

**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.