

To: Elizabeth Appel[elizabeth.appel@bia.gov]
From: Romero, Annette
Sent: 2017-06-14T11:42:18-04:00
Importance: Normal
Subject: Fwd: Tribal Listening Sessions 13781 and 13792
Received: 2017-06-14T11:42:27-04:00
[Tribal Listening Session re E O 13781.pdf](#)
[Tribal Listening Session re E O 13792.pdf](#)

Good Morning Liz,

Hope you're having a good Wednesday! Here are the transcripts for the Phoenix Listening Sessions. I'll forward the hard copies once I get them.

Annette

----- Forwarded message -----

From: Canyon State Reporting <general@canyonstatereporting.com>
Date: Wed, Jun 14, 2017 at 9:38 AM
Subject: RE: Tribal Listening Sessions 13781 and 13792
To: "Romero, Annette" <annette.romero@bia.gov>

Attached are the PDF files.

Thanks,

Michele

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Court Reporters

2415 East Camelback Road, Suite 700

Phoenix, AZ 85016

Ph: 602.277.8882

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From: Romero, Annette [mailto:annette.romero@bia.gov]
Sent: Wednesday, June 14, 2017 8:11 AM
To: Canyon State Reporting
Subject: Re: Tribal Listening Sessions 13781 and 13792

Hello Michele,

Thank you for sending the transcripts to me. Can you please re-send the E-Transcripts in PDF format? I'm unable to open the documents.

Thank you!

Annette

On Tue, Jun 13, 2017 at 3:14 PM, Canyon State Reporting
<general@canyonstatereporting.com> wrote:

Ms. Romero,

Attached you will find the E-Tran files for the Tribal Listening Session re E.O. 13781; 13792. Invoice is also attached.

Hard copies will be delivered via FedEx by the end of the week.

Please let us know if we can help with anything else.

Thanks,

Michele

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From: Fry, Ashley [mailto:ashley.fry@bia.gov]

Sent: Friday, June 02, 2017 1:11 PM

To: Canyon State Reporting

Subject: Re: Quote of Service June 1

Hi Michele,

Attached you will find the agenda and several handouts for the sessions held yesterday.

Please let me know if I can help in any other way.

Thanks,

Ashley

On Tue, May 30, 2017 at 4:31 PM, Canyon State Reporting
<general@canyonstatereporting.com> wrote:

Thanks, Ashley. I will put this on our calendar.

If you have a list of Planned presenters, a list of board members, agenda and/or handouts you can send,

it will help the reporter prepare.

Thanks,

Michele

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From: Fry, Ashley [mailto:ashley.fry@bia.gov]

Sent: Tuesday, May 30, 2017 1:09 PM

To: Canyon State Reporting

Subject: Re: Quote of Service June 1

Hi Michele,

If your firm is still available, we would like to book your services for June 1, 2017. The Tribal consultations will be held at the Phoenix Convention Center, 100 N 3rd Street, Phoenix, AZ. There will be two sessions, one from 8:30 am-12:00 pm, and the other will be from 1:00 pm-4:00 pm.

Please let me know what other information you need from me in order to confirm.

Thanks!

Ashley

On Fri, May 26, 2017 at 1:12 PM, Canyon State Reporting
<general@canyonstatereporting.com> wrote:

Ashley,

Thank you for contacting us regarding your upcoming meeting, currently scheduled for June 1, 2017.

If the meeting is taking place in the Phoenix metropolitan area, assuming you will need a transcript prepared and delivered electronically within 10 business days, our rate is \$8 per page and \$70 per hour.

We would be honored to provide a reporter – please let us know if we can put this on our calendar.

Thank you,

Michele

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Tribal Listening Session re E.O. 13792
vs.

June 1, 2017

OFFICE OF THE ASSISTANT SECRETARY - INDIAN AFFAIRS
TRIBAL LISTENING SESSION
Executive Order 13792
Review of Designations Under the Antiquities Act

June 1, 2017
Phoenix, Arizona
1:07 p.m.

Prepared for:
Department of the Interior

(Original)

Prepared By:
Kimberly Portik, RMR, CRR
Certified Reporter
Certificate No. 50149
CANYON STATE REPORTING
RRF Number R1031
2415 East Camelback Road
Suite 700
Phoenix, Arizona 85016

1 MR. JANSSEN: I think we'll wait another
2 couple minutes to see if people will trickle in.

3 Also, there are additional handouts at the
4 door. There were handouts in the morning session, but
5 they are different, in case people didn't pick them up.
6 Thanks.

7 All right. So I think we're going to start
8 this listening session. So I'm going to call this
9 listening session to order. This listening session is on
10 Executive Order 13792, Review of Designations Under the
11 Antiquities Act.

12 Executive Order 13792 was issued by
13 President Trump on April 26th, 2017, and requires the
14 Secretary of Interior to review national monuments that
15 have been designated or expanded since January 1st, 1996,
16 where the designation covers more than 100,000 acres or
17 where the Secretary determines that the designation or
18 expansion was made without adequate public outreach and
19 coordination with relevant stakeholders. Twenty-seven
20 monuments have been identified by the Department of
21 Interior for review, and they are listed in the handouts
22 provided at the door.

23 The Secretary must use several factors in
24 evaluating the national monuments to determine whether
25 each designation or expansion conforms to the policy of

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1 Executive Order 13792. The policy is described in
2 Section 1 of the executive order, and the factors for
3 review are listed in the handout that we provided at the
4 door in this handout sheet.

5 Some key deadlines. The Secretary must make
6 recommendations to the President on any Presidential
7 actions, legislative proposals, or appropriate actions to
8 carry out the policy of the executive order. The
9 Secretary's interim report to the President is due by
10 June 10th and must make recommendations on Bears Ears.
11 The final report is due to the President on August 24th,
12 2017, summarizing the findings of the review and providing
13 recommendations.

14 Written comments are also being accepted for
15 the national monument discussion. The deadline for Bears
16 Ears comments was -- it has passed now, it's May 26th, and
17 for all other monuments it's until July 10th. However,
18 tribal leaders -- even though the deadline has passed,
19 tribal leaders can still submit comments, and the
20 Department is accepting written comments from tribal
21 leaders still at this time.

22 A couple questions regarding -- or questions
23 to think about today to help guide the conversation, are
24 there any monuments, in addition to the 27 currently being
25 reviewed, that should also be reviewed because they were

1 designated after July 1st, 1996, without adequate public
2 outreach and coordination with relevant stakeholders?

3 And additionally, what are your comments or
4 views on the application of the seven factors listed in
5 the executive order that the Secretary of Interior is to
6 use in reviewing the 27 monument designations, or should
7 there be other factors that should be considered?

8 So that's what we're receiving comments on
9 today, and so at this point in time I will turn to the two
10 people also on this panel.

11 Thank you.

12 MS. ORTIZ: Good afternoon, everyone, and
13 welcome to this listening session. My name is Hankie
14 Ortiz. I'm a member of the Kiowa Tribe from Oklahoma, and
15 I am currently acting as the deputy bureau director for
16 field operations. So I work with all 12 regions across
17 the country, and I work directly with the Director of
18 Bureau of Indian Affairs, Bruce Loudermilk.

19 MR. MAHONEY: Good afternoon. My name is
20 Ken Mahoney. I'm with the Bureau of Land Management here
21 in Phoenix, Arizona. I work at the Arizona state office,
22 which is here in downtown Phoenix. I'm the program lead
23 for the national monuments, national conservation areas,
24 wilderness areas, and wild and scenic rivers in Arizona on
25 BLM lands under BLM management.

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1 We have four of the national monuments that
2 are under review here in Arizona. They are Grand
3 Canyon-Parashant National Monument and Vermilion Cliffs
4 National Monument in the northern part of the state in the
5 Arizona Strip district. We have Sonoran Desert National
6 Monument to the southwest of Phoenix, in the Phoenix
7 district. And we also have Ironwood Forest National
8 Monument between Phoenix and Tucson, to the west of I-10,
9 Silver Bell Mountains that is under the management of the
10 Tucson field office, so the Gila district.

11 So with that, I'll turn it back.

12 MR. JANSSEN: Thank you.

13 And before I forget, my name is Miles
14 Janssen. I'm a counselor to the Assistant Secretary of
15 Indian Affairs. I'm an enrolled member of the Tlingit and
16 Haida Indian Tribes of Alaska. I've been in this position
17 since May of 2015.

18 So with that, I'd like to open it up for any
19 comments from any tribal leaders. And when you speak, if
20 you could just state your name and your tribal affiliation
21 and also if you could spell your name for the court
22 reporter, that will be helpful as well. So thank you.

23 MR. BEGAYE: Russell Begaye, Navajo Nation.
24 R-u-s-s-e-l-l, B-e-g-a-y-e. And also President of the
25 Navajo Nation.

1 So I want to make a statement. First of
2 all, I just want to say that the Navajo Nation with the
3 Navajo Nation Council both approve -- it was off.

4 Russell Begaye, Navajo Nation President.
5 And I want to say that the Navajo Nation, in concert with
6 the Navajo Nation Council, have been supporting Bears Ears
7 through different legal documents that's been passed by
8 the executive branch and also by the legislative branch of
9 the Navajo Nation.

10 And I want to provide three documentation.
11 One is what we submitted from the Office of the President,
12 Vice President, supporting the designation of Bears Ears
13 as a national monument. And then secondly, which I want
14 to read, is the resolution that was passed by the Navajo
15 Nation Council, where it states, relating to
16 Naabik'i'ya'ti', supporting the proclamation establishing
17 the Bears Ears National Monument by the President of the
18 United States and oppose congressional action to reverse
19 the Presidential proclamation. A statement of policy,
20 enactment of policy of law and intergovernmental
21 agreements, budget resolution, and reallocation must be
22 reviewed and approved by resolution by the appropriate
23 senate committee and the Navajo Nation Council except as
24 otherwise provided.

25 Talks about the Navajo Nation has a

1 government-to-government relationship with the United
2 States of America based on treaty of 1868. The Navajo
3 Nation hereby supports the proclamation establishing the
4 Bears Ears National Monument by the President of the
5 United States, attached hereto as exhibit.

6 Abundant rock art, ancient cliff dwellings,
7 ceremonial sites, and countless other artifacts provide an
8 extraordinary archaeological and cultural record that is
9 important to us all. But most notably, the land is
10 profoundly sacred to many Native American tribes,
11 including the Ute Mountain Ute Tribe, Navajo Nation, Ute
12 Indian Tribe of the Uintah and Ouray, Hopi Nation, and
13 Zuni Tribe. The protection of Bears Ears area will
14 preserve its cultural, prehistoric, and historic legacy
15 and maintain its diverse array of natural and scientific
16 resources, ensure that the prehistoric, historic, and
17 scientific values of this area remain for the benefit of
18 all Americans.

19 The Bears Ears area has been proposed for
20 protection by members of congress, Secretaries of the
21 Interior, state and tribal leaders and local
22 conservationists for at least 80 years. The Antiquities
23 Act authorizes the President, in his discretion, to
24 declare by public proclamation historic landmarks,
25 historic and prehistoric structures, and other objects of

1 historic or scientific interest that are situated upon
2 lands owned or controlled by the federal government to be
3 national monuments.

4 The Navajo Nation opposes any further
5 congressional action to reverse the Presidential
6 proclamation in establishing the Bears Ears National
7 Monument. The people of Utah include many Native American
8 tribes, and to undo the designation would not honor the
9 will of the people of Utah. The Navajo Nation finds it in
10 the best interest of the Navajo people to support the
11 proclamation establishing the Bears Ears National Monument
12 by the President of the United States and oppose further
13 congressional action to reverse the Presidential
14 proclamation.

15 Now, therefore, be it resolved the Navajo
16 Nation hereby authorizes the Navajo Nation President, the
17 Navajo Nation Speaker, the Navajo Nation Chief Justice and
18 their designee to support the proclamation establishing
19 the Bears Ears National Monument by the President of the
20 United States and to advocate support from the 115th
21 Congress and the Trump Administration to oppose further
22 congressional action to reverse the Presidential
23 proclamation.

24 And by the Speaker of the Navajo Nation
25 Council, he writes: I hereby certify that the foregoing

1 resolution was duly considered by the Naabik'i'ya'ti'
2 committee at the 23rd Navajo Nation Council at the duly
3 called meeting in Window Rock, Arizona.

4 So we want to provide this as exhibit to
5 the -- and also we have also for submission comments that
6 were made by Navajo Nation, the Hopi Nation, by the Ute
7 Mountain Ute Tribe, the Ute Indian Tribe, and the Zuni
8 Pueblo. We will submit these three documents.

9 And I also want to say that as President of
10 the Navajo Nation we offer thanks and sincere appreciation
11 to the designation of Bears Ears as a national monument,
12 which we believe was in response to Navajo and other
13 tribes' request to protect and secure the Bears Ears area
14 for future generations.

15 The Bears Ears region is a special,
16 distinctive, and significant place to surrounding Tribes
17 as well as our Navajo Nation. The Bears Ears region is
18 important to our Diné culture and traditions that stem
19 from creation of stories since time immemorial. These
20 places, the rocks, the wind, the land, they are living,
21 breathing things that deserve timely and lasting
22 protection.

23 Our great leader, Manuelito, was born there.
24 My own family lived there. The Bears Ears is a place of
25 safety and fortitude. It is a place where many Navajo

1 people, including some of my direct ancestors, hid from
2 and survived persecution by the U.S. cavalry during the
3 Long Walk Period.

4 It brings me great pleasure to know, to say
5 that now I stand here as President of the Navajo Nation
6 and we have worked with the U.S. President, our
7 neighboring tribal nations, and many local individuals who
8 want to see this land protected and saved. It brings me
9 great pleasure -- Navajo Nation is greatly pleased to see
10 that the Bears Ears has become a federally protected
11 national monument. We are happy that we now have this
12 land protected for all future generations, regardless of
13 if they were Navajo, Ute, European-American, American,
14 African-American, or any other group as long as they are
15 Americans and live on this land.

16 These were some of the concerns that I
17 expressed. My first concern was the land status of the
18 traditional Navajo land was to protect and preserve sacred
19 places for future generations of Navajo people. My second
20 concern was to ensure Navajo people have access to our
21 sacred land to gather ceremonial herbs as well as our --
22 as for some central foods such as piñons and other -- and
23 other food products. My third concern was to ensure any
24 new designation creates a new paradigm for tribal nation
25 collaborative management to the fullest extent possible

1 under the law.

2 Happy to say that this national monument
3 designation addresses each of these three concerns. The
4 land will be protected for generations to come, our Navajo
5 people will have access to the land for traditional
6 purposes, and our Native nations have helped set a new
7 standard for collaborative management at a national
8 monument. We look forward to the day when all future
9 national monuments on Native lands are collaboratively
10 managed with tribes who have historical and current
11 connection to the land.

12 And I want to acknowledge the Bears Ears
13 Inter-Tribal Coalition for their work. Without this
14 unprecedented coalition of five tribes, who came together
15 to lead this effort, we would not be -- we would not have
16 the designation today. Also want to acknowledge our
17 Navajo Utah Diné Bikéyah, a group of local leaders on the
18 ground in Utah who worked hard to push for conservation
19 and tribal inclusion. And I want to also acknowledge the
20 Utah congressional delegation. We had a few meetings with
21 the representatives who, like us, saw the need to protect
22 and conserve Bears Ears.

23 And I just want to say that my personal
24 interests began after numerous public hearings were held
25 in Utah. One was at Monticello, where our people

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1 expressed that they believe that it was set aside for
2 tribal leaders or tribal -- Navajo Nation people and other
3 members of different tribes in the area. In that meeting,
4 a lot of prejudices were expressed, discrimination,
5 discriminatory remarks were made towards my people, the
6 Navajo, meaning that they were told if they want to gather
7 firewood, go hunting, they need to -- they have their own
8 land on which to do so and not Bears Ears. And so with
9 those remarks being made, I knew that we needed to stand
10 together as tribes and be able to defend this land that
11 historically has been used by my people, by my family, and
12 also the need to preserve the whole area.

13 I did -- I had a conversation with the
14 governor of Utah, with congressional leaders about
15 co-managing the area that was designated, and I told them,
16 I said I am willing to support the PLI, public land
17 initiative, sponsored by Utah and their congressional
18 leaders, state leaders, as long as we were talking about
19 co-managing the area.

20 And when that did not come forward, in fact
21 an advisory council has been set up with ten people with
22 the PLI initiative that provided ten representatives, only
23 one position being Native American. On the designation
24 side, five commissioners, all members of the five tribes
25 that have significant ties to the region, were selected.

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1 We have one representative and an alternate position that
2 now serve as commissioners on the current designation of
3 Bears Ears. And so we feel that we have now direct
4 cooperation with the United States government in
5 co-managing the Bears Ears area.

6 The amount of land designated by the PLI was
7 as a conservation -- as a conservatory area was
8 1.2 million. The Presidential designation is at
9 1.3 million; 100,000 acres separate the two. And so in
10 talking with our congressional leaders on the Utah side, I
11 said you were willing to do 1.2 million with ten advisors,
12 only one Native American. This side is 1.3 million with
13 five commissioners, all of whom are Native Americans.

14 It's unprecedented to have that kind of an
15 arrangement over a monument that's been designated.
16 That's why we fully support and stand with the
17 designation, because it's for the first time bringing
18 Native Americans to the table to make sure that all
19 cultural artifacts, sacred sites are protected and that we
20 will take steps necessary to make sure that those -- that
21 those sites are protected and preserved for future
22 generations. We have now that opportunity, we now have
23 that authority to do so.

24 So with that, we, Navajo Nation, with the
25 Navajo Nation Council, stand in support of the

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1 designation. And any designation moving forward should
2 also consider such an arrangement, especially if it
3 impacts Native American historic land areas. When it is
4 designated as such, should be where -- it should be --
5 should provide an opportunity for local Native American
6 tribes to serve as commissioners, co-managing the area
7 with the federal government.

8 Thank you.

9 MR. JANSSEN: Thank you.

10 MR. MALDONADO: Hello. Chairman Maldonado,
11 Kaibab Band of Paiute Indians.

12 I had written a letter to Secretary Zinke
13 expressing my concerns regarding his most recent visit to
14 Grand Staircase-Escalante National Monument, Bears Ears
15 National Monument, and their lack of consultation with
16 tribal entities. The following concerns directly address
17 the issues of consultation in accordance with executive
18 orders.

19 Executive Order 13175 recognizing Tribal
20 sovereignty and meaningful consultation did not happen.
21 So Executive Order 13007, sacred sites, didn't happen.
22 Executive Order 12898, environmental justice for low
23 income and minority communities, didn't happen. Executive
24 Order 12875, federal government to pay for implementation
25 of federal regulations, that's ongoing. Executive

1 Order 11593, federal entities are to be leaders in the
2 preservation, restoring, and maintaining of federally
3 owned historical, archaeological, and anthropological
4 sites. And then last, Executive Memorandum 4-29-94,
5 ensure that all federal entities recognize and work with
6 tribal entities in a government-to-government relationship
7 and that federal entities work in unison and cooperatively
8 with tribes. His visit to the area didn't include any of
9 those things.

10 The fact that you want to open the lands to
11 mining, gas exploration, whatever else, that's why the --
12 you know, the environmental justice, that's where that
13 comes into play. As the President brought out, working
14 with Grand Staircase-Escalante, the Kaibab Band of Paiute
15 Indians have been working cooperatively in a management --
16 cooperative management situation since '94, '96, somewhere
17 in there. We were one of the original cooperators trying
18 to establish the Grand Staircase-Escalante. We worked
19 cooperatively with the Grand Canyon-Parashants in the
20 management and use of those things.

21 As the President brought out, not only
22 plants, medicines, minerals, you know, all these things
23 that we have to collect, we have ongoing uranium on the
24 north side. Uranium mining contaminates a lot of things.
25 It is not contained within their boundaries. Because of

1 the prevailing winds during the different parts of the
2 year, they blow in different directions. It contaminates
3 everything, affects the water table. You know, these are
4 the kinds of things that we need to take into effect.
5 Animals don't understand our artificial barriers.

6 And Department of Energy, national nuclear
7 security site, says that the meat is okay, but it's just
8 in the bones and the marrow that they have a problem with.
9 We use all of that so it is a problem. Every piece of it
10 we make use of. Those are things -- excuse me. I'm new
11 to this whole government thing. Sometimes my emotions get
12 away.

13 But as the President brought out, these
14 things are not about us or our family. We have a long
15 history in this area. This is all of our traditional land
16 mass. As Paiutes, we predate the Hopis in this area.
17 They came through our area. That's how far back as
18 Paiutes we go in this area. We have a long history. We
19 were put here from the very beginning. We've always been
20 here. None of our stories tell of us moving other people
21 out. All of our surrounding tribes, they do not have
22 stories of us displacing them in order to gain land, land
23 base. We've always been here.

24 The fact that you are continuing, Department
25 of the Interior, United States government, the President,

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1 POTUS himself, in doing these things without talking to
2 us, in violation of your trust responsibilities, in
3 violation of all these executive orders and more -- those
4 are just a few main important ones. We can continue to go
5 through the list of them, from waters of the United States
6 to, you know, every single one of your departments has
7 different statutes and secretarial letters, memorandum in
8 your -- in their individual handbooks that deal with
9 consultation, that deal with how you are supposed to talk
10 to us, how you are supposed to treat us, how you are
11 supposed to respect us. The Constitution of the United
12 States says that treaties are the highest law of the land.
13 How can you ignore these things when they are spelled out
14 so plainly, so bluntly for you to look at and to
15 understand?

16 As always, we don't want to be
17 confrontational because it doesn't do any good, because
18 then we put up walls in between us. What we want is for
19 you to understand and to take a personal responsibility
20 for all of these things because it affects you. As the
21 President brought out, it doesn't make any difference to
22 us what color you are because in reality there's only one
23 race, that's the human race. We are all a part of this
24 creation.

25 The water affects all of us. What you do up

1 here in our land is going to go to the Colorado River.
2 How are Vegas, Phoenix, Tucson, California going to exist
3 if all of this is ruined? Those are the things that you
4 need to understand. That's what you are affecting when
5 you're doing these things.

6 Secretary Zinke said that he would work
7 tirelessly to ensure our public lands are managed and
8 preserved in a way that benefits everyone for generations
9 to come. We want to know is this still true? Does this
10 still hold water? Is this the way he feels? Is he going
11 to live up to his words? Does the President understand
12 what he is asking, what he is trying to do?

13 The gravity of it all, how can you put money
14 or any type of a value on these things when you are
15 dealing with millions upon millions upon millions of
16 people's lives? The 5, 6 million people in Phoenix,
17 11 million in Los Angeles. How many more million in
18 Vegas? And those are just the big cities.

19 We're from a rural community. We understand
20 the value of what community really means. It's not just
21 us. It's all of our neighbors. It's all the towns around
22 us. We can't have economic development without including
23 everybody. We can't have economic security without
24 including everybody, to -- again, how can you put a
25 monetary value on these things? That's what we want you

1 to think of.

2 And look at all of your executive orders.
3 Those are your laws that you need to abide by. Look at
4 the Constitution. That is supposed to be the highest
5 legal instrument that the United States revolves around.
6 Pay attention to it, look at it, refer to it, and then
7 come back and speak to us in a way that is meaningful
8 consultation.

9 In the letter that I had drafted to the
10 Secretary, I asked him specifically to come and speak to
11 us on a government-to-government basis, respecting that
12 trust responsibility and his obligation as a federal
13 representative, speaking for the government. That is his
14 responsibility. He needs to respond to that. You can't
15 do that because you don't have that authority. You're
16 just here taking comments.

17 But those are the things that we need to get
18 across to you so you can take it back to him. We want you
19 to understand this and take responsibility, personal
20 responsibility for it, because then you can speak with
21 emphasis and passion to let him know how this affects you
22 and your families. If you live here in Phoenix, your
23 families, your children, your grandchildren, that's the
24 way we look at it. Seven generations out, what are we
25 leaving them? That's what we need to think about.

1 That's why this is so important to us.
2 That's why we struggle with all these things. That's why
3 in Kaibab we work with the federal entities around us,
4 BLM, National Forest Service, National Park Service, all
5 of those entities that are around, even Department of
6 Interior, Department of Defense, we have that relationship
7 with all of those federal entities because we stress that
8 government to government. We stress those executive
9 orders so they understand how we want to be treated with
10 respect.

11 That's what this is all about, to be
12 approached and spoken to before the decisions are made,
13 not to come and have you dictate to us and then check off
14 the little box that says consultation. That's not the way
15 it works. You speak to us from the beginning, before you
16 make the decisions, and let us have input to help you make
17 the decisions. That's consultation.

18 Thank you.

19 MR. JANSSEN: Thank you.

20 MR. BURSON: Good afternoon. My name is
21 James Burson, B-u-r-s-o-n. I'm with the Pueblo of Laguna,
22 in-house attorney.

23 I'm here to read to you the comments that we
24 submitted to the Secretary of Interior for the Bears Ears
25 National Monument review. These are from our governor of

1 the Pueblo of Laguna, Virgil Siow, as follows: Pueblo of
2 Laguna supports President Obama's designation of Bears
3 Ears National Monument and strongly opposes review of the
4 designation as irresponsible and illegitimate for three
5 reasons:

6 Designation was lawful and correct on the
7 facts in the first place. Neither the President nor the
8 Secretary have a legal basis to make any modifications to
9 the present designation, and the factual basis for this
10 review has been contrived. The Secretary should either
11 withdraw the review or justly conclude that the
12 designation was appropriate.

13 The Secretary has not implemented
14 President's Executive Order 13972 consistent with
15 applicable law. The order retroactively imposes
16 constraints on prior national monument designations not
17 authorized by the Antiquities Act of 1906 or any other
18 federal law. The order sets forth a policy for future
19 designations or expansions of national monuments under the
20 Antiquities Act. The order aspires that the
21 designations -- the future designations should
22 appropriately balance protection of landmarks, structures,
23 and objects against appropriate use of federal lands and
24 the effects on surrounding lands and communities.

25 Arguably, the current President has

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1 authority to set policy for how he will treat future
2 national monument designations; however, the President
3 lacks authority to second-guess and modify past
4 designations. Absent any authority, his order directs
5 that the Secretary should conduct a review of national
6 monuments designated after 1995 where the Secretary
7 determines that the designation was made without adequate
8 public outreach and coordination with relevant
9 stakeholders. The Antiquities Act compels no such
10 criterion on national monument designations made by
11 previous presidents, and the current President lacks
12 authority to require the consideration of superimposed
13 standards on previously designated national monuments.

14 The Antiquities Act does not authorize the
15 President to abolish national monuments after they have
16 been established. Moreover, the Federal Land Policy and
17 Management Act of 1976 restricts the President's and the
18 Secretary's authority over federal lands in this regard by
19 directing that the Secretary shall not modify or revoke
20 any withdrawal creating national monuments under the
21 Antiquities Act. Accordingly, the Secretary's review
22 cannot, consistent with applicable law, proceed as
23 directed by the order, or as interpreted by the docket
24 DOI-2017-002, and should be withdrawn.

25 Notwithstanding the illegitimacy of the

1 current review, Bears Ears National Monument designation
2 received an enormous amount of careful consideration,
3 including years of listening to stakeholders. Dozens of
4 community meetings and public discussions were held
5 throughout 2016, including a well attended public meeting
6 with then-Secretary of the Interior Sally Jewell in Bluff,
7 Utah. The final monument designation boundaries are very
8 close to what was proposed in the Utah delegation's public
9 lands initiative and much smaller than the tribally led
10 proposal.

11 The record of public outreach in
12 coordination with relevant stakeholders amply supports
13 Bears Ears National Monument were it left to this
14 Administration to designate. Bears Ears is a sacred
15 landscape with more than 100,000 Native American cultural
16 sites, dozens of which were looted and desecrated between
17 2014 and 2015 alone.

18 The proposal to establish it was developed
19 by a coalition of five sovereign tribal governments, Hopi,
20 Navajo, Ute Mountain, Ute, and Zuni. Perhaps it is
21 because of this unique circumstance that Bears Ears has
22 been singled out for fast-track illegal reconsideration
23 under this Administration; however, that alone was not the
24 sole impetus for the designation.

25 Bears Ears is also home to scientific

1 wonders, irreplaceable wildlife and biodiversity, and
2 recreational opportunities that form a vital base to the
3 local economy. That is why Utah citizens, Americans
4 across the country, and many other Indian tribes, like the
5 Pueblo of Laguna, have all agreed it should be protected
6 for future generations.

7 Most Americans support the protection of
8 public lands. According to a 2016 study from Harvard's
9 Kennedy School of Government, more than 93 percent of the
10 respondents said that historical sites, public lands, and
11 national parks should be protected for current and future
12 generations.

13 Reducing the size of Bears Ears will
14 primarily benefit the profiteering extractive industries
15 to the detriment of the important qualities intended for
16 protection by the designation. Any change in the monument
17 will benefit abusers who act as though federal public land
18 is their private domain and those who neither respect nor
19 appreciate Bears Ears' irreplaceable aspects. Any
20 reduction in protection will cause irreparable harm and
21 not adhere to the will of the majority, but benefit only
22 an insignificant minority. The Pueblo of Laguna joins
23 with the majority of Americans in western states that
24 support the protection that national monument status
25 affords to Bears Ears.

1 While the Pueblo of Laguna is not opposed to
2 sensible energy development, we believe Bears Ears
3 National Monument has greater value as protected wildlife,
4 cultural, recreational, and historical resources than any
5 temporary economic gain from mineral resource extraction.
6 Rather than sacrificing this incomparable place for the
7 removal of low quality energy and mineral resources, which
8 exist in abundance elsewhere, the national park quality
9 landscape deserves permanent protection. Thus, the
10 unauthorized review should be withdrawn or, at a minimum,
11 should recommend national park designation by congress.

12 Respectfully, Virgil Siow, Governor, Pueblo
13 of Laguna.

14 Thank you.

15 MR. JANSSEN: Thank you.

16 MR. FROST: Good afternoon. My name is
17 Kevin R. Frost, F-r-o-s-t, Southern Ute Indian Tribe of
18 Colorado councilmember.

19 Today I'm going to be speaking again, as
20 well as with everyone here, on the issue of barriers. The
21 Southern Ute Tribal Council are evoking the divine
22 blessing of the Creator upon our efforts and purposes in
23 order to preserve for ourselves and our descendants the
24 inherent sovereign rights of our Indian Nation, rights
25 reserved and secured under Indian treaties and agreements

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1 with the United States, and all other rights and benefits
2 to which we are entitled under the laws and
3 constitution -- law and Constitution of the United States
4 to enlighten the public toward a better understanding of
5 the Southern Ute people to preserve Southern Ute cultural
6 values and otherwise promote health, safety, and welfare
7 of our Southern Ute people. We submit the following:

8 The Southern Ute Indian Tribe supports
9 keeping Bears Ears a national monument. The Southern Ute
10 supported designating Bears Ears as a national monument
11 because of the three Ute Tribes' historic and current ties
12 to the land, animals, plants, and resources of San Juan
13 County, Utah. The other two Tribes are the Ute Mountain
14 Ute Tribe and the Ute Indian Tribe.

15 For more than 12,000 years, Bears Ears was
16 the ancestral home to many tribes, including the Utes,
17 Hopi, Acoma, Zia, Jemez Pueblo, and the White Mountain and
18 Jicarilla Apache Tribes, and they continue to assert their
19 enduring use of these lands. Evidence of many Ute teepee
20 rings exist in the area. The Southern Ute connections to
21 the land support Native life and culture in important
22 life-sustaining ways, including subsistence hunting,
23 fishing, and gathering of nature's materials for
24 medicinal, spiritual, and other uses, preservation of
25 Tribal sacred places and as sources of economic

1 development.

2 The Presidential proclamation establishing
3 the national monument acknowledges the strong affiliations
4 that various tribes have to this area. Bears Ears is
5 unsurpassed for its integrity and abundance of
6 archaeological resources. Ute oral histories describe the
7 historic presence of bison, antelope, and abundant bighorn
8 sheep which are depicted in the ancient rock art.

9 Bears Ears has been under threat of cultural
10 vandalism, looting of cultural sites, and indiscriminate
11 off-road vehicle use that damages these sacred sites. To
12 prevent this rapid destruction of lands in southeastern
13 Utah, its importance to Native peoples, formal protection
14 as a national monument is required. Formal protection
15 will provide important consistency and quality to
16 management of these lands and define principles of
17 management that will positively affect Native values on
18 these lands. Designation as a national monument provides
19 the best formal legal protection to manage these lands and
20 to implement management principles in cooperation with
21 tribes that share ancestral and ongoing ties to the
22 region.

23 An important factor here as well is that no
24 monument designation has ever been rescinded by a
25 president, and there is no reason to start now; therefore,

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1 the Southern Ute Indian Tribe extends its support for the
2 Bears Ears National Monument designation by
3 President Obama that reflects the will and the values of
4 Native peoples whose identities, histories, cultures, and
5 futures are inextricably tied to these lands.

6 Thank you.

7 MR. JANSSEN: Thank you.

8 And if you have any written submissions, you
9 can submit them to us and they will become part of the
10 record as well, just for your information.

11 MR. MALDONADO: Can I amend my comment also,
12 or add to it, however you want to put it?

13 MR. JANSSEN: Absolutely.

14 MR. MALDONADO: Chairman Maldonado again.
15 First name is Roland, R-o-l-a-n-d, last name Maldonado,
16 M-a-l-d, as in David, o-n-a-d-o, Kaibab Band of Paiute
17 Indians.

18 In listening to this, a lot of them are
19 talking about Bears Ears specifically or Grand
20 Staircase-Escalante. And in the review, understanding is
21 returning control back to or -- control back to local
22 entities, something that needs to be brought out, Utah's
23 charter, when they gained statehood, was that they
24 relinquish any claim to federal lands in perpetuity. They
25 have no right to those lands at all whatsoever. Their

1 congressional members that brought out the Secretary, it's
2 illegal. They have no right to those lands. That's part
3 of their charter, their state charter. They gave up those
4 rights permanently.

5 The fact that they would suggest in the
6 media that we are pawns of environmentalists and other
7 specific or specialty groups is an insult to tribal
8 sovereignty. As I brought out, working with Grand
9 Staircase-Escalante before there were any of those issues,
10 that's the reason that we went to fight for a national
11 monument. That goes back to '96, '94. We're still
12 working with these entities.

13 But I just wanted to bring out Utah has no
14 right to those lands. Even if you rescind the national
15 monument, they still have no right to those lands. They
16 can't go in there and mine and do whatever they want to
17 do. They still have no right to those lands; in
18 perpetuity they gave up any and all claims to those lands.

19 Thank you.

20 MR. JANSSEN: Thank you.

21 Is there anyone else who would like to
22 provide any public comments regarding Executive
23 Order 13792, Review of Designations Under the Antiquities
24 Act?

25 MR. LOMAYESVA: I'll say something. Hi. My

1 name is Fred Lomayesva, and I wanted to make a couple
2 comments regarding Bears Ears.

3 I think that Chairman Honanie and Vice
4 Chairman Lomahquahu would probably agree with me that they
5 supported the designation of Bears Ears and they support
6 the continued designation, that it has dedicated historic
7 and prehistoric sites there. But aside from that, the
8 Hopi also believe that they have a unique or a special
9 relationship with the area as part of our ancestral areas
10 that we migrated through and that evidence of those
11 migrations continue to exist there today.

12 I think that we join with other tribes in
13 supporting the designation. We believe it has all the
14 factors that would merit it being a national monument, and
15 we believe that it still merits that designation. We
16 would oppose a revision of that designation, and we
17 support its continued designation as a national monument
18 today.

19 So thank you.

20 MR. JANSSEN: And what tribe are you with?

21 MR. LOMAYESVA: Hopi.

22 MR. JANSSEN: Thank you.

23 MR. BEGAYE: Again, Navajo Nation President
24 Russell Begaye.

25 I'd like to say that our team met with

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1 Secretary Zinke in Salt Lake when he came to visit and to
2 specifically discuss Bears Ears, our concerns that he had
3 heard that the supporters of Bears Ears were all from
4 outside the region, that they were non-Indians that were
5 pushing this designation, and we wanted to make sure that
6 we set history straight that it's not outsiders that
7 pushed this.

8 For 80 years -- I've stated earlier for
9 80 years the Tribal leaders, working, talking with
10 president after president, congressional leaders after
11 congressional leaders, finally that designation came, and
12 this is why our people are so passionate about keeping the
13 designation as is. And that was with our vice president,
14 Jonathan Nez, our attorney general, and others met with
15 the Secretary.

16 And then last week once again meeting with
17 the -- with Deputy Secretary Cason I heard again with a
18 delegation from Navajo Nation, again reiterating our
19 position, strong position, to keep the designation. And
20 we also would like to again make a request that a meeting
21 again be held with Secretary Zinke to make sure any
22 statements are being made out there that are untrue be set
23 straight, and let these statements come directly from our
24 tribal leaders. And we would be willing to go to
25 Washington, D.C., or anywhere in the country to meet with

1 the Secretary to express once again that it is -- that
2 this designation and that this effort is being driven by
3 tribal leaders but not -- and not by outside interests or
4 by non-tribal leaders, but this is -- this goes to the
5 heart of who we are as Indian Nation.

6 So we appreciate also the multiple public
7 hearings that were held before the designation came about.
8 And so, again, we just make that request that the
9 Secretary opens his door for us to meet with him as tribal
10 leaders once again.

11 Thank you.

12 MR. JANSSEN: Thank you.

13 So there's going to be one additional
14 listening session for this executive order, but it will
15 occur on Monday, June 12th, at 3:00 p.m. to 5:00 p.m. at
16 Mohegan Sun in Connecticut. That will be in conjunction
17 with NCAI's mid-year conference. So there will be one
18 additional listening session on this issue.

19 If there are -- oh.

20 MR. WHITE: Hi. Again, respectfully,
21 welcome everybody in the room, and thank you guys for
22 giving us the opportunity to speak with regards to
23 concerns that I have and my people from the Fort Yuma
24 Quechan Indian Tribe have with regards to this executive
25 order.

1 My name is Willie White. I'm a councilman.
2 I haven't been at this for very long as far as trying to,
3 you know, be in place in leadership with my community.
4 And, you know, I have to ask how long have -- as
5 individuals have you guys been in your capacities as far
6 as the Department and things like that?

7 MR. JANSSEN: I've been with the Department
8 for the last two years, but have worked in Indian Country
9 for my entire career.

10 MR. WHITE: Okay.

11 MS. ORTIZ: I've been with the Bureau of
12 Indian Affairs since 2012 and also have worked in Indian
13 Country for over 20 years. Prior to that I worked in the
14 Indian Health Service and worked directly with law firms
15 and tribes.

16 MR. MAHONEY: And I've been with the Bureau
17 of Land Management 36 years and have been in the current
18 position as program leader for monuments, conservation
19 areas, wilderness and wild and scenic rivers for about
20 15 years.

21 MR. WHITE: Got it. I ask because, you
22 know, it has to bring you guys as much, you know, pain and
23 concern to learn of, you know, these types of attempts or
24 actions with regards to, you know, some of the battles
25 that have been, you know, going on for as long as, you

1 know, all of us have been -- myself alive and you guys
2 have been, you know, dedicated in your capacities and your
3 positions.

4 And, you know, I just -- it just makes me
5 concerned, you know, whether -- for the well-being and the
6 future of, you know, all these protected lands that, you
7 know, many of us hold very, you know, dear and close for
8 reasons that need not even be entered into this -- you
9 know, this testimony. But, you know, what does it
10 indicate for the future of, you know, our ability to
11 protect, you know, what is sacred? And, you know, I think
12 that's part of the intention of, you know, this directive,
13 is to, you know, fend off future efforts.

14 You know, I also find it very concerning and
15 saddening in the fact that, you know, this is a topic that
16 we are discussing at the same time as we are learning of
17 the news of, you know, the climate -- Paris climate
18 agreements and things like that. It just seems like it's
19 just very sad, and I'd like to put that on the testimony,
20 you know, that it's just -- we can't give up.

21 Thank you.

22 MR. JANSSEN: Thank you.

23 So as I mentioned -- oh.

24 UNIDENTIFIED SPEAKER: I apologize for
25 getting here late. I am guessing that you are taking some

1 testimony with respect to --

2 MR. JANSSEN: We're receiving public -- or
3 comments from tribal leaders on Executive Order 13792.
4 This is a listening session on the Interior's review of
5 national monuments under the Antiquities Act.

6 UNIDENTIFIED SPEAKER: Tribal leaders only?

7 UNIDENTIFIED SPEAKER: No.

8 MR. JANSSEN: Yeah, you can come up and make
9 a comment if you would like.

10 UNIDENTIFIED SPEAKER: Citizen, that's all I
11 am.

12 MR. JANSSEN: Okay. One moment. Let me
13 check.

14 So I guess I'll leave this choice up to the
15 tribal leaders in the room if you would like to open this
16 up for other individuals. But if not, you know, this can
17 remain just tribal leaders, I guess.

18 So this is actually a listening session for
19 tribal leaders. There is an opportunity for the public to
20 submit comments, and we are receiving written comments
21 until July 10th, 2017, on this executive order. This
22 listening session is part of the government-to-government
23 relationship with tribes, and so we, you know,
24 respectfully keep this to just tribal leaders.

25 So as I mentioned before, there's going to

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1 be one additional listening session on this executive
2 order on June 12th, at the NCAI mid-year convention at
3 Mohegan Sun in Connecticut.

4 I'd like to thank everyone today. If there
5 are no more tribal leaders who would like to submit
6 comments, I would like to thank everyone today for their
7 participation in this listening session.

8 This is part of a continuing dialogue
9 between tribes and the federal government, and so, you
10 know, this is a consultation that's on the record. Any
11 statements or documents that were provided are going to
12 become part of the official record and will be reviewed by
13 the Department before any report or recommendation is made
14 to the President.

15 So with that, I will call this listening
16 session to a close. Thank you very much.

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1 BE IT KNOWN that the foregoing proceedings were
2 taken before me; that the foregoing pages are a full, true
3 and accurate record of the proceedings, all done to the
4 best of my skill and ability; that the proceedings were
5 taken down by me in shorthand and thereafter reduced to
6 print under my direction.

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8 I CERTIFY that I have complied with the ethical
9 obligations set forth in ACJA 7-206(F) (3) and ACJA 7-206
10 J(1) (g) (1) and (2). Dated at Glendale, Arizona, this 12th
11 day of June, 2017.

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KIMBERLY PORTIK, RPR, CRR
Certified Reporter
Arizona CR No. 50149

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17 * * * * *

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20 has complied with the ethical obligations set forth in
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OFFICE OF THE ASSISTANT SECRETARY - INDIAN AFFAIRS

TRIBAL LISTENING SESSION

Executive Order 13781

Reorganization of the Executive Branch

June 1, 2017

Phoenix, Arizona

8:45 a.m.

Prepared for:

Department of the Interior

(Original)

Prepared By:

Kimberly Portik, RMR, CRR

Certified Reporter

Certificate No. 50149

CANYON STATE REPORTING

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2415 East Camelback Road

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Phoenix, Arizona 85016

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1 MR. JANSSEN: All right. I think we're
2 going to start.

3 So at this time I'd like to call the
4 listening session to order. As a way of introduction, my
5 name is Miles Janssen. I work for the Assistant Secretary
6 of Indian Affairs as one of his counselors. I've been in
7 that position for going on two years now, since May of
8 2015.

9 So I'd like to thank all the Tribal leaders
10 who are here in attendance today. We have a lot of
11 important matters to discuss, matters that need your
12 guidance and your leadership and your wisdom. And you'll
13 know, you know, many of -- the two other people sitting
14 next to me here today, senior career level employees we
15 have worked with for many years. So we're here to listen
16 to you today, to work with you on the questions being
17 presented by the Trump Administration.

18 So right now I will provide an overview of
19 today's listening session and then ask my colleagues to
20 introduce themselves.

21 So the purpose of this listening session
22 today, the Trump Administration has issued two executive
23 orders that we'd like your input on. The executive orders
24 instruct DoI, under the Department, to take certain
25 actions, and it's critical that we get your insight for

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1 their implementation.

2 First we'll be discussing Executive
3 Order 13781, Comprehensive Plan for Reorganizing the
4 Executive Branch. We will do that until about noon. Then
5 we will take a lunch break, and then we will switch focus
6 to Executive Order 13792, review of designations under the
7 Antiquities Act. That deals with national monument
8 designations and also includes the Bears Ears National
9 Monument.

10 Today's listening session is for Tribal
11 leader input and comments as part of the nation-to-nation
12 relationship between tribes and the federal government.
13 We are here primarily to listen and to ensure that your
14 views are considered as part of the record for the
15 Administration's next steps moving forward.

16 Today is not the only listening session.
17 There's going to be a total of six reorganization
18 listening sessions. A few of them have already taken
19 place, one in Portland and I believe in Billings, and
20 there will also be four national monument listening
21 sessions throughout the month of June. I believe the
22 schedule is online. We might have a copy of the schedules
23 for you as well.

24 The listening sessions are going to be
25 recorded and transcribed. The transcriptions of the

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1 listening sessions will be made available at www.bia.gov.
2 Any kind of transcripts and written comments will be
3 analyzed, and the recommendations will be reported to the
4 Assistant Secretary of Indian Affairs as well as to the
5 Secretary of Interior, who will then make reports and
6 recommendations to the White House.

7 So, again, the first listening session today
8 is on the reorganization of the executive branch, and then
9 we'll transition after lunch to the national monuments and
10 Bears Ears discussion.

11 So at this point in time, I'd like to turn
12 to my colleagues for their introductions. Thank you.

13 MS. ORTIZ: Good morning, everyone. My name
14 is Hankie Ortiz. I'm a member of the Kiowa Tribe from
15 Oklahoma. And I am the Acting Deputy Bureau Director for
16 Field Operations, which means that I am acting as a
17 supervisor for all of the regional offices, and I work
18 with the BIA Director, Bruce Loudermilk.

19 MR. DEARMAN: Good morning, everyone. First
20 of all, I really appreciate all the Tribal leaders for
21 taking the time to come here today. We really look
22 forward to hearing your comments.

23 But my name is Tony Dearman. I'm the
24 Director of Bureau of Indian Education. I've been on
25 board since November. And I'm a member of the Cherokee

1 Nation of Oklahoma.

2 MR. JANSSEN: Thank you.

3 So we'll turn now to Executive Order 13718,
4 Comprehensive Plan for Reorganizing the Executive Branch.

5 As a little bit of background, this
6 executive order was issued on March 13th, 2017, and
7 directs agency heads to send proposals to the OMB, the OMB
8 director for the reorganization of their agencies, if
9 appropriate, in order to improve the efficiency,
10 effectiveness, and accountability of that agency. So
11 that's what we are here for today.

12 You may have heard the Secretary, Ryan
13 Zinke, talk about taking authority and moving it to the
14 front lines. You also might have heard him talk about how
15 the organization, the structure was formed 100 years ago
16 and to think about what will Indian Affairs look like
17 100 years from now. The way that it is structured now,
18 does that meet your needs for Tribal sovereignty. So
19 there's also -- more information about the executive order
20 has been provided on the handouts that we've given to you.

21 And some of the questions that might be
22 helpful today, for today's discussion are do the
23 structures of the Department of the Interior and Indian
24 Affairs currently meet Tribal needs?

25 You can see the structure of Indian Affairs

1 on the org charts that we passed out today. There's three
2 of them. One is the Office of the Assistant Secretary of
3 Indian Affairs, one is the BIA, and then one is the BIE.
4 And we'll go over those org charts in just a little bit.
5 If you have any questions regarding that -- because
6 sometimes I know it can be confusing between the BIA and
7 the Office of the Assistant Secretary, I know sometimes
8 some confusion might happen.

9 So the questions also are what changes to
10 the structure, if any, do you recommend and why? What
11 kind of structure would improve efficiency in terms of
12 possible delivery of services? What kind of structure
13 would improve effectiveness in terms of better providing
14 to meet the tribes' needs and promote self-determination
15 and self-governance? And what structure would make the
16 Department of Indian Affairs more accountable to tribes?

17 I think it's important to say, to note right
18 now there are no proposals currently on or off the table.
19 We have no plan. We want to open this up and receive
20 recommendations. So any kind of -- any kind of
21 suggestions would be helpful today.

22 So we'll start first with the Office of the
23 Assistant Secretary org chart. Obviously at the top is
24 the Assistant Secretary. Below him is the Principal
25 Deputy Assistant Secretary. So in the last administration

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1 that was Kevin Washburn was the Assistant Secretary, Larry
2 Roberts was the Principal Deputy Assistant Secretary.

3 Now, most of this org chart is -- the Deputy
4 Assistant Secretary for Indian Affairs is management.
5 What that does is that takes care of HR, leasing,
6 technology, budget issues relating to Indian Affairs. And
7 most of that is based in between D.C. and Albuquerque.

8 Moving over to the left side of the org
9 chart, the Deputy Assistant Secretary for Policy and
10 Economic Development. Under the last administration that
11 was Ann Marie Bledsoe Downes who headed that. Under that
12 is -- you have the White House Council on Native American
13 Affairs, the Office of Self-Governance. So that's the
14 office that deals with self-governance tribes. And then
15 you have IEED, the Office of Indian Energy and Economic
16 Development. And there are the three divisions located
17 within them, and they're based in Denver and D.C. as well.

18 Also, if you note under the Principal Deputy
19 Assistant Secretary, there's the Office of Federal
20 Acknowledgement, dealing with the acknowledgement of
21 groups wanting to become federally recognized tribes; the
22 Office of Congressional and Legislative Affairs; the
23 Office of Regulatory Affairs and Collaborative Action,
24 that deals with regulations, promulgation of regulations;
25 and then the Office of Indian Gaming.

1 So I think it's important to note that all
2 these offices are within the Office of the Assistant
3 Secretary of Indian Affairs, not within the BIA. And so
4 right now I'll turn it over to Hankie to talk a little bit
5 about the organizational structure of the Bureau of Indian
6 Affairs.

7 MS. ORTIZ: Well, welcome, everyone. I
8 think -- I appreciate that you're here to provide some
9 comments. I think before I talk just about BIA, I want to
10 reiterate something that Miles just said in that what we
11 are talking about with regard to structure is that the
12 Assistant Secretary oversees basically, like, three
13 different branches. And one of them is directly in his
14 office, the Office of the Assistant Secretary, one of them
15 is the Bureau of Indian Affairs, and the other one is the
16 Bureau of Indian Education. And that's kind of how
17 we're -- how we're sitting here is kind of how it's
18 represented.

19 And so within the Bureau of Indian Affairs,
20 we have -- in central office, we have four deputy bureau
21 directors. The first one oversees field operations --
22 that's the position that I'm acting in right now -- and
23 works with all of the regional offices. There are 12
24 regional offices across the country, and I'm pretty sure
25 you all know where your regional office is located. But

1 also within the regional offices there are agencies that
2 fall under those regions.

3 We also have a deputy bureau director for
4 justice services that basically oversees all of the law
5 enforcement issues, and tribal courts is also located in
6 justice services. And you can see all the different
7 divisions that we have here for the police; land mobile
8 radio; emergency management, which is in case of any kind
9 of emergency, they kind of do the planning for all of BIA,
10 all of Indian Affairs; internal affairs. And so that's
11 all within justice services. And of course, like I said,
12 tribal courts, working with the Tribal courts and doing
13 the evaluations and helping them with training issues and
14 things like that.

15 The deputy bureau director of Indian
16 services, that's my permanent position. That's the job
17 that I normally do. There are five divisions under Indian
18 services, including human services, tribal government,
19 transportation, self-determination, and workforce
20 development.

21 And then the last deputy is the deputy
22 director of trust services. And within trust services
23 there are these eight different divisions: real estate
24 services; probate services; forestry and wildland fire
25 management; Indian energy service center; land, title and

1 records; natural resources; water and power; and then
2 program management and coordination.

3 So that's the overall central office
4 structure. And then, of course, within the regions you
5 have the regional office with a regional director, and all
6 the regions have one or two deputy directors. A lot of
7 that depends on the size of the regional office. They
8 might have a deputy director for Indian services and trust
9 services or just one deputy director. And then there are
10 agencies located throughout the country that relate to
11 different regional offices as well.

12 So that's kind of the overall structure of
13 the Bureau of Indian Affairs, and I hope that's helpful.
14 If there are any questions that you need to help clarify
15 kind of what we're talking about to better respond and
16 provide your comments, I'd be happy to help you after
17 Tony's presentation.

18 MR. DEARMAN: In the copy of the org chart
19 that you have from the Bureau of Indian Education, we've
20 also included the positions and locations of the offices.

21 And going back to what Secretary Zinke has
22 really been pushing is he wants to strengthen the front
23 lines. And so we felt like it was important to make sure
24 that the locations of the offices and the positions were
25 on the organizational chart.

1 As you can see, we have deputy director of
2 school operations in Washington, D.C., and that position
3 oversees -- works with BIA in school construction,
4 repairs. And many of you in the room, we've met with you
5 in the office and you know that we have to have our
6 brothers and sisters from BIA to come in and help us take
7 care of our schools and our kids. Without them, we
8 couldn't -- we wouldn't be able to do it.

9 Associate deputy director for division of
10 performance accountability, that's located in D.C.
11 Sovereignty in Indian education -- I'm not going to go
12 through each one of the boxes, but you do see the
13 locations.

14 The one -- when we get down to the education
15 resource centers out in the field, what we would call
16 front line services that actually work with the tribes
17 that are embedded into the field, they're down in the --
18 below the associate deputy directors. And tribally
19 controlled has seven, BIA operated has three, and
20 associate deputy director for Navajo has five.

21 And we look forward to the comments that you
22 are going to provide today.

23 MR. JANSSEN: So I think we'll open it up to
24 comments from tribal leaders. Again, there's nothing on
25 the table and there's nothing off the table in terms of

1 what a reorganization would look like.

2 So I know for probably most tribes, you deal
3 primarily with the superintendent for the regional
4 director and then, you know, sometimes the issue comes up
5 to D.C. So that -- you know, that might be a framework
6 where you're coming from. But if there's -- if you have
7 any kind of ideas of what you would like to see changed,
8 that's what today is for.

9 And so I forgot to ask. Is there any press
10 in the room today at all? Okay. Then we don't need to
11 worry about that issue.

12 So at this point in time I'd invite tribal
13 leaders to come up to the microphone, or we can pass the
14 microphone around to receive comments. I'd ask that you
15 just state your name and your tribe before making your
16 comment. Thank you. And also if you could spell your
17 name for the court reporter as well, that would be
18 helpful.

19 Or if you have any questions regarding the
20 org chart in terms of location of where the office might
21 be, what the office does, we can also answer those
22 questions as well if that would help guide discussion.

23 MR. BEGAYE: Russell Begaye, Navajo Nation.
24 I think this is on; right?

25 First of all, thank you for providing

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1 opportunity for us to make comments on the possible
2 restructuring of the Department of Interior, specifically
3 Bureau of Indian Affairs.

4 This is a great opportunity to improve the
5 federal agency that impacts the lives of Native American
6 people across this country. The Navajo Nation, like other
7 Indian nations, has a long-standing
8 government-to-government relationship with the federal
9 government. The central piece of this relationship is the
10 trust responsibility that exists between the United States
11 government and the Navajo people and all tribal nations
12 across the country.

13 I also have some concerns about this
14 process, the timeline, and what exactly we're gathered
15 here to comment upon, the fact that BIA isn't just another
16 federal agency. There is a federal trust relationship
17 that goes back to the founding of this country on Indian
18 land. This Administration needs to understand the BIA
19 plays an important role in administering and fulfilling
20 the statutory treaty-based and policy-based trust
21 obligation that the United States has to Indian tribes.

22 The BIA just -- isn't just another federal
23 entity to be downsized. We have a treaty with the United
24 States. This is very different than the Department of
25 Labor, the EPA, or other federal agencies. Depending on

1 how much BIA's reduced, there is a risk that there will be
2 inadequate staff available to fulfill the trust duties the
3 United States has to tribes generally and to the Navajo
4 Nation specifically.

5 The BIA is unique to Navajo. The BIA
6 manages 17 million acres for the Nation, or about
7 32 percent of all Indian trust land, and we need true
8 consultation and adequate time. No other group or entity
9 has a trust responsibility to the original Americans. As
10 such, 120 days is insufficient when we are discussing
11 matters of a critical nature such as public safety,
12 education, and other services through the BIA. It is
13 impossible to have adequate time for such a sweeping
14 review in short notice.

15 As for BIA's welfare, 40 percent of our
16 membership, Navajo Nation, lacks access to broadband
17 Internet, let alone access to the knowledge that the BIA
18 will be reorganized and restructured.

19 Tribes must also be part of the
20 decision-making process on these critical matters.
21 Oftentimes tribes comment on already drafted policy after
22 the decisions are made, and we provide comments to ensure
23 needed changes are included in these matters. It would be
24 more prudent for tribes to be at the forefront and not at
25 the end.

1 We need the plan to comment on. Generally
2 we are concerned the nation is putting forth comments
3 without receiving anything of substance to comment on.
4 This will have the effect of making our comments appear as
5 requests for changes, and the intention of the
6 Administration in seeking the downsize of BIA are dubious.

7 With that background, I believe this
8 reorganization and review is much needed in this century,
9 the 21st century. BIA in the 21st century, first I'd like
10 to put our recommendation for a name change. Office of
11 Indigenous Nations is what we are putting on the table to
12 say that needs to be considered in terms of a name change,
13 Office of Indigenous Nations.

14 Secondly, there's a need for modernization.
15 The BIA was created more than a century ago and was
16 originally housed under the War Department. Then it
17 updated and moved under the Department of Interior. Now
18 it is time to modernize again to support tribes in this
19 century, 21st century, and we have new challenges and new
20 opportunities.

21 First, energy leadership. 24 percent of
22 natural resources are on Native lands. BIA should help us
23 become energy powerhouses so we can build our economies
24 and supply energy to the world. If tribes develop energy,
25 we can also rely less upon Russia, Saudi Arabia, and other

1 nations.

2 Technology. Tribes have changed in what we
3 need and how BIA can help. Now we need technical
4 assistance. We don't need someone to hold our hands, but
5 in negotiating with Microsoft, Boeing, Raytheon, and other
6 industry leaders in various fields is that we need that
7 technical assistance in making deals with and negotiating
8 with these companies. So we need BIA to become a
9 technological leader.

10 Workforce development. In the 21st century,
11 there's opportunity to develop a workforce. We are
12 opening doors. BIA needs to be there to help us open
13 doors with colleges, state, private colleges and
14 universities so that we can develop our own law schools
15 and medical schools and other types of educational
16 institutions.

17 Also we need BIA to be an advocate, to play
18 an advocacy role across all federal agencies, not just be
19 housed under DoI, but become an extended arm of Indian
20 nations like Navajo. So we need the BIA to go -- to
21 advocate for us with other agencies like EPA, HUD, and BLM
22 and other agencies.

23 BIA should have the ability to fight for us
24 and uphold the trust responsibility over Department of
25 Justice, EPA, and others. If the BIA is restructured, it

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1 should be done so in a way that will help them better
2 serve as liaisons between the two sovereigns of the U.S.
3 and tribes. They help understand -- they need to help the
4 United States understand its treaty obligation and trust
5 responsibility. That's a role they need to play.

6 Also, best practices. BIA should be a
7 leader in best practices, filled with experts. And we
8 need experts to -- they need to bring in economists,
9 technology experts, cutting edge energy and resource
10 engineers and others. Economic development and energy
11 support is what we need from the BIA in the 21st century.
12 Help us develop the 20 percent of natural resources we
13 own. We want to help build America.

14 And we don't want to become corporations as
15 part of this reorganization, restructuring. We want to
16 maintain the trust status of our land as it is today on
17 Navajo.

18 Funding in the 21st century. Don't cut our
19 budget by 12 percent when funding for Indian Country is
20 already grossly underfunded.

21 Opportunity for BIA to build expertise. BIA
22 reorganization should be -- should not be done in a
23 vacuum. This is an opportunity to deal with the silos
24 that we know exist at Department of Interior because of
25 the many hurdles we had to jump through when dealing with

1 various issues, including Fish and Wildlife, BLM, and
2 others on SMCRA regulation. The BIA shouldn't have to run
3 through other DoI subagencies. It is more efficient to
4 manage approvals and reviews within the Bureau of Indian
5 Affairs, or the Office of Indigenous Nations.

6 Also, transfer oversight on oil and gas to
7 the Navajo Nation from BLM and also transfer relevant
8 functions of the National Park Services to Navajo Nation.
9 We have Monument Valley, we have Canyon de Chelly, we have
10 other national parks, but we need those functions to be
11 transferred to the Navajo Nation.

12 And opportunity for more tribal
13 self-determination, but we need -- but need to ensure
14 funding for programs remain level -- remains level. We
15 generally support tribal programs, self-determination such
16 as our 638 contracts for public safety and general
17 assistance. The more we can take on these programs and
18 run them on our lands with our laws, the better. But if
19 we transfer these programs, the tribes must ensure that
20 fundings remain at the same level.

21 TBIC needs reorganization. The current TBIC
22 structure is inefficient and does not provide efficient
23 delivery of resources to where they are needed.
24 Specifically, TBIC, or its successor, should have
25 proportional representation. The Navajo Nation is

1 approximately 19 percent of the BIA on-reservation
2 population, a third of trust land, and half of the BIE
3 population. The Nation should have proportional influence
4 in decision making and allocation.

5 Regional prioritization should be developed,
6 not a national priority list. To ensure decisions are
7 made at the local level, the Navajo Nation, for example,
8 should not have to bend and negotiate budget priorities to
9 meet the needs of other tribes, other regions, and D.C.
10 bureaucratic priorities. So it should be regionally based
11 rather than nationally based.

12 Funding. Faster and more efficient funding
13 distribution is needed. All tribes can testify to the
14 inefficient process of getting funds to regions after a
15 budget or CR is passed. It can take weeks. This can have
16 drastic impact to public safety, health, and education.
17 In extreme cases, this has directly resulted in
18 scholarships not being offered and students having to drop
19 out of college. The BIA has already studied this problem,
20 but with retirements and shuffling of staff, little action
21 has taken place. This inefficiency must be addressed by
22 automating funding distribution directly to regions and
23 away from Washington as soon as it is available.

24 Annual funding should be granted and not
25 piecemealed through the year as it is today. Small budget

1 modifications and disbursements spaced out over the course of
2 the year does not help with planning or doing large
3 projects. Regional priorities should mean something.
4 Regions should receive their funding as they prefer and as
5 they know best. For example, the eastern region should
6 not have preferences be determined in part by the Great
7 Plains region. And then ability to transfer tribal
8 priority allocation, TPA, line items that cover shortfall
9 in other line items, that needs to be put in place.

10 In terms of lands, right-of-ways, approvals,
11 the driving principle should be the Navajo Nation and
12 other tribes should have full authority over all lands.
13 That's surface, subsurface. This should be DoI's driving
14 principle with regards to our lands. If we need federal
15 approvals and sign-offs, that should be transferred to our
16 authority. This is our land. It's simple.

17 This means we support this Administration's
18 review of limited waivers of the time-consuming NEPA
19 process on tribal land, and any and all funding for
20 approval should be contracted and authority returned to
21 the Navajo Nation. Under NEPA, NEPA compliance should be
22 managed by the people on the ground, in this case Navajo
23 Nation EPA. Our people are qualified, and we should be
24 given contracts to comply so we speed up the NEPA process.

25 Also, we are recommending that another land

1 status designation be created called restricted fee land.
2 This means the land that's under this restricted fee land
3 would be, one, tax exempt similar to tribal trust land,
4 and that under the restricted fee land we should apply
5 tribal laws and regulations with no approval or review by
6 the Secretary, and also delegate the ability to convert
7 land into restricted fee through the Secretary if approved
8 by a tribe and not requiring congressional approval.

9 Remove restriction and red tape that
10 prohibits development of secretarial lands. We request
11 that secretarial orders be lifted on our lands.
12 Secretarial land reform, under that reform we currently
13 cannot approve leases on secretarial lands.

14 Mineral and energy leases, we need authority
15 over mineral approvals, Navajo's authority expanded to
16 include energy and minerals. We don't need the existing
17 patronizing setup. Any new structure should treat tribal
18 land as tribally owned land, not like other BLM or
19 federally owned land.

20 Structure. Looking at the structure that
21 was passed out, we are asking that AS-IA be elevated to
22 the Department of Interior undersecretary position. To
23 more directly serve tribal nations, the Assistant
24 Secretary for Indian Affairs should be elevated to this
25 position. This is already authorized by the Indian Trust

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1 Asset Reform Act; it just needs to be implemented.

2 Then the opposition to move administrative
3 support to D.C. The region should keep acquisitions and
4 other administrative support locally as opposed to
5 centralizing in Washington.

6 And then transfer -- nearly 40 percent of
7 BIE students are on Navajo Nation. We need all
8 management -- all management transferred to our people.
9 We don't need DoI operating our schools from Washington.

10 And also we're asking that the Department of
11 Interior increase its authority to directly contract with
12 Navajo Nation using water from any surface water like the
13 upper and lower basin of the Colorado River, as they have
14 done with NGS, by providing them 50,000 acre feet of water
15 by directly contracting with them. We are asking that
16 that authority be increased so that they can have -- so
17 DoI can make contracts with Navajo directly in these -- of
18 these surface water.

19 And Ramah and for -- this is specifically
20 for Navajo, that we need all Navajo land and communities
21 to be put under Navajo region. This includes Ramah. At
22 the same time, we need funding with these communities that
23 come to the Navajo region remain so that the region isn't
24 doing more with less. And right now, Ramah, which is
25 Navajo land, Navajo community, addresses our -- or is

1 supervised in a sense by another region outside of the
2 Navajo region.

3 ONHIR, again specific to Navajo, any
4 reorganization must consider and include funding
5 obligations if the BIA -- if ONHIR is transferred to the
6 BIA for management. You cannot ask BIA to run ONHIR with
7 less.

8 Then talking about police and Office of
9 Justice Services, there is redundant training. Under
10 current BIA requirements, the Navajo Police Department has
11 to submit itself to training and operation regulations
12 that are redundant. Specifically, the annual 40-hour
13 training requirement and the background checks are
14 presently being done by our police officer standards and
15 training certification under Arizona. Adhering to the
16 different requirements is redundant and duplicates the
17 services performed by our police department.

18 Unfunded mandates is another one. Under
19 current BIA requirements, there are unfunded mandates that
20 impact our service efforts. Critical components are not
21 funding but are required. Communications specialists are
22 required for the radio communication component of the
23 contract, but they are not funded in the annual personnel
24 budget. Additionally, emergency management components are
25 not funded by the BIA.

1 Competition for basic public safety
2 resources. Navajo PD has to compete with the vast array
3 of 638 law enforcement entities despite being the largest
4 638 contract entity for public safety. This leads to
5 disparity of officers providing police services on the
6 Nation. This competition does not facilitate or encourage
7 the equitable sharing of resources when compared to the
8 needs of the Nation.

9 Police need authority over all crimes and
10 all criminals on our land. This includes not Indians.
11 Under the current BIA requirement, despite the increased
12 focus on Indian Country violent crimes under the Tribal
13 Law and Order Act, there is no increase in police officers
14 on our Nation. Using the BIA as a funding mechanism does
15 not increase the authority of the Nation in attempting to
16 resolve violent crime if the Nation is not empowered to
17 act beyond historical limitations placed on it.

18 Under BIA and Office of Justice Services
19 audits, the BIA Office of Justice Services yearly audits
20 need to be done on time and on schedule. Currently,
21 detention services deal with BIA personnel who start the
22 review and oftentimes never complete the process.

23 Training, one-on-one training as opposed to
24 web training under federal financial management systems
25 for grants and program services. Under the funding best

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1 practices, we want language in PL -- Public Law 93-638
2 applied to all grants and agreements with all federal
3 agencies. Again, let me repeat that. We want language
4 that is in Public Law 93-638 be applied to all grants and
5 agreements with all federal agencies.

6 In closing, this great opportunity to bring
7 the BIA into the 21st century is much appreciated;
8 however, the federal government needs to continue to
9 provide consultation, collaboration with tribes, and
10 adjust the schedule for this review. Sometimes we must
11 move slowly and deliberately to handle long-term impacts.
12 Specifically, we would ask this initial comment period be
13 extended, and we ask that the DoI share an initial plan
14 prior to finalization for tribes to comment upon. If we
15 as tribes and Department of Interior work together, we can
16 improve the BIA's operation, efficiency, and help take a
17 step forward, fully meeting the federal trust
18 responsibility.

19 So thank you, Department of Interior, for
20 holding this listening session, and now we're asking that
21 all other agencies that have trust responsibilities should
22 also consult with us likewise, including Indian Health
23 Services, Veterans Affairs, Department of Energy, USDA,
24 HUD, and other federal agencies.

25 So, again, thank you.

1 MR. JANSSEN: Thank you.

2 MR. FROST: Good morning. My name is
3 Kevin R. Frost. K-e-v-i-n, R., F-r-o-s-t. I'm a
4 councilmember from the Southern Ute Indian Tribe out of
5 Colorado. On behalf of the Southern Ute Indian Tribe and
6 personally, it is an honor to speak here today.

7 I understand Secretary Zinke's idea to want
8 to reorganize the executive branch, particularly the
9 Interior itself, so for today I'll be providing some
10 comments. And as far as more detailed explanation, my
11 tribe will provide written comments for that as well.

12 Reorganization should only be undertaken
13 after comprehensive and meaningful consultation with
14 tribes. BIA should give tribes as much notice as possible
15 before consultations are scheduled and share proposed
16 plans as soon as practicable. The Southern Ute Indian
17 Tribe appreciates that BIA is trying to consult early in
18 the process, but without a proposal it is difficult to
19 comment.

20 The BIA should consult with tribes before
21 submitting any proposal. We recognize that the Bureau's
22 proposal is due soon, in June, but the Bureau should not
23 underestimate the level of tribal interest in a proposal
24 to reorganize the Bureau. The Bureau should consult again
25 before submitting a final proposal in September.

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1 Tribes rely heavily on the Bureau. The
2 Tribe is supportive of a more efficient Bureau if it
3 results in improved services. But the Bureau is different
4 from other federal agencies, and any move to reorganize
5 should be undertaken carefully with an eye toward
6 preserving the federal trust responsibility toward tribes.

7 The Bureau has been underfunded,
8 understaffed, and undertrained for years. While a
9 reorganization may be in order, an across-the-board
10 downsizing is not appropriate. The Bureau has been
11 undergoing a de facto downsizing for decades through
12 attrition and neglect.

13 Before submitting a reorganization proposal,
14 the Bureau should consider, one, whether program goals for
15 Indian Country are being met with the current federal
16 workforce; two, whether existing federal appropriations
17 are adequate; three, the extent to which constant funding
18 shortfalls undermine the achievement or limit the
19 achievement of tribal goals for Indian Country; four,
20 whether 638 contracting and other delegation tools are
21 being used to the fullest extent possible; five, whether
22 federal streamlining goals to improve the delivery of
23 services and programs to Indian tribes can be
24 realistically achieved through consolidation of Department
25 offices and the downsizing of the Department's federal

1 workforce; six, how federal -- how Department
2 reorganization or a recommendation to reduce the
3 Department's federal workforce may impact program services
4 to tribes; and, seven, the logistical and practical impact
5 to tribes of closing or consolidating field/agency or
6 regional offices and downsizing the federal workforce.

7 As it relates to energy development, tribal
8 lands are different from public lands. In attempting to
9 address the multiple interests of federal taxpayers and
10 interest groups in the use of federal lands, many laws and
11 regulations fail to recognize the drastic differences
12 between public lands and Indian lands. The legitimate
13 stakeholders in decisions affecting Indian lands are
14 dramatically different from those related to public lands,
15 and laws, regulations, and policies should reflect the
16 unique interest that tribal constituents have in those
17 outcomes.

18 The decisions of tribal governments about
19 their lands are entitled to greater deference. Each of
20 the 567 federally recognized Indian and Alaska Native
21 governmental entities has its own set of priorities and
22 cultural needs. Some tribes favor energy development as a
23 means for funding their futures; others do not. Although
24 federal laws generally prevent the use of tribal lands and
25 resources without tribal governmental consent, required

1 federal approvals at many stages delay and impede the
2 power of tribal governments to act affirmatively to use
3 their lands.

4 The Tribe encourages the BIA to review the
5 federal regulations applicable to Indian tribes and their
6 lands and to modernize them by permitting electing tribes
7 to make and assume the responsibility for decisions
8 without the necessity for federal approvals except where
9 absolutely necessary.

10 Application of the -- of NEPA to tribal land
11 decisions is strangling tribes. As reflected in the
12 HEARTH Act, the Navajo Nation Trust Leasing Act and the
13 Energy Policy Act of 2005, Congress has taken initial
14 steps to remove tribal land use in energy development
15 decisions from the procedural constraints of NEPA.
16 Congress and federal agencies should move decisively to
17 exempt from NEPA those federal actions needed to implement
18 tribal land use and energy development decisions. The
19 expense and delay imposed upon tribes due to federal NEPA
20 compliance requirements is staggering and prevents or
21 impedes economic development on Indian lands.

22 The division of federal/Indian trust
23 functions among multiple federal agencies complicates
24 energy development on Indian lands. The trust management
25 federal approval processes involving Indian energy

1 development are divided among multiple federal agencies,
2 including the Bureau of Indian Affairs, the Bureau of Land
3 Management, the Office of Natural Resource Revenue, the
4 U.S. Fish and Wildlife Service, and the Environmental
5 Protection Agency. Coordination among those agencies with
6 respect to trust functions is often poor, and the
7 principal missions of the agencies are sometimes
8 inconsistent with the furtherance of tribal governance and
9 economic development.

10 The condition of Interior real property
11 records and recording system needs comprehensive review.
12 Whether tied to fossil fuels or alternative energy
13 resources, energy development typically involves
14 land-based operations for the generation and transmission
15 of energy. The Department of the Interior, through the
16 BIA and the Office of Special Trustee, has a
17 responsibility to maintain land ownership records for
18 tribes and individual Indian allottees. Those records
19 must allow for the timely and accurate determination of
20 ownership, encumbrances, and priority of liens applicable
21 to lands and associated real property interest.

22 Based on Southern Ute experiences in recent
23 years, as confirmed in a February 2016 report of the
24 Interior Inspector General, report
25 No. CR-EV-BIA-0011-2014, we are very concerned that the

1 real property record systems of the Department cannot meet
2 the modern commercial needs of tribes or Indian allottees
3 which further diminishes the opportunities for energy
4 development in Indian Country.

5 Governmental support for Native American
6 education and capacity building continues to be critical.
7 Educational challenges in Indian Country are widespread
8 and well documented. While the conditions vary among
9 Indian communities and reservations, Native American
10 educational success and achievement is often the exception
11 rather than the rule. As tribal governments assume
12 greater responsibility for the destiny of their members,
13 the need for well educated tribal members continues to
14 grow. Indian Country needs continued federal support for
15 programs that will allow Native Americans an effective
16 opportunity to develop the skills necessary to succeed in
17 a complex modern world. Particularly as related to
18 energy, emphasis should be placed on STEM subjects.

19 With that being said, the Southern Ute Tribe
20 is honored by the opportunity today to comment on this
21 reorganization, and we look to work with the Interior in
22 any manner possible to help further those goals.

23 Thank you.

24 MS. ORTIZ: Thank you.

25 MR. JANSSEN: Thank you.

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1 MR. VELASQUEZ: Good morning. My name is
2 Kasey Velasquez. I'm the vice chairman for the White
3 Mountain Apache Tribe here in Arizona.

4 I'm going to speak -- I have our Tribe
5 that's going to be giving their -- pretty much a position
6 paper in writing, meaning that I'm not going to be as
7 specific as these two leaders are. But understanding from
8 White Mountain Apache Tribe, the Honorable Chairman Ronnie
9 Lupe, we will be putting a position paper in place in
10 terms of where we stand as Apaches of Arizona.

11 Earlier we talked about the consultation in
12 terms of it appears that time is really not of essence for
13 the tribe, for all the tribes in Indian Country,
14 especially in terms of the consultation processes. I feel
15 that right now, speaking for White Mountain Apache Tribe,
16 you know, the position paper for us will pretty much
17 indicate specifically what our thought process is in terms
18 of the 100 years in terms of the reorganization of the
19 Bureau of Indian Affairs.

20 Second is, as a leader of White Mountain
21 Apache Tribe, as second in command of White Mountain
22 Apache Tribe, an area that's a little bit sensitive, but I
23 also would like to put a notation specifically as the
24 sovereignty, tribal sovereignty, as it pertains to the
25 White Mountain Apache Tribe, as it pertains to all tribes

1 here in Indian Country. You know, that's one area that I
2 really want to be very keen of in terms -- this relates to
3 the Bureau of Indian Affairs, the trust obligations,
4 responsibilities, that BIA, United States federal
5 government have obligations to the Native tribes here in
6 the United States of America.

7 Another area that I want to highlight a
8 little bit more on is the strong emphasis on the United
9 States veterans, especially the Native American veterans.
10 You know, right now I feel that we need additional funding
11 for our Native vets. A lot of them right now, we've
12 recently begun to hear the post-traumatic stress syndrome
13 that plagues the Native tribes, and of course it plagues
14 all the United States of America, all the armed veterans.
15 So we -- you know, my Tribe is also looking at where are
16 we at on the veterans, how are we -- how are we appealing
17 in terms of treatment plans, financial endeavors in terms
18 of housing, et cetera, for our Native veterans. That's
19 another area that our Tribe is going to be pushing.

20 Another area that we haven't really talked
21 about, too, is substance abuse. I feel that that's an
22 area that needs to be heavily focused on. You know, as
23 a -- you know, substance abuse plagues all over the
24 country, even in -- even in non-Native tribes,
25 organizations. You know, all walks of life, regardless of

1 how educated they are, regardless of where they're at
2 financially, their incomes, you know, substance abuse
3 plagues a lot of our people also.

4 You know, that also, you know -- I remember
5 about 20 years ago, over 20 years ago when I was first
6 in -- when I was finishing my first master's degree, I
7 remember the late Dr. Dukepoo from Northern Arizona
8 University in Flagstaff said that in a couple of decades
9 Native tribes are going to be hit with depression. And we
10 as Native tribes are not going to have a clear
11 understanding of what depression means because that's a --
12 that's foreign to us Native people. Years later, I
13 reminisce back, and it amazes me how the late Dr. Dukepoo,
14 who was a -- who worked for NAU in Flagstaff could see two
15 decades ahead. So when it comes to depression, that's
16 another area. Of course, it plagues all the people here
17 in the world too.

18 Last thing I really want to hit on also is
19 the economy, the economics in Indian land. You know,
20 right now White Mountain Apache Tribe, you know, we --
21 through the -- through our Honorable Ronnie Lupe, our
22 Tribal Chairman, we've been in contention with the water
23 rights. So water rights, through his hard work, through a
24 lot of our Tribal leaders that are pretty much passed on
25 now, you know, with that in mind, that's something that my

1 Tribe is looking toward in terms of getting all the bases
2 together, understanding the premises for years to come.

3 So the economies, the economic development
4 on the reservations -- I'm speaking for all tribes -- is
5 prudent. You know, I feel that sometimes we as tribes
6 have to take a look at all of the United States federal
7 government red tape. You know, I think reading in some of
8 the paperwork here, it doesn't really emphasize a lot
9 about how -- where the red tape is at also. So the White
10 Mountain Apache Tribe is also going to go ahead and make
11 note of that in our writing when we respond, because I
12 feel standing here and talking, you know, through the
13 gadgets here, you know, I'm not a leader like that. I
14 rather have it in writing, but I also like to appeal to
15 you specifically what White Mountain is thinking also.

16 Thank you.

17 MR. JANSSEN: Thank you.

18 MR. BATES: Good morning and thank you for
19 the opportunity to be able to -- rather than make a few
20 recommendations, I will make some comments. I am LoRenzo
21 Bates. L-o-R-e-n-z-o, B-a-t-e-s, speaker of the 23rd
22 Navajo Nation Council.

23 Let me reiterate my message at the time that
24 President Trump was -- the night before his inauguration
25 to the western caucus group at that time. They were

1 speaking directly involving Indian Country at this
2 particular function, and one of the things I stated on
3 behalf of Indian Country was that Indian Country was
4 not -- was not looking to continue a handout; we are
5 looking for a hand up.

6 And what that meant -- what that meant was
7 that Indian Country, as indicated in your -- in the letter
8 that Indian Affairs has been 100 years. And when you
9 consider the sophistication that has evolved within Indian
10 Country from then until now and you hear from Indian
11 leadership, Indian leadership has advanced -- Indian
12 Country has advanced itself to the point that we know what
13 can be done, we know what is needed. And all that you
14 heard today, this morning, says that we are able to do
15 what needs to be done as it applies to meeting the needs
16 of Navajo, of Indian Country.

17 One shoe does not fit all. So when you
18 consider a policy or procedure through the process, it
19 will not necessarily fit in this case as applies to
20 Navajo.

21 As indicated, I support the idea of, as an
22 example, Indian Country taking more control over its
23 resources, over economic development. I represent six
24 chapters in New Mexico. I've been waiting for a
25 convenience store to go through the BIA bureaucracy.

1 Eight years, still haven't turned over a shovelful of
2 dirt. That is entirely ridiculous. When the regional
3 office has supposed final authority to be able to grant
4 permission to develop, it's ridiculous. So that's just
5 one scenario.

6 Let me give you another example. You talk
7 to BIE, BIE budget and the education process, and I'll
8 provide this with you. It's a resolution of the Navajo
9 Diné School Board Association. The Navajo NEAP basically
10 means educating the Navajo today. It talks to rescinding
11 Secretarial Order No. 3334. So when I talk to
12 sophistication of Indian Country, this is a prime example,
13 that when this secretarial order was issued it did not
14 take into consideration in this case Navajo and how it
15 would impact schools within Navajo. So by virtue of this
16 legislation, it goes against all that the federal
17 government was intended to do.

18 This resolution is going before Health and
19 Education's social services committee. When passed, this
20 is Navajo Nation's position as it applies to this
21 particular secretarial order. That is Navajo Nation's
22 position. So by based on this as an example, when Navajo
23 takes a position, no matter what it may be, resources,
24 public safety, that's the position of Navajo Nation.

25 And so with that, let me close with this

1 statement, is that given that we are -- I was only
2 notified of the hearing as of a day or so back, the 23rd
3 Navajo Nation Council will submit its written comments as
4 applies to all of what is being requested. The 23rd
5 Navajo Nation Council is the governing body of the Navajo
6 Nation and so they will make recommendations along with
7 what President Begaye has stated in moving forward.

8 But I leave you again with this: one shoe
9 does not fit all, and that needs to be taken into
10 consideration on any changes that you make.

11 Thank you.

12 MR. JANSSEN: Thank you.

13 Does anyone else have any comments on the --
14 on the proposed reorganization of Indian Affairs?

15 MR. SCABBY: Robert L. Scabby, Salt River
16 Pima-Maricopa Indian Community. I just wanted to make
17 just a brief comment. It's kind of a general
18 self-governance initiative area.

19 You know, whenever -- Salt River is a
20 self-governance tribe. We're just a small tribe and out
21 here, Scottsdale. And when we got into self -- we've
22 compacted these -- most of the Bureau functions that
23 were -- before were handled by the Bureau as operators.
24 Well, the intent of self-governance was to take the BIA as
25 day-to-day operators of federal functions affecting the

1 tribe and relegate them to technical assistance centers.

2 And in 1995 there was an effort to
3 reorganize. I remember President Clinton was in office,
4 and there was a reorganization. There was cuts at the
5 top, and the net result was the BIA was cut and the money
6 wasn't transferred to the tribes. It was transferred back
7 to the treasury. And tribes, we have to be real careful
8 that if there's a reorganization -- you know, we are
9 already underfunded -- that this funding comes to the
10 tribes. Right now we fund -- probably for every dollar we
11 get from the BIA, we turn around and put 15 to \$17 of our
12 own money to make those things work right, the police
13 services, detention services, social services, court
14 services, et cetera.

15 And so I just wanted to let -- you know, let
16 you know that it's -- that we need to take that into
17 consideration if there's a reorganization. We are still
18 underfunded. And even though Salt River, you know -- we
19 have to take care of a lot of people, and we are still
20 concerned. Our budget, we are still concerned about our
21 budget, and the amount that we can spend on the people is
22 not infinite. It's finite. And so even though we are
23 looked at as a, you know, successful gaming tribe, we do
24 need the federal dollars protected if there's a
25 reorganization.

1 Thank you.

2 MR. JANSSEN: Thank you.

3 MS. CAMPOY: Good morning. My name is
4 Antonia Campoy, C-a-m-p-o-y. I am a member of the Pascua
5 Yaqui Tribal Council, and I want to thank you for having
6 this opportunity to come up here and speak.

7 The Pascua Yaqui Tribe is a unique tribal
8 nation. We were recognized in 1978, and we have our
9 reservation in Tucson. And we also have a population --
10 our Tribal membership right now is 22,000. Out of those
11 22,000, in Guadalupe, which is about ten miles down the
12 road south of here, has a population of 35 -- 3200 Pascua
13 Yaqui members. And so one of the -- one of the issues
14 that we have is we need to find ways to support our
15 membership in the metropolitan Phoenix area because we
16 also have members in Scottsdale and in Hightown in the
17 Chandler area.

18 And one of the biggest things that our Tribe
19 is looking to is economic development. And I know a lot
20 of our nations here, that's one of the key elements of
21 providing for our members, Tribal members, economic
22 development. And so I'm here to ask to support the other
23 tribes in the economic development, which is a major issue
24 for all nations across the country, I would think. And so
25 if we can work on that issue, and also education.

1 Education is very important, as stated
2 before by other tribal member leaders here. Scholarships
3 are needed, monies is needed to continue the education of
4 tribal members. We are -- it's a big need because even
5 though our tribes are trying to support the students to go
6 to college, what we can support is not sufficient with
7 what they need. I was just attending a student
8 recognition last night here for our college and high
9 school graduates, and one of our students said that he's
10 working very hard to try to come up with the tuition to
11 ASU. He just graduated from the community college, and he
12 is -- he is striving very hard to work on his own to get
13 to ASU. And we are very proud of him.

14 But we will be submitting our
15 recommendations in writing by the due date. And I just
16 want to take the opportunity to say that I support what
17 our other tribal leaders have stated here this morning.

18 Thank you.

19 MR. JANSSEN: Thank you.

20 Any other comments regarding the
21 reorganization or any questions regarding the current
22 organizational structure of Indian Affairs?

23 MR. WHITE: I'd like to say good morning to
24 everybody in the audience as well as the staff here today.
25 It's an honor to be here. My name is Willie White. I'm a

1 councilman from the Fort Yuma Quechan Indian Tribe. We're
2 located along the banks of the Colorado River on both
3 sides, Arizona and California, and we have compact gaming
4 with both states. We have about 50,000 acres of irrigable
5 land and vast water from the Colorado River.

6 You know, I just kind of want to share my
7 insights, you know, my -- what I say, I don't mean to
8 offend anybody, so please don't, you know, take it that
9 way. But, you know, I've kind of had my feet in both
10 worlds, my grandmother likes to say, as far as the way I
11 was brought up and, you know, my teachings and, you know,
12 the experiences that I've had in business, you know, in
13 the mainstream world as well as, you know, endeavors
14 within our Tribal government and, you know, the challenges
15 that we face.

16 My heart goes out to our people always, you
17 know, our elders, our kids, our children. You know,
18 there's many struggles. And the BIA, you know, in many
19 cases has fallen short of the obligations that I feel
20 personally that, you know, that our people are entitled
21 to. You know, we have a lot to share and we have a lot to
22 give. We always are giving, you know, in almost all
23 respects, you know, to our surroundings and to the, you
24 know, communities around us. I mean, a lot of our
25 communities represent, you know, large employers and, you

1 know, economic, you know -- vast economic opportunities
2 for engagement, you know, across the borders and
3 boundaries.

4 And so I guess my -- the message that I
5 would like to convey to you folks here today is a request
6 that you do take your time in this reorganization. I
7 personally, you know, welcome it. I think that it's long
8 overdue, you know. I mean, some of the things that were
9 said here today were very enlightening, and I thank you,
10 leaders, for bringing these topics and issues forward.

11 But one of the things that's not really
12 brought up is kind of a comparison/contrast between, you
13 know, the things and the approaches that are taken toward
14 Native people through the years of the BIA and all the
15 organizational, you know, boundaries that are set and
16 guidelines that are intended to help us prevail, you know,
17 have actually in many ways limited our self-determination.
18 And so, you know, when we are approaching these
19 restructuring, you know, keep in mind that, you know, we
20 do have a very good understanding of what our needs are
21 and that we need to have less, in my opinion, less, you
22 know, hands-on from the federal government.

23 I think that, you know, the more that the
24 federal government and the BIA and all the different
25 departments try and control the interest of the Tribe, the

1 worse that it gets. And so, you know, that goes for
2 economics, goes for our cultural practices especially, you
3 know, what we do with our lands and our waters, what we
4 choose, you know, not to do with them. You know, that's
5 our right, and it should be respected.

6 You know, our -- very important, you know,
7 is our cultural identities, our languages, and so all
8 those, you know -- as opposed to trying to make us like
9 everyone else, you know, let us be independent. And, you
10 know, I hope that your plans in the reorganization and,
11 you know, the approach or the end goal is to encourage our
12 self-determination and not, you know, inhibit it.

13 So that's my statement. Thank you.

14 MR. JANSSEN: Thank you.

15 MR. VELASQUEZ: I have a question. Vice
16 Chairman Velasquez.

17 After all the reconstruction or whatever the
18 process is, once you start moving on that, when are we
19 going to have specifics in terms of -- I hear a lot out
20 there about budget cuts, about it possibly affecting
21 Indian Health Services. There's some of our Tribal
22 entities on my reservation that really helps a lot of our
23 Tribal people also. So we have series and series of --
24 there's a lot of anxiety out there, wondering where we're
25 at on this too.

1 You know, I've been researching a lot on my
2 own, but I don't get specifics. But I can -- the sense
3 sure is out there to me is the ball is moving, but, you
4 know, how -- what are the -- what are going to be the
5 significant impacts in terms of, you know -- you know, we
6 have programs out there that help subsidize our low income
7 families, food, jobs, you know, just really down to the
8 grassroots people. You know, those are the things that
9 concerns me on continuance now.

10 You know, I've been in D.C. several times.
11 I think that's where I met you. As a matter of fact, that
12 was taken care of as of yesterday. The White Mountain put
13 their word on the line, and I think it's in the
14 clearinghouse now, so you might want to let the director
15 of Bureau of Indian Affairs know that that's completed
16 from White Mountain.

17 MS. ORTIZ: Okay.

18 MR. VELASQUEZ: But moreover, the more I
19 think about this is I think as we move forward in terms of
20 President Trump's budget cuts, or whatever his thinking
21 is, you know, I believe the Bureau of Indian Affairs,
22 there's trust responsibility. You guys need to let us
23 know where this is going. You know, we have a couple of
24 lobbyists in D.C., so they're on a continuance of letting
25 us know.

1 But my concern is for the grassroots people,
2 like the people that -- you know, jobs on the reservations
3 are hard, the economy is hard. You know, I know for a
4 fact livelihood in D.C. is a totally different environment
5 than the reservation life. So, you know, about what to
6 tell our Native Americans, our fellow Native Americans
7 that work in D.C., you know, like you said earlier, you
8 come from a federally recognized tribe; therefore, my
9 assumption is you have a clear understanding of how your
10 people are, likewise with Tony there too. You know?

11 So, you know, those are just some of the
12 serious concerns that I have right now because, you know,
13 we -- as my Tribe, you know, we are in a rural area. We
14 are in a rural environment. Yes, we have -- yes, we have
15 the casinos. Right now we are also in the midst of
16 renegotiating with the -- you know, Governor Ducey, State
17 of Arizona, and I like where that's moving.

18 Second thing is also Indian healthcare, IHS.
19 You know, what -- if our budgets are going to be cut on
20 that, what are we going to face? I'm concerned about
21 third-party billing, AHCCCS, all the medical help that a
22 lot of our Tribal members look to too. But all of that,
23 of course, will be coming in our position paper also.

24 And I did see, you know, directly a lot
25 of -- more of the technicality processes of thinking, but

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1 I need you to really simply, to really get down to where
2 are we at for the grassroots people, where are we at for
3 grandma, grandfather, our brothers, our sisters, our
4 aunts, our uncles that may have different multiple issues
5 that are coming, that they are facing today.

6 You know, we talked about academics, tests
7 and measurements. You know, earlier, I believe it was
8 President Begaye talked about the redundance in terms of
9 difference between state law enforcement and the Bureau of
10 Indian Affairs law enforcement. My thinking also goes
11 back to the Bureau of Indian Education in terms of tests
12 and measurements.

13 I notice that Bureau of Indian Affairs
14 also -- Bureau of Indian Education. I take that back.
15 You know, I don't know whether it's a norm, but my take is
16 that when it comes to tests and measurements, you know,
17 first thing that Bureau of Indian Education -- maybe
18 that's their thought process indirectly, reactively, but a
19 lot of that is reciprocity. If the State of Arizona has
20 this law here, well, we as BIE, we're going to go ahead
21 and acknowledge that law.

22 But the thing that bothers me is the tests
23 and measurements of our Native kids, and that's something
24 that really bothers me. I've been a board member before.
25 You know, I've been a school administrator before. So,

1 you know, that is one of my pet peeves also when it comes
2 down to the measurements of our children. You know, we
3 talk about the Headstart population, early childhood
4 development. You know? You know, when I see some of
5 their tests or whatever that's being brought up to me, to
6 me there's really no significance to what -- of how that
7 test is going to measure our Native kids also. So those
8 are just some of the things that, Tony, I'll be looking
9 towards BIE in the near future.

10 Okay. Thanks.

11 MR. JANSSEN: Thank you.

12 Just to address your question about the
13 budget, as you know, on May 23rd, 2017, the President
14 released his budget. It's \$2.5 billion in FY18 for Indian
15 Affairs. That is \$303 million below the 2017 CR baseline.
16 And I guess I can say right now, right now tribal
17 engagement is key to ensuring the tribal priorities are
18 met and the trust responsibility is upheld. It's
19 important to make sure your concerns are known to us and
20 to Congress. So if you can share those concerns, you
21 know, with the Congress and with the Department, that
22 would be helpful.

23 MR. VELASQUEZ: Yes. My response to that --
24 is it Mr. Janssen?

25 MR. JANSSEN: Yes.

1 MR. VELASQUEZ: You know, I understand where
2 your versions of thinking is. Okay? I know where that
3 is. I live in that world. Okay?

4 What I'm trying to say here as a leader of
5 White Mountain is you are talking about the lobbying
6 efforts with our senators and our house of representatives
7 here in Arizona. That ain't a problem. My thinking is --
8 my hope is that Tony, Miles, and Hankie -- uncommon name,
9 huh? -- that you three, by the time you leave here, you
10 guys will have a clear understanding of what the thinkings
11 of the leaders are here. Because who is it to say and who
12 is it not to say that -- everything that is brought here
13 is brought here. But we can't read the United States
14 Congress, too, when it comes to cutting budgets.

15 That's why my thinking is what lies ahead
16 for Indian Health Services. I understand that 300-some
17 million. I have read that. It's in here. Okay? But my
18 thinking is you guys are falling short of telling the
19 leaders where exactly, where exactly is the emphasis here.
20 But I'm thinking that in a few days or down the road we'll
21 have a clear understanding so that we know as tribes. As
22 tribes --

23 Like good example, the burial assistance.
24 You know, my Tribe, we -- you know, we can't control
25 death. You know? Only one that controls death is the

1 Creator. You know? Unfortunately, there's some
2 reservations that experience the continuance of people
3 leaving this earth.

4 But even that, my concern is they are
5 also -- because we have a lot of our tribal members that
6 are -- can't afford the funeral expenses. So there's a
7 norm -- there's that norm. There has always been that
8 norm that Bureau of Indian Affairs have a certain amount
9 of money that will help in terms of, you know, putting
10 our -- burying our people. But now even that is so
11 limited now that now my people are beginning to think,
12 okay, what do we do now?

13 So I know part of it is trying to reteach
14 our Tribal members about the likelihoods of maybe perhaps
15 discussing to go this way in terms of, you know,
16 sponsoring this in terms for our loved ones. But that's
17 another area of concern that comes to me. But a lot of it
18 is, you know, the taxations, the economy, the land, the
19 natural resources, all of that, you know. You know, to me
20 that's very important to the Apache people.

21 You know, and my son, who is also an
22 attorney at law, has given me some specific insights about
23 him telling me that I need to be very concerned about the
24 budget that's coming up. That is why I'm here. That is
25 why we cancelled a lot of our trip, because I wanted to be

1 here. You know, I want to know where we're going. I want
2 to know what's going on in terms of what -- what is the
3 thinking of the White House in terms of the lower economic
4 people, the Native people, the sovereignty, the tribal
5 sovereignty. Those are the three emphasis that I have.
6 That's why I speak what I speak and I'll continue to speak
7 what I speak also.

8 Thank you.

9 MR. DEARMAN: I want to address your
10 assessment question. I totally agree. I mean, I come
11 from being a superintendent for Riverside Indian School
12 where we had 75 different tribes represented from 23
13 different states, and I've given them the Oklahoma state
14 assessment. We do have an opportunity to have one
15 assessment, and we are going to be sending out letters to
16 our tribes asking for members for a negotiated rulemaking
17 committee.

18 MR. VELASQUEZ: Good.

19 MR. DEARMAN: And hopefully -- my wish is
20 that we come out of that committee with a recommendation
21 of one assessment for all of our schools with the
22 exception of our tribes that are -- have their own
23 accountability system. But we are working on that, and I
24 agree totally with you.

25 MR. VELASQUEZ: Okay. Thank you.

1 MS. ORTIZ: Mr. Vice Chairman, I want to say
2 thank you very much for your comments, and I'm glad that
3 you are here and you are putting your comments on the
4 record. So everything that you have stated is going on
5 the record.

6 I think at this point decisions haven't been
7 made on a lot of these issues, and that's why we are here.
8 We are listening to what's important to you. All of this
9 will be recorded and all these comments will be noted.

10 I do want to make a special note that, you
11 know, Indian Health Service is under the Department of
12 Health & Human Services, so I'm not really sure what their
13 consultation is or listening sessions are that they are
14 having. That is a separate department, so I would
15 encourage you to speak with them about your comments
16 directly related to those health issues.

17 Likewise, with the -- I know you talked
18 about Veterans Affairs, Veterans Affairs issues.
19 Different agency. So we will have all those issues
20 recorded for us, but might be important for you to
21 communicate those with the other agencies too.

22 MR. VELASQUEZ: Okay.

23 MS. ORTIZ: And as Mr. Janssen noted, the
24 budget has been published for FY18. The President's
25 proposed budget, that will be going to Congress, and they

1 will be making some decisions on that. So I think if you
2 have specific comments on that, you know, you could
3 probably put those on the record for us. Any comments
4 that you are going to submit, that would probably be
5 helpful.

6 Thank you.

7 MR. VELASQUEZ: I think the reason why I
8 said what I said in terms of Indian Health Services and
9 the Department of Veterans Affairs is because, you know,
10 you are here to facilitate. And, you know, I feel that,
11 you know, facilitation is excellent. At the same time,
12 everything that's being brought up will also be
13 disseminated to the organizations. And as tribes, we can
14 also clarify that in writing also. So I agree with you on
15 that. Okay.

16 MS. ORTIZ: Thank you.

17 MS. HAMANA: Good morning. My name is
18 Candace Hamana. Candace is spelled C-a-n-d-a-c-e, last
19 name H-a-m-a-n-a.

20 I am both Hopi and Navajo. I am not a
21 tribal leader, but I am a vigilant and concerned voter,
22 both for my indigenous community and local, state, and
23 federal elections as well.

24 For my public comment, I would implore
25 President Trump and Secretary Zinke to extend the deadline

1 to gather public comments, considering the tremendous
2 potential impacts of such sweeping reorganizations of
3 vital agencies.

4 Tribal consultations, if that's what you
5 want to call this, should not just be about checking the
6 box. We deserve more time to get this information about
7 listening sessions out to our remote tribal communities.
8 In order to truly move forward, we will require a more
9 pragmatic and inclusive approach that will result in
10 higher participation from our indigenous communities. I
11 respectfully ask that we extend the deadline for public
12 comments.

13 Thank you.

14 MR. JANSSEN: Thank you.

15 MR. BEGAYE: Mr. Chairman, maybe you want to
16 talk about your schedule, where the hearings will be from
17 this point? That might be good to know. And your
18 timeline.

19 MR. JANSSEN: So I mentioned before we had a
20 previous listening session in Portland on May 25th, at
21 ATNI, regarding reorganization. Obviously we are having
22 this one today. The next meeting for reorganization will
23 occur on June 6th at Mystic Lake Casino & Hotel in Prior,
24 Minnesota. Then there will be an additional listening
25 session on June 8th at the Rushmore Civic Center in Rapid

1 City, South Dakota. Then a reorganization listening
2 session on Monday, June 12th, NCAI, at Mohegan Sun in
3 Connecticut. And then the final reorganization listening
4 session will be June 27th at the Tulsa Convention Center
5 in Tulsa, Oklahoma.

6 So those are the upcoming listening sessions
7 on reorganization. But we are accepting written comments
8 on reorganization up until July 15th. So the times on
9 that, the June 6th one is from 8:30 to noon. It's at
10 Prior Lake, Minnesota. The June 8th is also 8:30 to noon
11 in Rapid City. The one at in NCAI is from 1:00 p.m. to
12 2:45, and then the one in Tulsa is 8:30 to noon as well.

13 MR. BEGAYE: Let me ask another logistic
14 question. Are these listening sessions for restructuring
15 also being held by other federal agencies, HUD, Department
16 of Energy, USDA, others?

17 MR. JANSSEN: I know that OMB issued a
18 federal notice in the -- issued a notice of requesting
19 that agencies hold listening sessions. I'm not sure if
20 they are, though.

21 MR. BURSON: Miles, can you repeat
22 President Begaye's question?

23 MR. JANSSEN: He asked if other agencies
24 were going to hold listening sessions, like HUD, USDA.
25 And I'm not aware if those agencies are holding listening

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1 sessions at this time.

2 So if there's no additional comments or
3 questions, I'll bring this portion of the listening
4 session to a close on reorganization. We will reconvene
5 at 1:00 p.m. in this very same room to discuss the
6 monument executive order. So we'll see everyone back here
7 at 1:00 p.m.

8 Thank you.

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1 BE IT KNOWN that the foregoing proceedings were
2 taken before me; that the foregoing pages are a full, true
3 and accurate record of the proceedings, all done to the
4 best of my skill and ability; that the proceedings were
5 taken down by me in shorthand and thereafter reduced to
6 print under my direction.

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8 I CERTIFY that I have complied with the ethical
9 obligations set forth in ACJA 7-206(F) (3) and ACJA 7-206
10 J(1) (g) (1) and (2). Dated at Glendale, Arizona, this 12th
11 day of June, 2017.

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KIMBERLY PORTIK, RPR, CRR
Certified Reporter
Arizona CR No. 50149

16
17 * * * * *

18
19 I CERTIFY that Canyon State Reporting Services, LLC,
20 has complied with the ethical obligations set forth in
21 ACJA 7-206 (J) (1) (g) (1) through (6).

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