use your position to encourage your colleagues and counterparts at EPA to submit its compatible rule to the Office of Management and Budget for interagency review in a timely manner this calendar year?

If confirmed, I look forward to establishing a close working relationship with my counterparts at EPA and other agencies in order to collaborate and provide support for mutual regulatory initiatives.

Do you commit to using your position, if confirmed, to ensure both agencies' rules move forward in manners that benefit all users of agriculture biotechnologies?

If confirmed, I look forward to establishing a close working relationship with my counterparts at EPA and other agencies in order to collaborate and provide support for mutual regulatory initiatives.