

To: Nedra Darling[nedra_darling@ios.doi.gov]
From: Appel, Elizabeth
Sent: 2017-06-27T07:51:38-04:00
Importance: Normal
Subject: Two More Transcripts
Received: 2017-06-27T07:51:50-04:00
[CT NCAI 06-12-2017.pdf](#)
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Hi Nedra-

I just got the transcripts from the CT sessions. One is for the Reorg and one for Monuments.
Attached.

Thanks!
Liz

--

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TRIBAL LISTENING SESSION
E.O. 13792 - REVIEW OF DISGNATIONS
UNDER THE ANTIQUITIES ACT

PUBLIC COMMENTS
MONDAY, JUNE 12, 2017
3:10 P.M.

MOHEGAN SUN
ONE MOHEGAN SUN BOULEVARD
UNCASVILLE, CONNECTICUT 06382

1 **(Listening session commenced at 3:10 p.m.)**

2 **MR. BLACK:** Good afternoon, everybody. We
3 are now here for the listening session on monuments.
4 So we'll have everybody introduce themselves at the
5 front table here real quick, and I'll make a couple
6 of opening comments, and anybody else that has any,
7 and then we'll go ahead, and we want to listen.

8 **MR. JOHNSON:** Good afternoon. I'm Dave
9 Johnson. I'm with the Bureau of Land Management as
10 Tribal Liaison.

11 **MR. JANSSEN:** My name is Miles Janssen.
12 I'm Counsel with the Assistant Secretary of Indian
13 Affairs.

14 **MR. MONETTE:** D.J. Monette, U.S. Fish and
15 Wildlife Service. I'm the Associate Native American
16 Liaison Advisor for the Headquarters in D.C.

17 **MR. STEPHENS:** Hi everybody. I'm Doug
18 Stephens. I'm the Assistant Heritage Program
19 Manager in the National Headquarters for the U.S.
20 Forest Service in Washington, D.C.

21 **MR. BLACK:** Well, again, good afternoon
22 everybody, and as most of you know, this is coming
23 out of an executive order requiring the review of, I
24 believe it's all national monuments of 100,000 acres
25 or more that had been designated in the last how

1 many years? Since '96. One of the big ones that's
2 been ongoing here is Bears Ears out in Utah, many of
3 you have an interest in that, I'm sure, but we are
4 asking for input on any of the national monuments
5 that are subject to the report, and in the letter
6 that you got out at the front table there is a list
7 of all the monuments that are subject to this
8 review, but as of about a half hour ago, there was a
9 press release, and the Secretary issued its 45-day
10 interim report on Bears Ears to the President on
11 Saturday, so I am trying to get some copies of the
12 press release that came out so that we can hand
13 those out to everybody, but I will read just a
14 couple quick quotes from Secretary Zinke in there,
15 and he talks about "There is no doubt that it's drop
16 dead gorgeous country, and that it merits some
17 degree of protection, but designating a monument
18 that including state land encompasses almost 1.5
19 million acres where multiple use management is
20 hindered or prohibited is not the best use of the
21 land, and is not in accordance with the intentions
22 of Antiquity Act. I've submitted my 45-day interim
23 report to President Trump expressing my belief that
24 the monument needs to be right-sized, and that it's
25 absolutely critical that an appropriate part be co-

1 managed by tribal nations. I also recommend that
2 Congress take action to protect some areas."

3 And then he goes on to say, "Co-management
4 will be absolutely key going forward, and I
5 recommend that the monument and especially areas
6 with significant cultural interests be co-managed by
7 the tribal nations. I'm grateful the representatives
8 from tribal governments met with me in Utah, and I'm
9 optimistic for our future."

10 That's just a couple of quotes that I
11 wanted to read to you from the press release. We
12 will get copies of it to all of you here hopefully
13 before the end of the session, but with that I'm
14 going to see if anybody else has any opening
15 comments they would like to make.

16 Then otherwise, I would like to go ahead.
17 I don't want to waste anybody's time, so I'm going
18 to open it up for comment. Is there anybody that
19 would like to kick it off.

20 **MR. CHARLES:** Just a quick question. Is
21 this considered an informational session, or is
22 this considered a formal consultation session.

23 **MR. BLACK:** This is considered a listening
24 session, but we do have a court reporter here taking
25 down all of the comments, and all of the comments

1 will be fed up to the Department as part of their
2 overall process for the reviews.

3 **MR. CHARLES:** So it's not formal
4 consultation, sir?

5 **MR. BLACK:** It's not technically a formal
6 consultation, no. We couldn't meet that with the
7 30-day requirement, you know, for posting notice in
8 the Federal Register, so we are going with listening
9 sessions, but as I said, we are recording all of
10 them with court reporters. All comments will be
11 compiled and submitted as part of the record.

12 **MR. CHARLES:** Thank you, sir.

13 **THE COURT REPORTER:** May I get your name,
14 please.

15 **MR. CHARLES:** James Charles.

16 **MR. RILEY:** (Speaking Native Language.)
17 Good afternoon, everyone. I hope that everyone is
18 doing well this afternoon, and those that sit and
19 advise the President and/or his secretary, I also
20 wish you a good afternoon.

21 My name is Governor Kurt Riley from Pueblo
22 of Acoma. I do have a written statement that I'll
23 hand in to the reporter, but before I make some of
24 the remarks from this paper, I wanted to give give
25 audience and maybe some of the people in the agency

1 a bit of history from the Pueblos of Acoma.

2 There are currently 19 Pueblos within the
3 state of New Mexico, I'm one of them. In our role
4 in history at one time we emerged on to this earth
5 at a place called Chibok, and our early history
6 tells us that we migrated from the north to the
7 south to where today present day Acoma sits in the
8 Acoma Valley, it's on a Spanish land grant. Our
9 first contact was with the Spaniards. Our oral
10 history also tells us that a group continued south.
11 It is our belief that as our ancestors traveled,
12 they not only built villages, but also left villages
13 behind in order to migrate south. If you ever have a
14 chance to look up, or I invite you to Pueblo of
15 Acoma, you will see that the architecture is similar
16 to those that are more well known, Chaco Canyon,
17 Mesa Verde, and others.

18 I served as Second Lieutenant Governor in
19 2015, that was my first time that I was appointed to
20 this position in tribal administration. I did not
21 run for election. It is our Acoma responsibility as
22 a male to assume these responsibilities and to do
23 the best job that we can for one year. In saying
24 that, as Second Lieutenant I had the privilege of
25 accompanying some of my religious leaders to areas

1 that were restricted on BLM, and we were
2 unfortunately not able to access private land
3 holdings on the north side of Mount Taylor in New
4 Mexico.

5 I traveled the same road that my ancestors
6 did in Chaco highways and pathways, and so it is the
7 Pueblo of Acoma's belief that Bears Ears is one of
8 those settlements, and we have great concern as to
9 why the current administration is reversing its
10 position to protect those areas.

11 The Pueblo of Acoma is also known in
12 recent years to try to stop auctions that are being
13 held in Paris for such antiquities. Some of our
14 Pueblos before they were actually recognized were
15 luted, some even on our current reservation, and so
16 our position as far as the Pueblo of Acoma is, Bears
17 Ears should stand as a monument with the current
18 acreage, because without that BLM is not able to
19 currently protect it as is, as it was before, and so
20 our ancestral ties go all the way up possibly even
21 further north.

22 As I said, as Second Lieutenant, I
23 suddenly realized that our older history is now
24 being proved by science, and so as I said before, I
25 do have this position statement, however, Executive

1 Order 13792, which I understand you must honor,
2 shows a depth of disrespect for the entire notion of
3 meaningful government-to-government consultation
4 with Indian tribes in meaningful public review with
5 the American public. It currently stands as a
6 monument, and that's why I'm referencing, and many
7 others in here are very concerned about the lack of
8 tribal consultation, meaningful consultation.

9 As a result of that formal consultation,
10 tribes must also be advised as to the reasons why
11 tribal recommendations are rejected by those federal
12 officials making such decisions. So with that, on
13 behalf of the Pueblo of Acoma as their Governor I
14 oppose any recension of Bears Ears as a national
15 monument.

16 I also know that there is another monument
17 that's on the list, Canyons of the Ancients National
18 Monument. The same holds true for that monument as
19 well. So with that, as I said, I have a position
20 paper here that I would be happy to provide to the
21 recorder. Thank you.

22 **MR. BLACK:** Thank you very much.

23 **MR. MITCHELL:** Good afternoon. My name is
24 Mark Mitchell. I am the Governor for the
25 Pueblo of Tesuque also located in the great

1 state of New Mexico. I'm going to start off with
2 this: All those monuments, ruins located out in the
3 greater southwest area, I say this to archeologists,
4 those are the footprints of my ancestors, there's
5 evidence of human occupation. I'm making sure that
6 you understand that those footprints belong to
7 Native people, and on our behalf, as far as Tesuque
8 is concerned, we also oppose any of the monuments be
9 taken off. Not only Bears Ears, but there's also
10 others in the state of New Mexico down south, Organ
11 Mountain area, those are others that need to be
12 protected. Why? Because those are our churches,
13 those are our ancestral pilgrimages that one Native
14 person that could understand why we do what we do,
15 and should you take it off, well, we know the
16 reasons why they want to take them off, especially
17 Bears Ears. The State of Utah wants control over
18 that for fracking and development of that nature,
19 but little -- they don't understand as non-Natives,
20 Hispanics, Anglos, they don't understand our
21 culture. Our culture is tied into the land, and the
22 State Governor, Susana Martinez, once told me, you
23 need evidence, Governor. What more does she need?
24 And likewise here, I think we need to educate folks,
25 because if you have a religion like ours is as old

1 as time, since time immemorial, before the Pilgrims
2 landed here, before the Hispanics showed up in the
3 greater southwest, human occupation by Native
4 Americans in this great continent, what we call the
5 United States, that needs to be understood, because
6 there's a reason why these ruined sites are out
7 there, especially to Native people, because they're
8 very important. Once erased, they're gone forever,
9 and there's a lot of things internally within those
10 parks or those sites, areas, prior to contact with
11 the Hispanics, Pueblo people in the southwest, we
12 didn't have any cemeteries, so wherever these, the
13 folks that passed on, that's where they were laid to
14 rest.

15 So what I'm getting at is, the landscape
16 is probably covered with human burials, and those
17 aren't marked, because you don't -- we all probably
18 have grandparents and parents that have probably
19 passed on, and how would you feel if I went to those
20 burial sites and dug them up and luted them. I know
21 that you probably have fire in your heart right now
22 and in the bottom of your bellies, but that's how we
23 feel. So in order to make sure that these areas are
24 protected, that's why we push, the Pueblo Governors
25 push to get this taken care of, protected.

1 You alluded to the oversize of it, but as
2 I alluded to, there are also things that are
3 underground that is not seen by any of us, and some
4 of the archeologists that have trained eyes to see
5 things, notify things on the surface, they know. So
6 again, I just say this because I think that it's
7 going to be a big mistake in doing this, not only
8 for the southwestern tribes, but the tribes across
9 the country.

10 So I hope that these discussions or any
11 other discussions about fallen deserts, and whenever
12 there's consultation, meaningful consultation, and
13 the tribes give you their thought process, and what
14 they think could work, that issue be written, it
15 should be taken into consideration, it should be
16 written in black and white, so that the tribes know
17 that that was meaningful consultation, because,
18 look, this is what we recommended, and here it is.

19 So with that, again, my name is Mark
20 Mitchell, I'm the Governor for the Pueblo of Tesuque
21 in New Mexico, and we too have very alarming
22 concerns about what our President is trying to do.
23 So I hope that, again, it doesn't fall on deaf ears,
24 and that this session and this time that we all
25 spent money and time to be here, that it doesn't all

1 fall on deaf ears. Thank you.

2 **MS. ANDREWS-MALTAIS:** Good afternoon.

3 Cheryl Andrews-Maltais, Chairwoman of the Wampanoag
4 Tribe of Gay Head Aquinnah, and just as a note, or a
5 side note, being a New England tribe, and one of the
6 first tribes to have early contact with the
7 Europeans, and having endured the losses, the
8 profound losses of tribal lands, we in the northeast
9 are on a fraction of a fraction of a fraction of our
10 land bases, so most of our sacred sites, or I should
11 say a lot of our sacred sites in places that hold
12 cultural significance to us have already been
13 destroyed or are negatively impacted, and we
14 understand so acutely what it means to be able to
15 try to hold on to them, as well as when we have the
16 bigger or the more vast expanses of those sacred
17 sites, to be able to really acknowledge what they
18 mean, and how extensive they truly are, because they
19 service as a place of worship and ceremony for
20 multiple tribes, not just one, but for entire
21 regions, you know, and the monument protections that
22 we had in place, and particularly underneath the
23 Antiquities Act, are vitally important to Indian
24 Country and sacred sites, and they must endure.

25 You know, we performed for a very long

1 time, particularly for the monument designations
2 that they just put out, they did perform extensive
3 outreach to the general public, and I find it really
4 ironic that here were are having these discussions
5 about the general public being upset, because the
6 vast land masses now being held and protected for
7 Indians, but yet when it's Indian land, vast tracks
8 of land being taken away from Indian Country, there
9 doesn't seem to be the same type of outcry or
10 uproar.

11 Also, this is another indication of where
12 Federal and Tribal partnership relationships could
13 really work well by being able to utilize or engage
14 the tribes to help protect these things and identify
15 certain unsensitive areas that will make more sense
16 for the tribes to handle as well as the federal
17 partners to be able to help, but the other thing is
18 that's really troubling is that we have to protect
19 these sacred sites and cultural landscapes from the
20 extracted industries that do nothing but assault our
21 mother earth and create live wounds that will never
22 be repaired.

23 These are nonrenewable resources that
24 we're talking about. We're talking about sacred
25 sites, ceremonial sites, and places of cultural

1 significance. They cannot be replaced. Once
2 destroyed, they're destroyed forever, and that goes
3 to the core of who we are as Indian people, because
4 that's how we identify ourselves, as people of
5 certain places, and we go to those places in order
6 to rejuvenate our spiritual soul, and the United
7 States Government has a responsibility to assist the
8 tribes in not only our government structure, our
9 health and our education, and that's our entire
10 health, that includes our cultural health, and our
11 spirit as well, and I thank you for being here and
12 listening to us.

13 **MR. BLACK:** Anybody else?

14 **MR. WASHINES:** My name is Davis Washines,
15 also known as Yellowash. I'm the Chairman of the
16 Yakama Nation General Council. We are the largest
17 tribe in the northwest with approximately 11,000
18 members. We have a 1.2 million acre reservation.
19 In 1855 we ceded 12 million acres to the U.S.
20 government in exchange for a reserve of certain
21 rights, and our traditional, usual, and custom area
22 extended from Canada to California, from the
23 Chickasaw to East of the Rockies.

24 One of the monuments under consideration
25 under the Secretary of Interior is Hanford Reach,

1 and I'm here to make a statement on behalf of the
2 Yakama Nation that one that was designated in 2000
3 was very important to the Yakama Nation, which as
4 you know, the Hanford Reservation, nuclear
5 reservation, within the treaty territory of the
6 Yakama Nation, and it was because of the designation
7 when the Hanford nuclear reservation was created
8 that this area was pretty much left hands-off, if
9 you will, from any type of development. So this
10 area of the Columbia River on the Hanford Reach is
11 one of the most pristine waters in the northwest,
12 vital to our salmon, the place where they come and
13 reproduce. So it's very vital to the Yakama Nation,
14 just as the previous speakers have ties, that these
15 waters and this resource has to our cultural and
16 spiritual way of life, and so the Hanford Reach
17 needs to be protected as with other sacred sites
18 because of the value that it has to sustain our way
19 of life, and there will be probably a tribal council
20 session this morning that most likely we'll be
21 submitting or continuing to submit documents
22 regarding the Hanford Reach monument, so I welcome
23 this opportunity to speak on behalf of the Yakama
24 Nation regarding that designation, and also I
25 believe our Yakama Tribal Council, also in regard to

1 the Bears Ears monument, supports our fellow
2 nations.

3 And I just want to make a comment on the
4 press release. In it the Secretary says that the
5 Secretary met with state, local, and tribal
6 stakeholders. We are not stakeholders. We are
7 sovereigns, there's a distinction that we hold that
8 we, because of our treaty and its legal status under
9 Article 6 of the constitution, that we are not
10 merely stakeholders, I want to emphasize that. We
11 are sovereigns, and that sovereignty is based on our
12 being here since the beginning of time, as you heard
13 from my brothers from Acoma, the creation stories of
14 our people.

15 So I think this type of understanding
16 needs to be clearly made at all times that we hold
17 responsibilities, as you heard, to this land and to
18 the resources, and so that is why it's important
19 that these types of listening sessions have some
20 productivity and that you incorporate that, but I
21 just wanted to say that on behalf of one of the
22 monuments, and I'm pretty sure there are others that
23 have similar feelings about their meanings, but this
24 is in regard specifically to the Hanford Reach, so I
25 want to thank the panel for being here and

1 listening.

2 **MR. BLACK:** Thank you, sir.

3 **MR. CHARLES:** James Charles. I
4 respectfully ask for three questions, if you don't
5 mind, sir. These areas and these lands that will be
6 stripped of their designation, what will their land
7 status be, and what uses will be allowed on those
8 lands?

9 **MR. BLACK:** Do either of you guys know?

10 **MR. STEPHENS:** I don't know enough details
11 about what parcels they're talking about.

12 **MR. JOHNSON:** It would depend on which
13 monument you are referring to. Each has a separate
14 designation for whatever values are valuable at that
15 location.

16 **MR. CHARLES:** Kind of following off of the
17 comments by the chairwoman for the Aquinnah. It is
18 my understanding the reason why these designations,
19 or at least the reasons that have been given in the
20 news, is that there's a belief that there was
21 inadequate public comment and input in the original
22 designation. What steps are you guys doing now to
23 have adequate public input, and how does that differ
24 from when they were originally designated it?
25 Because I'm having a hard time seeing the

1 difference, and I hope you can clarify that for me.

2 **MR. BLACK:** Well, I don't know if I can
3 necessarily clarify it for you. I wasn't part of
4 the original monument designations, that really does
5 fall outside of Indian affairs. I was tasked with
6 making sure that we had a voice coming from Indian
7 Country, so that's why we're out conducting these
8 listening session.

9 I can tell you, as I stated early on, we
10 are making sure that we have a court reporter, and
11 all of these listening sessions will be transcribed,
12 they will all become part of the; formal record for
13 the overall formal comment period for these reviews.

14 One of the things you'll probably notice
15 in the press release is they did extend the comment
16 period for Bears Ears to July 10th to coincide with
17 the comment period for all of the monument
18 designations. So like I said, this will become part
19 of those records. We are gathering that. How
20 they're doing the rest of the public consultation or
21 comment period, there was a notice put in the
22 Federal Register. Outside of that I don't know how
23 they're dealing with the public outside of Indian
24 Country.

25 **MR. CHARLES:** I appreciate that. My final

1 question has to do with the news release. It talks
2 about the co-management of tribal nations, and that
3 sounds good on paper, but I'm trying to understand,
4 how do you perceive that co-management being? Is it
5 going to allow for traditional uses on those lands?
6 And whenever there's co-management, it entails some
7 type of obligation from the tribal nations, whether
8 it be financial or otherwise. How is that going to
9 come into play? It may sound good, but how is that
10 actually going to work where the use of these lands,
11 and you heard from the governors, how does that co-
12 habitation differ from their current traditional use
13 of land, and what obligations are you expecting from
14 the tribal nations in connection with that co-
15 management arrangement, even if the tribes agree to
16 it? How does that work, and how do you foresee that
17 working?

18 **MR. BLACK:** Well, to be honest with you, I
19 don't know. Those have been discussions that have
20 gone on between the Secretary and some of the tribal
21 leaders that have come to visit with him as well as
22 come visit with Jim Cason, the acting deputy
23 secretary, co-management discussions have come up in
24 a number of those conversations. I think the tribes
25 themselves may have some proposals to push forward,

1 or ideas of how that would look. I think that would
2 be yet to be determined in discussions and
3 consultation between the tribes and the Department
4 as to how that co-management would look.

5 **MR. CHARLES:** Thank you for answering
6 those questions. I have to say that I'm extremely
7 disappointed by this, and I mean no disrespect when
8 I say this, it seems like this is perfunctory.
9 We're going through the motions. The decision has
10 been made, and now it's just checking a box to make
11 it look and smell good, and it's really
12 disappointing. I appreciate your time and your
13 frankness in the answers. Thank you.

14 **MS. ANDREWS-MALTAIS:** I was just
15 wondering, this is a follow-up to the gentleman's
16 question. Will Secretary Zinke or Assistant
17 Secretary Cason be coming to speak to Indian
18 Country? Because as you pointed out, this panel
19 here is representing Indian Country for Indian
20 Country, but where is the forum that Indian
21 Countries get to speak to the Interior that has
22 oversight over all of those particular land
23 management and fish and wildlife management
24 agencies? We're working in a silo here, and it's
25 not going to get outside that silo unless we have

1 the people that actually are the conduit to all
2 those other agencies in the room hearing these
3 things as well, that they would be able to answer
4 questions.

5 It's not fair to have you guys sitting
6 there as a panel addressing Indian Country only
7 representing Indian Country to go back in the forum
8 that you're bringing our voices when your
9 responsibility is bringing Interior, the entire
10 Department of Interior's people to Indian Country to
11 hear Indian Country's voices.

12 **MR. BLACK:** Well, you know, I can't speak
13 to what the Secretary or Mr. Cason's plans are right
14 now. I can say that Secretary Zinke did go out to
15 Utah. He did have a two- or three-hour session with
16 some of the tribal leaders regarding Bears Ears. As
17 a follow-up to that session, and upon request to the
18 tribal leaders, there was about a four-hour session
19 in D.C. with Mr. Cason with representatives of the
20 Bears Ears coalition and some of the other tribal
21 leaders to just really specifically address Bears
22 Ears. Now, the rest of the monuments I don't have
23 an answer for you, Cheryl.

24 **MS. ANDREWS-MALTAIS:** And we're talking
25 about Bears Ears currently right now, and other

1 monuments that were identified or designated as the
2 scrutiny, for lack of a better word, but what about
3 anything else that might be out there, or how this
4 decision of the disposition of how these are going
5 to be treated will impact or affect other ones that
6 would be considered or hadn't even made it to that
7 point that have been either in the queue working
8 with the tribes themselves, or tribal coalitions
9 that hasn't made it all the way up to where it got
10 its designations under the Antiquities Act.

11 So whatever this decision is, is going to
12 have a long-term or far reaching effect. So,
13 therefore, although it was appropriate to have
14 consultation specific to these two, or to these
15 individual sites that are under consideration now
16 for reversal, where is the consideration for things
17 that are not those two specific if they're going to
18 make that type of a wide-sweeping change and try to
19 do or undo the President's authority under the
20 Antiquities Act, or try to create some sort of other
21 mechanism for consultation with the outside world
22 that is something that is specific to Indian
23 Country's interests?

24 **MR. BLACK:** Well, right now all I can say
25 is that they're going through the review of the

1 monuments that have been designated since whatever
2 that date was, 2000 or 2001. They're just looking
3 specifically at those that have been designated, so
4 there's about 20 on the list, and they're all shown
5 here.

6 There haven't been any discussions with me
7 or anybody in my office regarding how they're going
8 to approach those that are in the queue right now
9 for consideration. So I mean, it's pretty
10 preliminary for me to even try to speak to that. I
11 really don't have an answer for you on that.

12 **MS. ANDREWS-MALTAIS:** Again, it's just
13 blatantly unfair to you guys to have you guys
14 sitting here trying to field these questions when
15 it's something that should be agency wide.

16 **MR. BLACK:** I quite honestly don't know
17 that they would have answers to some of those
18 questions either for you right now.

19 **MR. BROWN:** John Brown, Narragansett
20 Tribe. There were two things I heard when you were
21 speaking on these issues that kind of peaked my
22 curiosity. The first thing was that the gentleman,
23 David Johnson, indicated that the monuments are
24 going to be determined based upon the riches or the
25 resource value.

1 **MR. JOHNSON:** Bears Ears was designated
2 for cultural resource value protections. Others are
3 for natural, biological resource protections.

4 **MR. BROWN:** So we're not talking about
5 something that is underlying those principles?

6 **MR. JOHNSON:** No.

7 **MR. BROWN:** Okay. We'll get back to that.
8 The second issue that came from you, Mr. Black, you
9 indicated that you have a stenographer here, and
10 she's taking, I guess, a total transcript of this
11 meeting. If, as you indicated, you don't know
12 what's going to happen from here on out, what would
13 be the purpose of having a stenographer, and exactly
14 what are these minutes, these notes, going to be
15 used for?

16 **MR. BLACK:** Well, right now they are going
17 through a formal comment based on all of these
18 monument reviews, including Bears Ears, where they
19 are soliciting formal comments from the public and
20 Indian Country as well. These are specifically
21 targeted to gather comments from Indian Country.
22 So, therefore, all of the notes and the
23 transcriptions will become part of the official
24 record.

25 **MR. BROWN:** And that's it. Just part of

1 the complaints that people have to say --

2 **MR. BLACK:** I wouldn't say part of the
3 complaints, but for part of the consideration. We
4 will take a look at all of the recommendations that
5 come from Indian Country through this process, we
6 will put those recommendations forth for the
7 Secretary and the President to consider in their
8 decision-making process.

9 **MR. BROWN:** I see. Now I will come back
10 to the resources that are being -- who requested a
11 resource review of these particular monuments, or
12 monument areas that are being discussed?

13 **MR. BLACK:** President Trump through
14 executive order.

15 **MR. BROWN:** And it is based upon that sole
16 authority?

17 **MR. BLACK:** Basically I would say yes.

18 **MR. BROWN:** I understand. Just one
19 question, and this is probably outside the scope of
20 what we're talking about, but how much is enough?
21 When you own the world, and just about everything in
22 it, how much is enough? How much more do you have
23 to take to make your point? How much must be
24 destroyed where, in the actions themselves, wipe out
25 the pathways and the foot paths for untold

1 generations? It seems like in some ways that there
2 is an attempt to remove the genetic record, but it's
3 somewhat assiduous in the sense that you first start
4 by removing all record of people's past life-ways
5 and lifestyles, and so the question becomes, how
6 much is enough? When will it stop? Some of us are
7 people of the ancient world and people of the modern
8 world, but we have to coexist in both places. But
9 I've noticed something about the Americano society
10 that we live in, if in this modern day and age, and
11 you said something wrong about the Hispanics, or the
12 Italians, or the Jewish people, there would be
13 immediate retaliation, your actions would be
14 considered irreparable. But if you go to the news
15 channels, and you go to the entertainment channels
16 on television, there are still cowboy and Indian
17 movies, and it's still okay to speak disparagingly
18 about the indigenous people that are here, and that
19 seems to be what people have no understanding of
20 what we're about, why we're here, what we're doing.
21 The fact that they have taken 60, 80 percent of
22 everything else, they don't learn from their
23 mainstream society, they don't care. But how much
24 is enough? When is commonsense going to prevail?

25 What is being destroyed or being proposed

1 to be destroyed is not just for the people in this
2 room, it's for the people that came before, the
3 people that are here now, and the people that are
4 yet to come. The destruction of these things, you
5 can't put it back. Maybe one of these days when we
6 have time travel and stuff like that, you might be
7 able to go back and see it, but gentlemen, we're not
8 there yet, that science, those mathematics do not
9 exist.

10 If you're going to give anything
11 consideration, consider the fact of what you're
12 doing, and the ultimate cost to future generations,
13 not only of the indigenous people, but the people
14 around us, because eventually somebody is going to
15 want to know, and what are we going to tell them? A
16 place that was tore up and there's now a parking lot
17 there? Something that was fracked, so now you have
18 a big hole in the ground.

19 Those people in the ancient world, they
20 did things for a specific reason, and they were
21 stewards of the land. They kept those things in
22 that way so that future generations would have a
23 place to go, that what they were about would be
24 seen, and now someone who has come across the waters
25 uncaring, their societies uncaring, are going to

1 remove those things, and that is wrong.

2 It's not expected that you would be able
3 to resolve this matter at this panel in this place,
4 or to ask to be more than just a comment and a
5 footnote that goes into your records, so there was
6 just that consideration.

7 **MR. BLACK:** Thank you. I appreciate that.

8 **MR. LEVY:** Jay Levy. I was wondering if
9 Katahadin Waters Memorial is under consideration for
10 review?

11 **MR. BLACK:** What's it called?

12 **MR. LEVY:** It's up in Maine. Katahadin.

13 **MR. BLACK:** Yes.

14 **MR. LEVY:** Even though it's under a
15 hundred thousand acres.

16 **MR. BLACK:** That says, "National monuments
17 being reviewed to determine whether the designation
18 or expansion was made without adequate public
19 outreach and coordination with relevant
20 stakeholders." That's the only monument under that
21 category.

22 **MR. LEVY:** And I would just like to say
23 too, we need to respect each other, and respect each
24 other's culture, and respect each other's
25 differences, and especially with respect to the

1 land. Thank you.

2 **MR. BLACK:** Thank you. Chairman Forsmin.

3 **MR. FORSMIN:** Chairman Leonard Forsmin of
4 the Suquamish Tribe in Seattle. We've got a long
5 cultured history that dates thousands of years back,
6 and we're very concerned about this trend about
7 reviewing national monument designations that
8 include a lot of cultural and spiritual resources,
9 sacred land to the tribes, so it's very shocking to
10 us.

11 Although we don't have any in our general
12 territory yet, we are concerned with our friends in
13 the Yakama Nation, and the hard work that they did
14 to preserve Hanford Reach, and we'll be submitting
15 some comments. It just seems to be that there's a
16 disturbing trend out there that there's a small
17 number of people with loud voices, that sometimes I
18 don't even think represent the majority of the
19 populations, are complaining about the Federal
20 Government designating lands for cultural
21 preservation, and so it's important that I think the
22 Administration take into account the importance that
23 these monuments provide to the economies of the
24 local areas, and also oftentimes protection of
25 important ecological habitat as well, and where we

1 come from is under constant threat to pollution and
2 overdevelopment, storm water filling in of wetlands,
3 salmon spawning areas, all those things that we feel
4 that the Federal Government to tribes have a trust
5 responsibility and a sacred responsibility to
6 preserve our threat, and I did have a statement that
7 I'll add, a written statement that we'll submit by
8 July 10th, and I'm glad to hear that the comment was
9 extended for Bears Ears, because I have been down to
10 those places, and if anybody hasn't been down to New
11 Mexico to see these places, it's a very powerful
12 experience to see what's been preserved, and the
13 Federal Government has preserved a lot of beautiful
14 places that are very fragile, and unfortunately
15 there's a lot of luting that goes on in those areas,
16 and it hasn't been mentioned yet, because it's so
17 hard for us to talk about, but a lot of these local
18 communities are engaged in luting. It's a small
19 number of those people, because most of the people
20 in those communities, I believe, value those ancient
21 places as well, and there has been pretty swift
22 punishment for the people that they can catch, and
23 the local communities don't stand for it. So I
24 don't want to paint a brush saying all people in
25 those areas are luters, but there's a few out there,

1 and the Federal Government, of course, has been very
2 active in trying to prosecute those as well, and
3 I've been to Native American Tribal Historic
4 Preservation Officers meetings where we've heard
5 about some of these folks being managed by the
6 courts and the Federal Government in trying to
7 return a lot of the things that are seized back to
8 the people for them to reinter or at least restore
9 the only way we know how, and I just hope that the
10 Administration will see this for what it is, because
11 I think it's a very, very small number of people
12 that there's a knee-jerk reaction to, but the people
13 that were able to make it out here, obviously
14 there's a lot of concern, and we represent a lot of
15 people, and there's a lot of supporters, so I think
16 it's important.

17 I'll just go ahead and read this: The
18 arguments for reviewing and potentially reducing the
19 size of our national monuments are short-sided. The
20 need for short-term gains and energy extraction and
21 expansion of destruction or recreational activities
22 pale in the value that these monuments will have
23 over many generations who can continue to have
24 unique cultural and spiritual experiences with these
25 unique ancient landscapes. Local communities should

1 work together to balance the need for living wage
2 jobs through the preservation of our irreplaceable
3 cultural heritage and spiritual places. Cultural
4 tourism is a renewable growing industry. National
5 monuments are key to the tourism industry's
6 sustainability. The Suquamish Tribes are concerned
7 about the disturbing trend that this administration
8 has taken toward the preservation of the places that
9 make our traditional homeland safer and nurturing,
10 including our beaches, lakes, streams, mountains,
11 and desserts given to us by our creator to preserve,
12 sustain, and enjoy. Thank you.

13 **MR. BLACK:** Thank you, Chairman.

14 **MS. PITKA:** I'm Chief Rhonda Pitka from
15 the Village of Beaver. In full disclosure I'm also
16 a member of the Federal Assistance Board. So I have
17 one question, and then I'll make my comments. In
18 the Federal Register Notice it says that the Marine
19 National Monuments are also under review, but it
20 doesn't list a date when comments will be taken for
21 that, and it also says that they want to implement
22 the America First Offshore Energy Strategy. We're
23 opposed to the Offshore Energy Strategy for the
24 coast of Alaska. That would put marine mammals in
25 dire critical extinction, and I would also like to

1 say that we oppose any, I guess, any of the
2 reversals of the Antiquities Act. That just seems
3 like it's going directly against the American
4 interest.

5 The American people have a right to have
6 our cultural and sacred sites. We are American
7 people. I mean, first we identify ourselves as
8 Native American, but we are also Americans, and
9 these cultural sites are part of the backbone of
10 what makes America great. It was already great, by
11 the way.

12 We also oppose removing the monument
13 status for Bears Ears. I feel like there was ample
14 public comment, and it was open for a long enough
15 time, and they followed the law on that.

16 Oh, I didn't get an answer about the
17 Marine thing.

18 **MR. BLACK:** If you can get me your name
19 and contact, and we'll try to get that information
20 for you, because I don't have that.

21 **MS. PITKA:** It lists the areas of the
22 Marine National Monuments being reviewed, but it
23 doesn't list a date for comments, or how that
24 comment period will take place. We have several
25 comments on that, and I would like to know that.

1 **MR. BLACK:** Until I can give you a better
2 date, I would assume July 10th as the same deadline,
3 but we'll try to give you a better answer than that.
4 Anything else?

5 **MS. PITKA:** No, just as a side note, I
6 live within the Yukon Flats National Wildlife
7 Refuge, that's where our tribal lands are, the
8 refuge happened after ANICA, so they took away our
9 tribal lands and designated them as a National
10 Wildlife Refuge, so I'm very concerned about the
11 reversal of public land in this country, because I
12 live on public land, and that's really the only way
13 that we still have fish and wildlife to eat for our
14 people, and how we're able to observe our culture
15 and pass it on to our children. Thank you.

16 **MR. BLACK:** Thank you very much.

17 **MR. CUTHAIR:** My name is Harold Cuthair,
18 that's C-U-T-H-A-I-R. I'm the chairman of the Ute
19 Mountain Tribe, and we've had numerous, numerous
20 discussion with the Federal Government and the U.S.
21 state governments about Bears Ears and how it was --
22 how it has the ancestral ties with the Native
23 Americans, and where we have our ceremonies, and we
24 get herbs from. We have discussed this when we had
25 that press conference a while back, and we met with

1 Zinke up in Salt Lake, and we came back over here to
2 D.C. to do the discussion with the deputy secretary,
3 and we had spoke to them, and, you know, how much
4 longer are we going to continue this discussion
5 about Bears Ears. You know, we would like to keep
6 that monument to preserve it being a sacred site,
7 because all Native Americans have that same culture
8 and tradition that's sacred to them, and we had,
9 like I said, we've been talking with the Secretary
10 at that time, and the one thing that I told him, I
11 says, with all the policies and the laws that are
12 set for different entities, and I said with all that
13 said, where does the Department of Interior stand as
14 far as all the treaties and the water rights and
15 what was there before all this, and where do you
16 stand, the Department of Interior, you know. You
17 know, because of what's going on in Indian Country,
18 I'm here as part of the Ute Mountain Tribe on behalf
19 of the Ute Mountain Tribe and other Native Americans
20 that have similar ties to their culture, their
21 tradition, and mother earth, and the water. We have
22 that tie, that connection with the earth and nature,
23 so that's how we look at it.

24 I would say this, is that you have to be
25 Native American to understand what it's like to be a

1 Native American. We people here know that, and we
2 don't want to -- we've seen non-Indians come to our
3 reservation and say those things, their
4 interpretations from the Government, with
5 archeologists, and the way they interpret it, but
6 they don't really understand the Native American
7 side of it, how we respect nature, mother earth,
8 water, the herbs we have, the herbs we pick off
9 mother earth. Bears is one of those places. Thank
10 you.

11 **MR. BLACK:** Thank you. I appreciate that.
12 Anybody else? Yes, sir, Mr. Charles.

13 **MR. CHARLES:** I'm sorry I'm asking so many
14 questions. Can you help me out with the process of
15 how this works? We had a news release about Bears
16 Ears, so there's a recommendation from the
17 Secretary. If there's going to be a downsizing of
18 the geographic scope of the landmark, is that going
19 to be done by Executive Order where you go back to
20 Congress and have Congress vote on the designation?
21 What is the next steps, when you get this
22 recommendation, how is, as Secretary Zinke said,
23 rock sizing, quote unquote, how are you going to
24 implement and perfect that? What is the process
25 going forward; that is, I haven't been able to see

1 what the process is, and I'm hoping you can explain
2 the process of what is trying to be accomplished and
3 will be accomplished?

4 **MR. BLACK:** Does anybody know the process?
5 You know, I don't know. I'm taking a guess here,
6 because none of us here are formal -- like I say,
7 we're Indian affairs, we don't do monument
8 designations. I have representatives here from the
9 other agencies that do certain parts of it that can
10 help explain certain things, but I'm guessing that
11 whatever process happens to designate a site,
12 similar like in Bears Ears, for an example, I think
13 that was designated by Secretary Jewell, that would
14 take an action by either Secretary Zinke or
15 President Trump to reverse that action and make a
16 new designation is my guess, but there again, we
17 would have to go back and find out exactly what that
18 process would be.

19 **MR. CHARLES:** I appreciate you giving me
20 your best guess. I hope you can understand from
21 this side of the room --

22 **MR. BLACK:** I totally do.

23 **MR. CHARLES:** -- how can we meaningfully
24 comment if we don't even know what we're commenting
25 on, especially the process?

1 **MR. BLACK:** I apologize for that, but I
2 don't know what the process is and how to do that,
3 but I'm hoping that we can still garner whatever
4 comments you guys feel are important for the
5 Secretary and the President to hear regarding these
6 monuments and their importance to you, that we can
7 make sure that those messages get conveyed.

8 **MR. CHARLES:** As a follow-up sir, you said
9 that you believe that the way it's going to be done
10 is either by Secretary Zinke or Trump issuing some
11 kind of order to create a re-designation of the
12 geographic scope. If these areas require a
13 Congressional Act to designate them as landmarks,
14 well, why wouldn't that be the process --

15 **MR. BLACK:** Well, if that's the case, then
16 they probably -- I don't know. There again, my best
17 guess would be that it may take congressional action
18 then to change that designation, if there was
19 congressional action to designate it in the first
20 place. I apologize, I'm not an expert on monument
21 designations.

22 **MR. CHARLES:** But that's what we're
23 talking about.

24 **MR. BLACK:** I apologize again, but this is
25 really a listening session to make sure that we're

1 hearing from Indian Country so that your voices get
2 heard to the Secretary and to the President
3 regarding these monuments and the importance of them
4 to you, your feelings on whether or not they should
5 be changed in any way, shape, or form, whether they
6 should be reduced, whether or not they should be,
7 heck, enlarged for that matter, but whatever your
8 voices are, we want to make sure that we gather that
9 input, and then that input gets put forward.

10 **MR. RILEY:** Again, my name is Governor
11 Kurt Riley from the Pueblo of Acoma. Again, I'm
12 going to read from my written statement. Executive
13 Order 13175 directs you to consult with Indian
14 tribes on a government-to-government basis. You've
15 already acknowledged that this is not a formal
16 consultation but a listening session.

17 Meaningful engagement and consultation with
18 Tribes is not merely attending a listening session,
19 consultation is an ongoing process throughout the
20 decision-making effort, and has five key elements:

21 Timely notice of the proposed federal
22 activity. Tribes must be given sufficient
23 information to assess and convey to the decision
24 maker the potential impact of the proposed federal
25 activity on Tribal lands, and in this case Bears

1 Ears and the Oregon Mountain Monument both have --
2 how would you classify it? Native American
3 ancestral properties. Tribes must be told as to who
4 will make the final decision with respect to the
5 federal action. Tribes must have meaningful
6 opportunity to make comments and recommendations as
7 to the proposed action, and these comments and
8 recommendations are to be fully considered by
9 federal officials responsible for the final action,
10 and as I said before, tribes must be advised of the
11 reasons why tribal recommendations are rejected by
12 those federal officials making such decisions.

13 And so, again, I voice my opposition. This
14 is, in all of these cases, these are already
15 existing federal monuments, you cannot deny that,
16 and any action that affects federal tribes below the
17 nations of this country must require formal
18 consultation. Thank you.

19 **MR. BLACK:** Thank you.

20 **MS. ANDREWS-MALTAIS:** Since you give the
21 opportunity, I don't know if, for the record,
22 anybody has asked to enlarge them, but for the
23 record, I would like to see them enlarged.

24 The other thing is, in response to
25 Executive Order 13175 where the consultation says

1 it's still in effect, you know, that really does
2 need to happen, and I'm hearing this body asking for
3 consultation with the Secretary of the Interior and
4 those relevant bureaus underneath Executive Order
5 13175, consultation and coordination with Indian
6 tribes, because it is a regulation, it is a policy,
7 it is an action, it is an undertaking that a federal
8 agency is going to take, and therefore, until or
9 unless the 13175 gets repealed, there's an
10 obligation there, and so just to echo that.

11 The other thing is, is that I would also
12 think that through that process, even if they wanted
13 to try to get around the Executive Order underneath
14 the National Historic Preservation Act, underneath
15 the environmental protection component, Section 106
16 of the National Historic Preservation Act should
17 kick in, as well as all of the other related laws
18 and executive orders that go along with it that
19 interact or interject -- I mean, intersect with
20 Section 106. So there's a lot of consultation
21 responsibility that is not being upheld, whether or
22 not it's the Executive Order or Section 106 or the
23 other related orders that go along with it. Thank
24 you.

25 **MR. CHARLES:** James Charles again. Kind

1 of following off what the Chairwoman said. Are you
2 guys planning on doing environmental impact
3 statements on changing the geographic scope of these
4 areas, Because it's a major action? Some of these
5 areas are going to be stripping away the designation
6 and allowing uses that otherwise wouldn't be there.
7 What is the NEPA process looking like, and are you
8 doing a full-blown environmental impact statement,
9 and when will the tribes have an opportunity to
10 participate in that NEPA process?

11 **MR. BLACK:** Right now I don't know what
12 that process is going to look like.

13 **MR. CHARLES:** Has one started for Bears
14 Ears, a federal news release that there has been a
15 NEPA process for it?

16 **MR. BLACK:** Not that I'm aware of. Any
17 other comments?

18 **MR. BROWN:** John Brown again,
19 Narragansett. There is one section of law that
20 wasn't raised today. In the National Historic
21 Preservation Act there is a Section 106, but even
22 more importantly there is Section 110K, and that has
23 a little bit more bite than Section 106 would with
24 respect to antiquities. So the folks in this room
25 might want to look toward Section 110K as part of

1 your legal argument.

2 **MR. BLACK:** Thank you, sir. I had a hand
3 up in the back there.

4 **MS. KRAUS:** Hi. I'm Bambi Kraus with the
5 National Association of Tribal Historic Preservation
6 Officers, John Brown is our eastern representative.
7 So thank you for coming. I'm not quite sure who is
8 all here. So I'm in Washington, D.C., and I want to
9 state for the record that the National Association
10 of THPO supports the tribes in the local areas. The
11 question is, do local landowners have a say on how
12 that land is managed, but I believe the Indian
13 tribes in those areas have definitely made a point,
14 and I just want to say that for the record NATHPO
15 supports the local tribes, and part of the strange
16 discussion that this whole Executive Order has
17 created is that so much time, and so many meetings,
18 and so much money has already been put into each one
19 of these monuments, to reopen it in such a shortened
20 timeframe without any kind of open-ended transparent
21 process on how the decisions are going to be made
22 from now on makes it almost impossible to have a
23 real discussion. Rather, it just looks like a
24 political experience, a political exercise, but
25 that's not how Indian tribes view this at all, and

1 that's probably why this is kind of stunning to undo
2 years of work, but mostly I want to state for the
3 record that we really applaud the Bears Ears Inner
4 Tribal Coalition for what they did, they got
5 together. It's not hard having any groups come
6 together and coalesce around a topic, but something
7 as controversial as this they worked it through,
8 they spent years on it, it was a great testament to
9 their vision to see Bears Ears created, and I just
10 wanted to say that, for the record, NATHPO supports
11 the local tribes, and I just wanted to make sure
12 that that was part of the official record.

13 **MR. BLACK:** Is there anybody else? Well,
14 if not, we can cut this session a little short, I
15 guess, if nobody else has any other comments.

16 But, again, thank you for taking time to
17 come visit with us and share your comments. As I've
18 stated before, these will become part of the
19 official record. We'll make sure they get
20 transcribed and sent up to the Department, and
21 please, if you have any other additional written
22 comments, submit those by July 10th, and then, there
23 again, those will become part of the official record
24 as well.

25 With that, thank you very much. We

1 appreciate everybody coming out.

2 **(Listening session concluded at 4:15 p.m.)**

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CERTIFICATE

I, Robin Balletto, do hereby certify that I reported all proceedings adduced in the foregoing matter and that the foregoing transcript pages constitutes a full, true and accurate record of said proceedings to the best of my ability.

I further certify that I am neither related to counsel or any party to the proceedings nor have any interest in the outcome of the proceedings.

IN WITNESS HEREOF, I have hereunto set my hand this 20th day of June, 2017.

Robin Balletto

Robin Balletto

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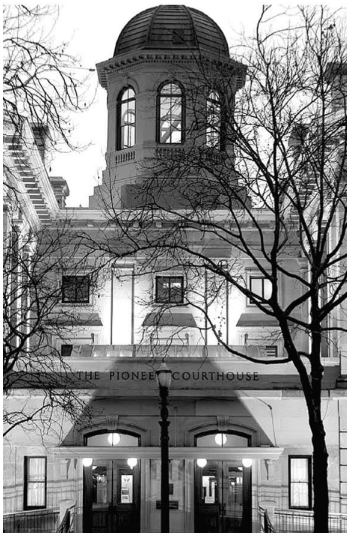
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SECRETARY INDIAN AFFAIRS

TRIBAL LISTENING SESSION

E.O. 13781 - COMPREHENSIVE

PLAN FOR REORGANIZING

THE EXECUTIVE BRANCH

PUBLIC COMMENTS

MONDAY, JUNE 12, 2017

1:00 P.M.

MOHEGAN SUN

ONE MOHEGAN SUN BOULEVARD

UNCASVILLE, CONNECTICUT 06382

1 **(Listening session commenced at 1:00 p.m.)**

2 **MR. BLACK:** Well, good afternoon,
3 everybody. Let's go ahead and we'll get this
4 started, and let's start it in the right way.
5 Lieutenant Governor Keel has agreed to provide the
6 opening prayer for us.

7 **(Whereupon, the opening prayer was given**
8 **by Lieutenant Governor Keel.)**

9 **MR. BLACK:** Good afternoon again. We do
10 have President Cladoosby here, so if you would like
11 to say a few words to open it up, President, we
12 certainly would appreciate that.

13 **PRESIDENT CLADOOSBY:** Yeah, I don't have a
14 few words, but I will save the majority of my
15 comments for later. How long are we here? What's
16 our timeline?

17 **MR. BLACK:** We have until 2:45.

18 **PRESIDENT CLADOOSBY:** So we have an hour
19 and 45 minutes, so I want to be very cognizant of
20 the time. So once again, how many remember Neal
21 McCullough, or know Neal McCullough? Do you
22 remember when he was the Secretary of Indian
23 Affairs? Do you remember his big initiative?
24 Anybody remember it, the acronym? Come on now, I'm
25 testing your memory. BITAM. I heard that up here.

1 Who remembers what BITAM stands for?

2 **MR. BLACK:** Bureau of Indian Trust and
3 Asset Management.

4 **PRESIDENT CLADOOSBY:** Yes, it was their
5 reform. It was very interesting, and if you ever
6 read any history, it is very interesting to look at
7 the history of Indian Reorganization Act in 1934
8 when tribal leaders -- there's actually a book, when
9 tribal leaders were submitting testimony to the
10 Bureau on this very important piece of legislation,
11 and you look at the comments from the BITAM period
12 about 15 years ago, it's very eerie how similar
13 those testimonies were from the 1930s to the early
14 2000s. So I guess just briefly, you know, when we
15 talk about the aspect of the federal relationship
16 with Indian tribes, you know, the genesis, and once
17 again, I'm speaking to these gentlemen right here.

18 Let's maybe have themselves introduce
19 themselves for those who don't know them and their
20 positions.

21 **MR. JANSSEN:** My name is Miles Janssen.
22 I'm an enrolled member of Central Tlingit Haida
23 Tribe. My position, I'm currently a counselor to
24 the Assistant Secretary of Indian Affairs. I've
25 been in that position for the last two years.

1 **MR. BLACK:** Good afternoon, everybody. I'm
2 Mike Black. I'm currently the Acting Assistant
3 Secretary for Indian Affairs, and I'm an enrolled
4 member of the Oglala Sioux Tribe out of South
5 Dakota.

6 **MR. LOUDERMILK:** Good afternoon. My name
7 is Bruce Loudermilk. I'm Director of the Bureau of
8 Indian Affairs. I'm an enrolled member of the Fort
9 Peck Sioux Tribe of Northeastern Montana.

10 **MR. STEVENS:** Good afternoon. My name is
11 Bart Stevens. I'm the Deputy Bureau Director for
12 the Bureau of Indian Education. I'm enrolled as a
13 San Carlos Apache, but I was raised in Fort
14 Duchesne, Utah.

15 **PRESIDENT CLADOOSBY:** Great. And of
16 course why we're here today is the March 13, 2017,
17 President Trump issued Executive Order 13781. The
18 Presidential Executive Order on Comprehensive Plan
19 for Reorganizing the Executive Branch, and the clock
20 is running for us. They were given 180 days to
21 complete a report back to OMB, and of course NCAI
22 immediately sent a letter to DOI asking for a
23 consultation because of the importance of this to
24 Indian Country. So I thank you for being here
25 today, and of course, I'm speaking to the choir, and

1 I love speaking to the choir, it's on record,
2 repetition is good, you might hear the same thing
3 over and over from tribal leaders, but it's
4 important that we always treat the supreme law of
5 the land, Federal Trust Responsibility, you're going
6 to be hearing that over and over again on how
7 important it is, and I was in a meeting in the old
8 executive office, Leonard Forsmin was actually
9 there, Chairman Forsmin. We were sitting in a
10 circle with about five or six agencies, and I asked
11 the question, "Are you my trustee?" And we had
12 about five or six agencies in there, and one of
13 them, this is true, one went like this, yes; one
14 went like this, no; and another person from the
15 agency turned around, looked at their staff, the
16 staff went like this, that person turned around and
17 went like this.

18 When you come into these positions you
19 don't have an orientation that says, I have a trust
20 responsibility, and I'm a trustee for 567 tribal
21 nations. So, you know, we didn't ask for this
22 relationship, it was prearranged for us, but we have
23 to do the best we can, and it's very important that
24 you understand from the tribal perspective
25 reorganization can be healthy.

1 The choices that we make are going to
2 bring tribes in this room two things, they're going
3 to bring us pain or they're going to bring us
4 pleasure by the choices that you make with
5 reorganization, there's no gray area. So what
6 you're going to do will either make us happy or make
7 us sad, so we look forward to evaluating some of the
8 recommendations that come up, but first and foremost
9 with any reorganization when it involves tribes,
10 Federal Trust Responsibility has to be identified;
11 and number two, Federal Trust Responsibility, and I
12 can't say this enough, cannot be delegated to the
13 states.

14 We've seen devolution in the past. The
15 last 30 or 40 years we've seen what devolution has
16 done to the tribes when the Federal Government takes
17 their responsibility and delegates to the states.

18 You may or may not hear from tribes here
19 today how they've got great working relationships
20 with states, and how they have terrible working
21 relationships with states, and so when you delegate
22 that authority, which I think you should not do
23 under any reorganization plan, you have to take into
24 consideration what that means for the tribes in
25 those states who have a healthy relationship with

1 their state government and an unhealthy relationship
2 with their state government. So I can't stress
3 enough that I'm a firm believer you cannot delegate
4 your Federal Trust Responsibility to the states,
5 because we have enough history to show you,
6 especially when it comes to funding, and in a lot of
7 state legislatures they don't have language in their
8 bills that identify a tribe when it comes to funding
9 from Federal Government, some do, a lot don't. So
10 that's a very important point.

11 So funding is very critical, it's a
12 critical measure on how the Federal Government is
13 satisfying its trust responsibility, and you know, I
14 would be the last one in this room probably to admit
15 that we were very disappointed with the budget that
16 the President rolled out here recently, and that
17 Lord willing we're going to have enough friends on
18 the congressional side to make sure that those
19 draconian cuts are not implemented. So that's our
20 job now as tribal leaders to make sure that we work
21 with those in the House and the Senate to make sure
22 these budget cuts aren't put in place. So once
23 again, self-determination, self-governance. They've
24 been very successful for a lot of tribes, and
25 there's a lot of things that we feel that we can add

1 to this conversation. As you guys know coming from
2 Indian Country, and as you know working with Indian
3 Country, our governments are very sophisticated.

4 So when it comes to reorganizing the
5 Department of Interior, can we be more effective, is
6 an understatement to say that working with the
7 tribes at the beginning is a lot better than coming
8 up with something and trying to shove it down our
9 throats. There's a lot to be said about that, and
10 we probably have a lot of examples on how the old
11 adage, you think you're doing the right thing,
12 you're just doing it the wrong way, and so we want
13 to help you make sure that you don't do it the wrong
14 way.

15 So I've got a lot of other notes here, but
16 I know, Lord willing, we're going to do a checklist
17 and make sure our tribes hit on these, if not, Lord
18 willing if we have time, I will add a little more,
19 but I'm cognizant of time.

20 We now have an hour and a half left in
21 this session, and so I want the other tribe leaders
22 to have an opportunity to speak, so we'll have
23 definitely written comments and observations and
24 things that we feel will be things that we want to
25 see implemented from the tribal side to make DOI

1 more efficient.

2 Like I said, we're not opposed to
3 reorganization, we're not opposed to streamlining,
4 but we have to look at the impacts that may occur to
5 us, especially when it comes to handing your trust
6 responsibility down on the states. Thank you.

7 **MR. BLACK:** Thank you, President
8 Cladoosby. Let me just back up a little bit. I
9 appreciate all those comments. That really was a
10 good way to start off the meeting kind of hearing
11 that point of view.

12 Just a few logistical things here I'm sure
13 most people are aware. Out the door and to the
14 left, down the end of the hall, the restrooms are
15 out that way. If you're like me, I need to know
16 where those are right off the bat. Judging by the
17 room and seeing them bring a lot of chairs in, I
18 don't want to waste a lot of time up here talking, I
19 want to be able to hear from the tribal leaders, but
20 I just do want to make a couple of quick points
21 here.

22 This order came out, I think it was in
23 March. We've got 180 days. It's going to be due to
24 OMB in September, I think somewhere around September
25 8th is the deadline to get this submitted in. We

1 pulled these listening sessions together in order to
2 garner input from Indian Country. Chairman
3 Cladoosby said it as well, is the fact that we have
4 to hear from you, how do we better serve you. So
5 we've provided very limited materials, and what I've
6 been telling people as I go around and talk a little
7 bit is we have nothing on the table right now, and
8 nothing off the table, so what can we do, what input
9 can we get from you that will help us to better
10 serve you, and to help you serve your constituents
11 out there.

12 So right now you've got a couple of the
13 different org charts, it shows what the ASIA
14 organization is. There's another chart that shows
15 what the BIE structure is, as well as the BIA
16 structure.

17 We are currently going through a reorg or
18 a realignment of our Bureau of Indian Education
19 program. I don't know if that's represented in this
20 org chart.

21 **MR. STEVENS:** It is.

22 **MR. BLACK:** That is represented in this
23 org chart. There again, we are soliciting input on
24 that. Now, it would be my intent to garner all of
25 this input to collect all that and provide that

1 information up to the Department for Indian Affairs,
2 and then beyond that my intent would be to go out
3 and do further consultation based on the input that
4 we got, to come back and get further information
5 from Indian Country. Whether or not I'm sitting in
6 this chair or not when that time comes, but I will
7 pass that off and make that recommendation to the
8 next assistant secretary.

9 So with that, if you could, when you get
10 up to make a comment, if you could state your name
11 and your affiliation for the court reporter. Again,
12 these are listening sessions, but we've had a court
13 reporter at every one of them, so we are recording
14 these sessions so we have them documented, and we're
15 able to go back and pull the transcripts and take
16 out everybody's recommendations, but also, please,
17 if you would rather submit written comments, please
18 do that as well. We will take all of those written
19 comments, and I think -- do we have a place for
20 them? I think that's on this initial letter here.

21 And then also, I snuck a copy from Jackie.
22 Jackie was handing out a copy of NCAI's comments
23 there. I think this is really helpful, especially
24 on that first page, it gives you an idea of what OMB
25 -- the criteria that they'll be looking at when

1 they're evaluating some of these proposals that are
2 going to be coming in from the different departments
3 and the different agencies.

4 So with that I would really like to open
5 it up to the tribal leaders, and as the President
6 said, we've got limited time. So name and
7 affiliation, and spell it if you would.

8 **MR. PAYMENT:** Chairperson Aaron Payment,
9 Chair of the Sault Tribe of Chippewa Indian. Payment
10 is P-A-Y-M-E-N-T. Sault is S-A-U-L-T, that's the
11 tribe. So I just wanted to say hopefully as some
12 preparatory statements to get us started is, so we
13 change presidents every four years or every eight
14 years, and I've noticed some issues with engagement
15 that aren't quite the way that we had come
16 accustomed to under our previous President, so I'm a
17 little concerned about that, and because of that I
18 want to make sure that our listening sessions follow
19 some protocol that was created under the executive
20 order of several presidents, including President
21 Bush, that our input be memorialized, and that it be
22 incorporated, in that it not be listened to, but
23 then selectively incorporated, I want to just be
24 cognizant of that. And so this is one of the first
25 listening sessions under the new administration.

1 But I have noticed that some of the notices out from
2 the Federal Registrar and engagement are not
3 reaching Indian Country. I think there's a better
4 way to get those out. I think you can look to some
5 factors from the previous administration that might
6 be facilitative and helpful with that.

7 So I just want to remind everybody of the
8 treaty and trust responsibility. We've negotiated,
9 I would say, the blood, sweat, and tears of our
10 ancestors and millions of acres of land in
11 consideration for something, not something for
12 nothing, and when we think of this we think of our
13 not entitlement, but the funding that we get from
14 the Federal Government, and the trust responsibility
15 was prepaid through the millions of acres of land.

16 And so while I'm very much -- I'm the
17 executive for my tribe, very much into creating
18 efficiencies and effectiveness. I'm also cognizant
19 that as long as you're going through this process,
20 it doesn't seek a diminishment of the treaty and
21 trust responsibility.

22 We didn't create the federal deficit, and
23 certainly eliminating tribal programs and services
24 won't balance the federal budget. So as we look to
25 creating these efficiencies, we don't beat up the

1 BIA or the BIE, but we look to create productive,
2 positive suggestions for how we can improve.

3 It would be easy for me to list all the
4 things that I don't like about the BIA or the BIE,
5 but I don't think that's helpful in this
6 environment. I think with the focus on the
7 Executive Order to create efficiencies, our words
8 could be misinterpreted, so I want to be cognizant
9 of that.

10 So I do support the BIE reform that we
11 just went through, because it's creating a
12 responsive reaction back to Indian Country. There
13 are different perspectives from Indian Country on
14 that, but I just want to make sure that anything
15 that we say is not misinterpreted. I used the
16 example earlier today, like you're going to beat up
17 on your little brother, but if somebody tries to
18 beat up your little brother, you're going to beat
19 them up.

20 The BIA is one of the commitments that we
21 have. The BIE, IHS are real commitments that we
22 have, and we want to keep those commitments. We
23 don't want any of our words to be twisted around,
24 and then for, let's say, the BIA to be eliminated, I
25 don't support that at all, because there's nothing

1 else on the horizon, so that's my input.

2 **MR. GARCIA:** (Speaking Native Language.)

3 With all due respect, thank you for being here,

4 thank you for having this listening session. I

5 first want to -- I was looking for direction in

6 terms of how the processes of reorganization is

7 going to occur, and if there are any guidelines, and

8 my first inclination was, okay, if the mandated --

9 if the departments are mandated, how well equipped

10 are the departments in terms of expertise, knowledge

11 base, and the guidance that they will provide in

12 terms of ever reorganization of big organization at

13 this point, and so if you have the expertise within,

14 that's a good thing. If you don't, and people are

15 used to having just a structure and an operations

16 only, that's a different beast, and so it's like

17 starting a new company and organizing that company

18 to be effective, and includes all of those other

19 things, and I'll list a few of those things that

20 need to be considered, and so not having any of

21 that, and I don't know the status of the personnel

22 within the department itself, but as I speak, the

23 BIE is already going through a reorganization

24 implementing the reorganization, and in the midst of

25 it now we're going to have the entire BOI going

1 through reorganizing. So I don't know how those two
2 will mesh, but chances are they're going to stumble
3 over each other and may cause some havoc, but here
4 are some things to consider, and I think it's
5 important.

6 Number one, the organization, development,
7 and achievement mission have to be in place. A
8 vision of the organization has to be in place. If
9 you have all of that, that's great. The components
10 of an effective organization are vision, value,
11 submission that have to be in place. The governance
12 of that organization have to be in place. The
13 strategic thinking and planning has to exist within
14 that organization. I hope it does.

15 Program development and implementation has
16 to be defined completely in order if we're going to
17 make any changes to it, or if we need to make any
18 changes. Evaluation, learning, and accountability,
19 both financially and operationally, have to be
20 assessed, fully assessed. The human resources
21 matters must be fully assessed, because if you're
22 going to make cuts, then you need to know what
23 you're cutting, and you need to know what pieces of
24 the organizational operations you are going to cut
25 if you're going to do that. The organizational

1 culture has to be defined, and must be known, and if
2 we don't know that, then that's going to create more
3 chaos.

4 The management systems and the structures
5 for BIA and BIE, and for all of the other divisions
6 within the department must be known and defined, and
7 assessed. The legal compliance, fiscal management
8 and public accountability have to also be laid out,
9 and any resource development that you're going to
10 include should be well defined, and constituent
11 relationships should be defined.

12 We are the constituents of the
13 organization, the federal organization, as well we
14 are stakeholders and shareholders, and as my brother
15 said, we have to hold the Federal Government to its
16 trust responsibility, and all of it, I don't know
17 how well you can define that in an organizational or
18 reorganizational approach, and finally, there needs
19 to be collaboration, effective collaboration,
20 otherwise, there will be a bubble out here, and
21 we're over here, and we're not included in it, and
22 we get left behind, or somebody gets left behind,
23 especially the people in need.

24 So thank you for the time, and that comes
25 from Ohkay Owingeh. My name is Joe Garcia, and I'm

1 the head councilman for Ohkay Owingeh, as well as an
2 executive board member for NCAI. Thank you, sir.

3 **MS. MALERBA:** Good afternoon. Thank you.
4 My name is Chief Lynn Malerba. I'm from the Mohegan
5 Tribe, but today I'm representing United South and
6 Eastern Tribes, which the coalition of 26 tribes
7 from Maine to New York to Florida to Texas.

8 So one of the things that I want to say is
9 thank you for the listening session, but obviously
10 you know that a listening session is not true tribal
11 consultation, and so we would really ask for
12 thorough tribal consultation on any changes that you
13 would make, and one of the things that I think is
14 really important is that we expect both the Bureau
15 of Indian Affairs, as well as the Bureau of Indian
16 Education to advocate for the people that you are
17 designed to serve, and we do have a few
18 recommendations.

19 One of the things that we want to think
20 about is that it is never right to devolve the
21 trustee obligations of the Federal Government to the
22 states. We want to make sure that you hear that,
23 and I'm sure that other tribes will probably tell
24 you the same thing. This is a trust obligation, one
25 we expect you to uphold.

1 And the other piece of this that it
2 doesn't hurt to reorganize, it doesn't hurt to
3 streamline, but if you are streamlining, we hope
4 that what it does is provide more efficient services
5 and more timely services to the people that we
6 serve.

7 The other piece of this is we need clarity
8 from all the agencies across the Federal Government
9 to ensure that all these obligations that you have
10 are not intentionally diminished or somehow
11 forgotten; that these things are very important to
12 us. The services that we provide -- that you
13 provide to us, and the feedback that we provide to
14 you is a partnership, and we want you to remember
15 that.

16 We also want to make sure that you think
17 about the Eastern Region Office, and that there is
18 no diminishment of service there. In the past there
19 has been attempts to eliminate the Eastern Region
20 Office. It's very important to us. Those attempts
21 have not worked well, and we expect that you will
22 continue to have that office in play.

23 And we have provided you with a letter
24 dated May 30th with some other thoughts in terms of
25 some of the principles that we would like you to

1 consider, some of the direct actions that we would
2 like you to consider, and we would love to meet with
3 you at the ISEP board to talk about those specific
4 issues at some point in time. So if you can find
5 the time to do that, we would love to come to D.C.
6 to meet with you at any time that you have
7 available.

8 So I will probably leave it at that,
9 because I know that there are a lot of people that
10 have other topics that they may want to consider,
11 but I think one of the most important things is to
12 lay out the principles for this board
13 reorganization. What are the principles that you're
14 trying to uphold for that reorganization? Because I
15 think if we can do this work from a principle
16 standpoint, then we can probably get to the point of
17 agreement, but we just need to make sure that you
18 are acting as our advocates.

19 One of things that we've talked about in
20 every tribal meeting that I've been to, every
21 advisory committee that I've been to, talks about
22 the need to not only continue the White House Native
23 American Council, but also to get a representative
24 from Indian Country into the Office of Management
25 and Budget as a director for Indian programs in the

1 Office of Management and Budget. Too often we think
2 those decisions are being made in the Office of
3 Management and Budget, and they're not surely and
4 truly understanding what the relationship is between
5 the United States government and the tribes of the
6 indigenous people here and the first people that are
7 here. So we would ask that you strongly recommend
8 that as well. So thank you for your time. I
9 appreciate it.

10 **MR. KEEL:** Thank you. My name is
11 Jefferson Keel. I'm the Lieutenant Governor of the
12 Chickasaw Nation. My last name is Keel, K-E-E-L.

13 As Brother Garcia mentioned earlier, when
14 we hear the term reorganization, and they're talking
15 about reorganizing the entire Federal Government, we
16 talked about the Interior. My understanding was
17 that Secretary Zinke was going to be here to talk
18 about the Interior reorganization, and I understand
19 that now I'm hearing that we're primarily talking
20 about the BIA or this branch of the Interior.

21 When we talk about reorganization, and
22 this isn't the first reorganization -- the first
23 time that we've heard reorganization. Back in the
24 early '90s we talked about reorganizing the BIA. We
25 talked about reorganizing the Indian Health Service

1 back in the '90s and early 2000s under President
2 Bush. It seems like every few years we talk about
3 reorganizing something to make it more efficient.
4 Tribal governments have been doing things more
5 efficiently for years. We've been doing things with
6 -- doing more with less, because we don't have any
7 choice. You know, innovation has been our key to
8 our survival, and so when we talk about reorganizing
9 a particular agency within the Interior, we talk
10 about all of the people who are going to be affected
11 by that reorganization. We're not talking about just
12 the career people, staff people that are going to be
13 displaced, or removed, or whatever because of cuts
14 in services or whatever.

15 My understanding is that this
16 reorganization, when President Trump said we're
17 going to reorganize the Federal Government, we're
18 going to drain the swamp. We heard that throughout
19 the campaign, and now it's come to reality. We're
20 talking about reorganizing the Department of the
21 Interior, we'll get to the rest of the Federal
22 Government later. I know he's talking about the
23 health -- the DHS. So once we talk about
24 reorganizing, we need to know really what is the
25 purpose. What is the vision for the Interior? What

1 does the President want to see? What do you want to
2 see in the Department of the Interior.

3 When we talk about the Indian Trust Asset
4 Reform Act that was passed last year, it had some
5 key provisions in there. One was to appoint an
6 undersecretary that would give us a key position
7 within the Interior, that hasn't come about yet.
8 Although it was enacted, we're still waiting on it.

9 There's some other things that we can talk
10 about, the 638 contracts, how will that be affected.
11 You know, many tribes are involved in 638 contracts
12 right now. My tribe, for instance, is greatly
13 involved in that, and we've been performing at a
14 high level, so again, we don't know what the
15 requirements are going to be, what's being discussed
16 at your level, and how is it going to affect us. If
17 you simply want to do away with jobs, you can do
18 that with attrition, you know, as people retire,
19 just don't fill the position, you know, that could
20 save you some money, in fact, it will probably save
21 a lot, you know, it depends on how many people exit
22 in the coming years, but you're only talking about
23 one small drop in the bucket of the federal budget,
24 and it doesn't really affect you or individuals.
25 What it effects though are the users down at the

1 tribal level, those people who are receiving
2 services who will no longer receive services.

3 We talk about the state and other
4 relationships. President Cladoosby mentioned the
5 tribal state relationships. Many tribes have good
6 relations with the states. We happen to have a
7 fairly good one, but tribes have been having these
8 adversarial relationships with state governments for
9 years, historically. Not too long ago we had that
10 type of relationship with the Federal Government,
11 but we've come a long way in the past 15, 20 years.
12 We've gotten to the point where we work together
13 very well, and to see that go away just because of a
14 whim because someone says, well, I want to
15 reorganize, because I want to do away with it.
16 Well, that's good on the surface, and it's a good
17 campaign tactic, but reality says you're going to
18 effect millions of people, and we don't want to see
19 that happen, particularly to our tribal citizens.
20 Thank you.

21 **MR. BLACK:** Thank you very much. If I
22 could, just before we move on to other folks, make
23 just a couple quick comments here.

24 You know, we're more or less focused on
25 Indian Affairs, this group at the table here, but it

1 does not preclude you from making any comments
2 regarding the entire department, because there are a
3 number of other areas within the department, whether
4 it be BOM and oil and gas, and BOR and irrigation
5 and dams that have a direct impact, direct effect on
6 Indian County. So if you feel there are comments --
7 OST is another one. If you feel there are comments
8 you would like to provide input on that we can feed
9 up to the Department, please, feel free to do so.

10 You know, from day one of Secretary Zinke
11 coming on board he talked about a 100-year
12 reorganization. It's not necessarily about
13 eliminating jobs or programs, but the Department
14 hasn't been reorganized in a hundred years. How do
15 we become more efficient. He talks a lot about a
16 command structure and putting the decision making
17 down to the lowest level, putting the horses out on
18 the front line. So is D.C. the place to have a lot
19 of the staff and offices that we have throughout the
20 Department, or other areas where we have a large
21 conglomeration of federal staff, or is it better to
22 handle people sent out more to where the work is
23 being done out in the field. So those are some
24 things I hope can help you guys with some of the
25 comments as we go forward. Chairman Forsman.

1 **MR. FORSMAN:** Chairman Leonard Forsman, F-
2 O-R-S-M-A-N. I'm the chairman of the Suquamish
3 Tribe, S-U-Q-U-A-M-I-S-H, and here I speak on behalf
4 of our people. We're very concerned about the
5 direction. I appreciate your words. I don't think
6 there's enough money in Interior or in the BIA. I'm
7 worried about this being a smoke screen for cutting
8 the budget, when actually it's grossly underfunded
9 and been underfunded for decades. So I think that
10 there's a better way. I'm all for being more
11 efficient with the same amount or more money,
12 because I really believe that the investment in
13 Indian Country is one of the best investments on the
14 dollar that you'll get throughout the Federal
15 Government, because the people in this room use the
16 little bit of money they have to become one of the
17 family of governments in their area to retain that
18 stance, which we have because it's incorporated and
19 memorialized in our treaties.

20 We signed the treaty of formality in 1855.
21 Washington state didn't exist. It wasn't put in as
22 a state here until 1889. So we predate all of that.
23 We predate the Federal Government as well. We have
24 a sacred trust with the United States, and you folks
25 took the oath of upholding that faith, and we're

1 very concerned, and I'm glad to hear your comments
2 about the fact that you're just trying to be more
3 efficient, and I'm welcome and open to hearing that.
4 We really take that responsibility of our
5 responsibility as treaty signers very seriously, and
6 we hope that the Federal Government and the Trump
7 administration will do the same thing, understand
8 that this is the root of America's identity. Our
9 relationship to our homeland and our landscapes is
10 unbreakable, and we continue to carry that forward,
11 and the money that we -- the little bit of money we
12 get from the Federal Government and the protection
13 of our treaty rights that the Federal Government is
14 supposed to provide to us allows us to be partners
15 with the other governments in our region.

16 I meet with mayors, with governors, with
17 city council members, with state representatives all
18 the time on equal footing, and we try to work
19 together to make a better economy that's sustainable
20 with our environment, so we hope that you'll look to
21 us to help you in this reorg.

22 Now, there have been reorgs before, as
23 you're familiar with, I think there was one in the
24 early '90s when Eddie Brown was Assistant Secretary
25 then, I participated in those, and there were some

1 good ideas, I think, that came out of that, but it's
2 very important that we continue to work together,
3 and try to work together to help solve our common
4 problems. Thank you.

5 **MR. BLACK:** I appreciate that. Thank you.

6 **MR. FISHER:** Jonathan Fisher with the
7 Colorado River Indian Tribe. I'm a tribal council
8 member. We'll go back to our tribe who is dealing
9 with the government in consultation, regardless of
10 whether it's energy people coming on our land. You
11 know, we want to be talked to. We don't want to be
12 like -- we don't want a phone call. That's not
13 consultation. We're pushing that, and I think that
14 for us, the BIA and BOR and everything that's going
15 on, they're not even following their own rules. I
16 mean, we already sued them, but they're still not
17 going and helping us out. They're there to help
18 support us, you know what I mean? So I think that
19 that's one thing we need from the government side is
20 that cutting programs is not going to help. We have
21 so much people and so much problems with our tribe
22 with diabetes, alcoholism, stress levels, and
23 everything like that, so I think that one thing that
24 CRIT is pushing is, you know, if we -- because if we
25 go after, like -- we're protecting our lands. We

1 don't want anyone just to come in, and then when
2 we're coming to you for support, to say, well, we
3 can't just -- you know, they're already here.
4 That's not a good answer. So that's one thing. And
5 it's not just on the reservation. We're talking
6 about ancestral lands, because we always tell
7 people, hey, there was no borders before, there was
8 no borders, we were in Indian territory. So we just
9 would like more support, and then as to
10 reorganizing, all we ask is make sure you put people
11 that are either Native American, or been in the
12 system, or know the community, or know how Native
13 Americans are, that's all we ask. You know, like we
14 know that you guys don't have that much money, and
15 we understand that too, but that's no excuse to not
16 have someone well knowledgeable about reservations
17 and native people. Thank you.

18 **MR. ATTEBERY:** Buster Attebery, Karuk
19 Tribe. A-T-T-E-B-E-R-Y. Karuk is K-A-R-U-K.

20 So I'm going to take a page out of
21 President Cladoosby's speech that he made when he
22 said that the tribes need to get up and tell their
23 story. Some of you heard this story before, but I'm
24 going to tell it again, because I think it would
25 make a huge difference in not only with the Karuk

1 Tribe, but many tribes in similar situations, and
2 that's the consultation process has been great, it's
3 a very good tool. Unfortunately, we got into the
4 consultation process, and then we had to explain
5 what meaningful consultation means, but it's a
6 process, and it's a good process, and so during the
7 consultation we would love to have all the way from
8 local, all the way up to Washington, D.C., really,
9 listen to what we have to say.

10 In a lot of instances you'll hear things
11 repeated, and that's a good thing. When you hear
12 things repeated, it probably really means something.
13 When you hear something out of blue, then probably
14 beware.

15 So the story is listening to tribes, and
16 what I refer to as kind of a circle of destruction.
17 We live in Northern California where it's a very
18 forested area. A lot of the tribes have similar
19 forested areas, and for thousands of years Native
20 Americans and people who live in that community used
21 what we now call tribal ecological knowledge, and
22 they used fire to help keep the brush down and
23 reduce the fields for fire.

24 For 75 years the committee members and the
25 Native Americans who live in that area were told you

1 can't use fire, went to the extent of every time
2 mother nature started a fire, which we used in
3 control to burn off the fields, you know, they ran
4 up and put them out.

5 So over the 75 years now that the forests
6 have grown up to be so bad that when a fire starts,
7 you can't put it out. So the circle ends when you
8 can't put those fires out unless you use retardant
9 of some sort. So that combination of putting out
10 the fires and then the scars that's left with all
11 the black burnt materials, winter comes, and then
12 that washes all into our rivers and streams, so
13 that's the circle. So the consultation process is
14 listening to the tribes in that area, and really
15 taking them serious.

16 We now have a TREX program, which is
17 tribal exchange program where we take local
18 agencies, or any kind of agencies, the Forest
19 Services Fish and Wildlife, and they come into our
20 area, and we train them on using fuel to reduce the
21 -- using fire to reduce the fuels.

22 So the economy there is -- we know that
23 there is a way to improve the economy, because now
24 we have none. We went from a very robust economy to
25 absolutely none since the 1990s. So there is

1 economy there where we can use a reforestation
2 project that actually helps the forests, and then
3 provides the economy for tribal members and
4 community members.

5 So the listening session is just that, and
6 we encourage you to take these stories, and put them
7 together, and see what validity there is in there,
8 and I think you'll see if you go into these
9 communities with similar situations, work with them
10 and make those decisions, we not only provide the
11 economy with a need, but we also can clean up
12 forests.

13 On the education side, please, and I've
14 said this before, please take into consideration,
15 the Karuk Tribe is a reservationist tribe. There's
16 many instances where there's tribes in certain
17 areas. Back when they built the reservation they
18 said, okay, all the Indians in this area go to the
19 reservation. It wasn't possible for us, we were 100
20 miles from that reservation in a very mountainous
21 terrain. So it's hard to travel that nowadays, let
22 alone back in the late 1800s. But so for the BIE
23 schools, we don't get BIE funding to go to the
24 public schools. Sixty percent of our students, our
25 Native American students, choose alternative

1 schools. A lot of them graduate, but the problem
2 there is they miss out on a lot of the arts, a lot
3 of the sports. Some of the schools in our area that
4 are not BIE schools, the public schools that our
5 Native American students go to, have very little
6 cultural relations there.

7 So keep in mind that there are
8 reservationist tribes out there that struggle with
9 the education process, and our kids suffer. Thank
10 you.

11 **MR. MICKLIN:** Will Micklin, M-I-C-K-L-I-N,
12 Second Vice President, Central Council of the
13 Tlingit and Haida Tribes of Alaska, Jackie is one of
14 our vice presidents as well. So thank you, Mike,
15 Bruce, Miles, good to see you. Bart, I don't know
16 you, but welcome.

17 So I will ask you to recall the National
18 Academy of Public Administration had issued a report
19 in 1999 by invitation of the Deputy Secretary for
20 Indian Affairs, actually, the Deputy Associate
21 Secretary, and that was, I think, the seminal report
22 of many reports that have been issued looking at the
23 reorganization of Indian Affairs in the Department,
24 all of which are on the shelf, although that one has
25 persisted. Assistant Secretary Washburn testified

1 to that report in 2008 to Congress, and that
2 provided four dimensions for improving systems, and
3 frameworks, and structures within Indian Affairs to
4 better deliver services, but I think we need to keep
5 in mind that the essence of that report was that
6 there need be resources applied to that framework in
7 order to make it vital, to make it effective, and
8 certainly efficient as the EO is looking for
9 improved efficiencies within the administration.

10 So that brings up the question of funding.
11 So I make two points, one is that you need a place
12 to start, and that NAPA report in '99, I think it
13 continues to have merit within the administration.
14 I would ask the current folks who are acting and
15 those that come in in career, in C level positions,
16 to use that report as a starting place, but to keep
17 in mind that the question of resources is important,
18 and the bridge between the trust obligation and the
19 effective -- the sufficient resourcing for effective
20 work of Indian Affairs within the Department is a
21 transitional question.

22 We in Indian Country don't believe that
23 the trust obligation is defined by the extent of
24 federal funding made available by the Congress. I
25 know that the director of OMB, Mr. Mulvaney, has

1 coined the term that they're looking at the budget
2 through the eyes of those that pay for it. Well,
3 you're looking at the folks here that have fully
4 paid for their contribution to making America great,
5 so I think that needs to be the perspective when
6 you're looking at Indian Country, and for the
7 question of -- we understand that the equation in
8 revenues and spending is one that is going to be in
9 balance for some time, that the plussing up
10 appropriations to the IA and to Indian Country
11 directly is going to be a challenge, so we think
12 that equation, and in the review of reorganizing the
13 administration, needs to have a clear perspective
14 for empowering and strengthening tribal communities
15 so that our jurisdiction speaks to the improved
16 effectiveness of tribes to operate within our
17 regions, that a healthy tribe makes for a healthy
18 region, and that we are mostly in remote and rural
19 locations within the country is a way to improve the
20 lives of our non-tribal communities by strengthening
21 tribes. It means self-determination, which you have
22 heard too, 638 contracts. It means self-governance
23 by contacting under the Self-Determination Act. It
24 means expanding the opportunity for tribes to
25 restore the tribal tax base that today enures to the

1 benefit of state and local government, and improving
2 tribal courts, improving the jurisdiction of tribes
3 within their tribal jurisdictions, whether they are
4 land-based tribes or not, there is still
5 jurisdiction that tribes have, and improving that
6 allows tribes to improve their economies, not just
7 economic development, but their economies within
8 their regions.

9 So when we look at improving efficiencies,
10 I am hoping that we are not left simply to the
11 politics of identity politics, we are not subject to
12 that conversation about identity politics. We are
13 not the hyphenated Americans. We are the first
14 Americans, and we are defined by our government-to-
15 government relationship, and that traces us back to
16 the study on the reorganization of Indian Affairs in
17 the department.

18 You not only need the resources to make
19 yourself effective within the framework of the
20 organization, but you need to transition that to the
21 perspective of what empowers and strengthens tribes,
22 and it's through the trust obligations, through the
23 government-to-government relationship, and there are
24 specific actions whereby the administration can
25 empower tribes to work more effectively within our

1 communities, within our regions at various
2 governmental levels, whether it's state, local,
3 national, or international that doesn't cost the
4 treasury additional monies. So I think that needs
5 to be a part of the equation, and I look forward to
6 working with you not simply in hearing sessions, but
7 in actual consultations and effective discourse
8 where we can look at the subject and actually offer
9 ideas which we will put in writing and make part of
10 our testimony, so thank you.

11 **MS. ANDREWS-MALTAIS:** Thank you. I'll
12 just stand so I don't have my back to anybody.
13 Cheryl Andrews-Maltais, Chairwoman of the Wampanoag
14 Tribe of Gay Head Aquinnah. I just want to thank
15 also the Mohegan people and Chief Malerba for
16 hosting this, as well as you guys coming out here
17 and listening to us, and appreciate that we have
18 some listening sessions, however, we all, as part of
19 our request, we will be requesting more listening
20 sessions as well as formal consultation on this
21 subject and all other subjects that address Indian
22 Country as well as a specific government-to-
23 government with our own tribe, because as we all
24 know, reorganization is not only a mandate coming
25 down now, but also as part of the ITARA that was put

1 out, they wanted to look at streamlining more areas,
2 and I also believe that within that restructuring
3 the undersecretary position that was identified
4 within the ITARA is an important one, and I think
5 that we should really be looking forward to
6 structuring ourselves and working towards what some
7 of the other speakers have said, because the trust
8 responsibilities can be delegated to the states, and
9 if they're going to be delegated to anyone to be
10 streamlining the process, it should be delegated
11 back to the tribes themselves, more along the lines
12 of more self-governance relationship with the
13 Federal Government, and less bureaucracy in allowing
14 the tribes to make those decisions.

15 And the other thing is the BIA could act
16 in more of a technical assistance capacity. There
17 is a clear need for the White House Council on
18 Native American Affairs, and supporting that would
19 also help to streamline the process because the
20 tribes won't have to go to as many places.

21 We do support some regional efforts with
22 having people in the field, however, there also has
23 to be acknowledgment about the regional nuances, and
24 even within those regions the tribal nuances and the
25 uniqueness of the tribes within regions. And our

1 region, as Chief Malerba said, we're very large,
2 we're from Texas to Maine, and that's a really large
3 area with quite complex, diverse aspects of our
4 existence and our relationships with the Federal
5 Government.

6 I think we also have to look at that the -
7 - it would be best if we could have our own cabinet
8 that is fully funded outside of DIA, Department of
9 Interior, but since that's probably not going to
10 happen, we have to make sure that our unfunded
11 obligations aren't competing with land and wildlife
12 as other bureaus within the Department of the
13 Interior.

14 We, Indian Country, or BIA is the only
15 agency that works with the human conditions directly
16 unlike any other of the agencies, or any of the
17 bureaus that are in Interior, and I think it's
18 important that our structure reflects how we are
19 different and unique versus the way that the rest of
20 the agencies are within BOI, and last but not least,
21 we would be happy to engage -- our president would
22 be happy to engage any way that we can, and again,
23 we would like to have more consultation and more
24 listening sessions. Thank you.

25 **MR. PRUNER:** I'm Harold Pruner, the

1 Delaware Nation, and I'm a members of the Tribal
2 Council on Legislative Affairs, and also Chairman of
3 the Native American Broadband Association, and

4 I just wanted to say: (Speaking Native
5 Language.) That's thank you all for coming and
6 sharing ideas with us, which we appreciate
7 certainly.

8 I have a question before I go into some
9 comments. I noticed in the data you gave us you
10 talk about two executive orders. Is Executive Order
11 13175 still in full force?

12 **MR. BLACK:** Yes.

13 **MR. PRUNER:** The consultation requirement
14 order.

15 **MR. BLACK:** Yes.

16 **MR. PRUNER:** And was it modified either by
17 Obama, or has it been modified, or are we
18 anticipating it will be sustained by President
19 Trump?

20 **MR. BLACK:** It has not been modified by
21 President Trump at this time, no.

22 **MR. PRUNER:** Do you think it will escape
23 the ax or not?

24 **MR. BLACK:** I don't know. I hope so, yes.

25 **MR. PRUNER:** Well, we certainly urge them.

1 **MR. BLACK:** We'll strongly advocate that
2 it does.

3 **MR. PRUNER:** I'll give my comments on that
4 in a minute, but an analogy, you heard these Indian
5 tales that we all try to get over from time to time,
6 meaning government officials, both at the federal
7 and state level, and it reminds me, I'm a native of
8 Oklahoma, but I now live in Texas, and you all heard
9 the difference between a Texas tale and a fairy
10 tale, I assume. If you haven't, the answer is, A
11 fairy tale starts out once upon a time. A Texas
12 tale starts out, Now you Som'Bitches aren't going to
13 believe this. So part of that is what you're going
14 to be hearing from, but we hope that it puts a
15 little levity in it, and helps us cooperate more.

16 If, in fact, we get high speed broadband
17 to Indian Country, and every agency in the Federal
18 Government says we need it to be ubiquitous.
19 Ubiquitous is a Delaware monopoly word that means
20 include all of us, but the point is that if we can
21 have meaningful consultation meetings to discuss
22 what that involves, I think we could make a
23 tremendous amount of headway. We're too much
24 regarded we're out of sight, out of mind, and we did
25 not get into the stimulus bill on the build-out of

1 broadband or the infrastructure for electronics and
2 all at the time.

3 The Native American Broadband Association,
4 which my son is a lawyer and I created, is a
5 Delaware LLC. He petitioned and held for our
6 Commerce Department and the Agriculture Department,
7 who each got 3.6 billion of the 7.2 billion, and by
8 holding those consultation meetings we didn't get
9 set-asides, but we did get extra points if you serve
10 someone in the Indian community that's trapped out
11 in remote places, too few of us for AT&T or anybody
12 else to go to, but guess what comes with it? It's
13 telemedicine, it's distance learning, it's increased
14 education, it is preservation of our sovereignty,
15 and our self-determination, because we're connected,
16 and you've got to connect, get connected to compete,
17 and so there are issues like that that we're
18 presently debating and working through our two good
19 Indian congressmen in the state of Oklahoma, Tom
20 Cole and Markwayne. Tom Cole is Chickasaw, and
21 Markwayne Mullin is a Cherokee. The only two Indian
22 legislators we have in all of the Federal
23 Government, but we've got a lot of them at the state
24 agency.

25 But let me mention just two points that I

1 think you all could go to bat for. One, when we ask
2 a federal agency to hold consultation hearings, they
3 will do that by phone, or they will let you come
4 back and see them. We do not have an effective
5 system in which they come to see us, and if you say
6 we've even set up meetings and said we will pay your
7 way, sorry, you know, that's favoritism, and it
8 would make it politically incorrect, and all that
9 sort of thing. So I would certainly rail and hope
10 you all could be advocates of strengthening
11 consultation, but give people traveling budgets or
12 something, set up something so that we can do that.

13 I've been nominated now to go on the board
14 of the First Net System, which of course was under
15 Homeland Security, now it's going to be -- or that's
16 where the idea came from, but it's a part of NTI and
17 Commerce, and they've got to build up to it, or the
18 next calamity that hits we Indians won't hear about
19 it, and we'll be the last ones to hear about it,
20 certainly if we hear at all, because we've got
21 plenty of areas where we don't even get cell phone
22 service.

23 So anyway, that particular issue is
24 universal and helps all tribes in very many areas,
25 and we would appreciate the strengthening of

1 consultation going both ways, coming to the area,
2 because if you don't see what the Indians have
3 already done, and incidentally, Indians are very
4 adept in this area, because they monitor gaming with
5 very sophisticated IT stuff, so most of them have
6 CIOs and IT officers, and we have coalitions to do
7 that.

8 The last point, we propose the build-out
9 of a grid system in Oklahoma tied to state-owned
10 fiber, financed by federal funds, our tax dollars,
11 because to go across Indian lands, you aren't going
12 to traverse Indian lands with a wired/wireless
13 system unless you get a right-of-way, unless you get
14 a tower, but that gets ignored by the Federal
15 Government in not realizing that, yes, we have a
16 nation that's in risk, but it means something. It
17 says those are sovereign lands, and in this case
18 we're talking about being partners. We have the
19 chance to be the barrier if we want by not giving it
20 permission to traverse the land, but we want to be a
21 partner and help it out, so we thank you all for all
22 of your help in that.

23 **MR. BLACK:** Thank you.

24 **MR. ENOS:** Good afternoon, B.J. Enos, E-N-
25 O-S, of the Gila River Indian Community, Councilman

1 for District 4. Just a couple of instances I would
2 like to touch upon with respect to the BIA and the
3 Office of Special Trustee here.

4 I think from a larger context today the
5 listening session in itself is productive, I mean,
6 you can tell by the attendance today, but at the
7 same time I think it does go back to say that the
8 Department of Interior, in an effort either through
9 regional consultation or direct consultation with
10 tribes, is still necessary. Through this
11 reorganization I think understanding, one, not as I
12 stated earlier the principle, but I think the
13 objective of streamlining, or at least finding some
14 efficiencies through this process would be helpful,
15 but the other thing too to look at for
16 consideration, and this goes into the two instances
17 I would like to raise for Gila River, and we will be
18 providing written testimony to these issues, is with
19 respect to the regions.

20 With the community we were successful
21 through the Arizona Water Settlement Act of 2014, we
22 were able to realize our water settlement, and
23 through that process, the community in its efforts
24 to put back into production, and to maximize its
25 efforts through the settlement, we were unable to

1 efficiently withdraw funds from the settlement, and
2 through that process we had to -- it was a bit
3 cumbersome, but we did work through into the
4 national office in D.C., as well as the regional,
5 through Office of Special Trustee to be able to
6 withdraw some of those funds, but I think in
7 hindsight looking back there could have been some
8 opportunities for improvement in that, and looking
9 at that, maybe, for consideration with respect to
10 water settlements, and things that are specific
11 specialized natures, perhaps those are some of the
12 things that can be addressed and handled through the
13 D.C. offices. I know there's quite a bit that's to
14 be done on a day-to-day basis that tends to be
15 common in the regional areas, but for those specific
16 and unique items, perhaps they could be handled at a
17 specialized higher level within D.C., that would be
18 helpful.

19 Second to that as with respect to BIA, in
20 addition to our water settlement, our water code has
21 yet to be finalized. In 2004 did the settlement,
22 2009 we provided revisions, 2014 we provided our
23 last revision to BIA region, and we have yet to hear
24 back or receive a response from that process. So
25 just to kind of highlight, we're looking for some

1 response, or at least an ability to better move
2 along that area for the community, but lastly, I do
3 want to highlight just the idea of consultation,
4 that it does take place, that it be formalized.

5 These listening sessions are great. It
6 does get us on the record, but unfortunately not
7 everybody has an ability to get down, so seeing an
8 emphasis by the agencies to reach out and touch base
9 with folks in the regional level is certainly
10 helpful, and recognize that there are groups that
11 are very remote. Reaching out to those folks to be
12 able to find an opportunity for them to weigh in is
13 going to be helpful.

14 We do our best to meet agencies halfway,
15 sometimes we meet them all the way on issues, I
16 mean, just the two instances that I discussed. We
17 took it upon ourselves to really make sure we got
18 what we needed to get done, but not to say that
19 there aren't areas for improvement. I think the
20 community is a strong advocate for finding
21 efficiencies, but at the same time let's not lose
22 that intended purpose for why we're going to do
23 that. There's a lot of folks that are dependent, a
24 lot of programs that are dependent upon our ability
25 to realize efficiencies together as government-to-

1 governments, because ultimately it's our folks who
2 expect to see a little bit better than yesterday.
3 If we can do a little bit more work today to find
4 that out tomorrow. So on that, thank you. I
5 appreciate the opportunity.

6 **MR. BLACK:** Governor Lewis.

7 **MR. LEWIS:** Governor Stephen Roe Lewis, L-
8 E-W-I-S. I also just wanted to touch on some very
9 specific things. One, and thank you Acting
10 Assistant Secretary Black, Director Loudermilk, and
11 of course, Deputy Bureau Director Stevens.

12 The first thing having to do with the
13 Bureau of Indian Affairs, funding for school
14 construction, and funding for schools, that is --
15 you know, we have three, the Gila River Indian
16 Community, has three BIE schools, one, which was
17 approved for construction funding, but the funding
18 has not been released yet, and we have two schools,
19 one school that's over 100 years old, and that's
20 very concerning to us, because they're operating out
21 of trailers, that's the Gila Crossing School, and
22 the third BIA school is the Casablanca School as
23 well, and so we're looking at some innovative ways
24 to fund school construction. I know that we floated
25 an option already that we've been working with with

1 the staff here at the Bureau of Indian Affairs.
2 We're looking at something similar to the IHS
3 funding where tribes can work cooperatively, and an
4 alternative source of funding for new construction.
5 You know, school construction, as you know, that is
6 a very critical issue out there, so within your
7 plans for potential reorganization of the Bureau of
8 Indian Affairs, school construction, I hope, would
9 be a priority of the BIA moving forward. So with
10 that, also, for BIA schools as well, access to, and
11 the tribal leader about broadband. Our schools,
12 especially BIE schools, which are very unique, they
13 need to have access to broadband, and if there is
14 any way working with the FCC, working
15 collaboratively with other departments, I think that
16 also would help Indian Country. If we remove those
17 silo effect type of relationships where we have
18 departments working together across the board with
19 tribes, I think I know just the Interior, you're one
20 department, but I think this is a concern as well.
21 Other departments working collaboratively, and if
22 you can take that back to the administration, that
23 would be something that would be very, I think,
24 beneficial to getting those much needed services out
25 to Indian Country, and also, just to wrap up about

1 water. Water is a trust resource, water is life,
2 and those national resources moving forward, those
3 are also the basis for our trust relationship with
4 the Federal Government. You know, moving forward, I
5 hope that the Office of Water Rights, I hope that
6 that is protected moving forward, and given the
7 latitude and the resources to work beneficially for
8 tribes in regard to those tribes fighting for their
9 water rights, and those tribes that already have,
10 with what Councilman Enos said, for Gila River we
11 have our Water Right Settlement, but because of a
12 lot of the issues having to do with drought, having
13 to do with regional drought, and other issues, you
14 know, we have to continually fight and to be
15 vigilant to not lose our water rights, and again,
16 and any other type of scenario that comes on our
17 radar moving forward, so I would just add those as
18 well as we move forward in regards to protecting our
19 water, our natural resources, our homelands, and
20 under the sacred duty for the Federal Government and
21 tribes to protect our government-to-government
22 relationship, that trust relationship. Thank you.

23 **MR. BLACK:** Please.

24 **MS. SEBASTIAN-DRING:** Hi. My name is
25 Katherine Sebastian Dring. I'm chairwoman of the

1 Eastern Pequot Tribal Nation, also here with me is
2 Comptroller Valerie Gambrell.

3 We're right across the way. Our
4 reservation was established in 1683 before the
5 United States Government. We have continuously
6 controlled our reservation since that time. We only
7 have a small number of members living on the
8 reservation now, but we control that land, and our
9 relationship with the Federal Government has been
10 very difficult; it's been even more oppressive with
11 the state. So we would plea to you that you not
12 dilute the Federal Trust relationship or delegate it
13 to the state. Some tribes have good relationships
14 with the states, some do not.

15 The state, even though we have statutes
16 that provide the relationship and the
17 responsibilities that the state should have to our
18 tribe, they do not fulfill it, and we have been
19 struggling for years to get the water, to get the
20 housing, to get development on our reservation.

21 And then again, we talk about efficiency,
22 effectiveness, and accountability of the Bureau of
23 Indian Affairs. We speak from the Office of Federal
24 Acknowledgment. Our relationship with them was over
25 30 years. It took 22 years to get a preliminary

1 positive decision and a final positive decision from
2 the Bureau of Indian Affairs. Within three years
3 the State of Connecticut and the Town of North
4 Stonington, Preston, and Ledyard came in and
5 overturned that decision, and so now we are still
6 struggling, again with now the new regulations
7 trying to become federally acknowledged.

8 So when you talk about efficiency,
9 effectiveness, and accountability, we would hope
10 that the BIA and the Federal Government would hold
11 this Federal Trust relationship with tribes sacred,
12 and if you issue a decision, hold on to that
13 decision. Someone should not come in with a politic
14 from the government, or a state, or a town and
15 interfere with your relationship with the tribe, and
16 hold in delay for years and years before you get
17 your right. It is not fair.

18 We ask that you act in an honorable manner
19 going forward when you talk about reorganization, we
20 plea with you. We will continue to work with you.
21 We appreciate the fact that these listening sessions
22 are open to all tribes. We consider ourselves a
23 colonial era tribe, a state recognized tribe, and a
24 federally recognized tribe that was stripped away
25 because of a local politic. We hope going forward

1 you would strengthen your resolve as BIA to be
2 honorable to the tribes and their rights. (Speaking
3 Native Language.) Thank you.

4 **MR. GHOLSON:** My name is George Gholson,
5 G-H-O-L-S-O-N. I'm the chairman for the Timbisha
6 Shoshone Tribe in the Oasis of Death Valley. We
7 live in a state that has partial jurisdiction over
8 our tribes in California. We have 109 tribes, and
9 it's an Appeal 280 state, and Appeal 280 law is
10 convoluted, and it creates a tumultuous relationship
11 with local law enforcement, and we constantly have
12 to remind the State of California that we are not
13 under their jurisdiction; that we have difficulties
14 enforcing the civil law, which we have complete
15 jurisdiction over, because each county sheriff reads
16 Appeal 280 differently.

17 In the constitution we are listed as
18 appear several times in the constitution as with
19 states, and we work with California, we have a good
20 working relationship with California, but sometimes
21 California tries to step over that line and takes
22 some of our jurisdiction away from us as they're
23 trying to pass little bits of legislation that
24 mention the words of "waiver of sovereign immunity"
25 or "waiver of sovereignty," and we value that

1 greatly, that helps us function and makes us who we
2 are as a Nation, and we would hope that when the BIA
3 does their reorganization, some of the problems that
4 we face are decisions that are made at the lower
5 level.

6 We have a central California agency that
7 we're under their jurisdiction, they'll make a
8 decision, then it will go to the specific regional
9 office a year later, and that decision will be
10 overturned, and it ends up at the IBIA, or unless
11 the assistant secretary takes jurisdiction over
12 those decisions, but it's years; it's not months,
13 it's years, and it's devastating to the tribe.

14 We had -- at one point our tribal council
15 wasn't recognized for almost a year; that meant
16 absolutely no funding for a year, but we're supposed
17 to be able to function under those conditions, and
18 we cannot. I don't think anybody could, and
19 generally when you make cuts to the budget, that
20 directly impacts the tribe, it impacts the Bureau,
21 but the impact to the tribes are magnified because
22 it's usually personnel cuts, program cuts, and those
23 are the cuts that we feel. You know, somebody may
24 move on to a different position, but the tribe loses
25 a program for our children, or for education, or for

1 buildings.

2 We have 70,000 acres, we have about 5
3 percent of our population, we're about 400, that can
4 live on our land, because we don't have any
5 infrastructure, and if we keep cutting and doing
6 things -- and we're very isolated, we're very
7 remote. If you know where Death Valley is, there is
8 nothing there, besides that, we're in a national
9 park, so there's not going to be any economic
10 development around us that we're going to be able to
11 take advantage of. So we have to become self-
12 sufficient on the land that we have, but sometimes
13 the regulatory processes that we have to go through
14 are so time consuming, that by the time that you get
15 to the point where you can do construction, all
16 interest is lost; those people have moved on,
17 because they're making money at different
18 investments throughout the country. So when you
19 start to become more efficient, take a look at the
20 tribes where the impact is going to be. Yeah, this
21 office may be operating better, but we lost
22 programs. Thank you.

23 **MR. BLACK:** Anybody else? Mr. Allen.

24 **MR. ALLEN:** My name is Ron Allen. I'm
25 chairman of the Jamestown S'Klallam Tribe in

1 Washington State. I'm hopeful to make some
2 additional comments and can send some letters in as
3 well with regard to my views about this proposal.

4 One of the things, you guys, that is
5 awkward is we're responding to a proposal that we
6 haven't seen, so it makes it really awkward for us.
7 So as a listening effort here, and I know you're
8 going to have some additional sessions here
9 somewhere in the next few weeks, I think that the
10 issue here is, or the message needs to be to the
11 White House that BIA is not broken, it's not broke,
12 it just doesn't have enough resources to do the job.
13 So you have a fundamental mission, and that mission
14 is to help the tribes restore our governmental
15 standings and our ability to be self-governing and
16 self-reliant, so that we can take care of our own
17 people according to our own priorities, not yours,
18 not what the Federal Government thinks is in our
19 best interest, or what they think our agenda is.

20 The Bureau's budget should be categorized
21 to try to address the complexity of 567 unique
22 Nations in America as we continue to move that
23 agenda. We all have differences of opinion, whether
24 it's Navaho, or a tribe up in the upper slopes of
25 Alaska, and I think that what needs to be done is to

1 step back and ask the question, what can the Bureau
2 do to improve its operations. I'll give you one
3 example, you know, over the last ten years or more
4 we've been advocating that you improve the system to
5 take land into trust so we can bring our homelands
6 back, okay, so over those years we have persuaded
7 the administration to improve the process so that it
8 is done in a more timely manner. There are examples
9 where tribes have waited for years just to get the
10 application completed. Now we have a process at a
11 point where it was moving very effectively, very
12 efficiently. So now we're stepping back, and now
13 we're making the process harder, we're making the
14 process more cumbersome, and we don't need anybody
15 from the White house or in Congress to tell us what
16 our vision is. They don't need to tell us what our
17 future is. What you need to do is help us realize
18 our vision from our perspective about how we can
19 advance the interests of our people; returning
20 homelands is just one of the pieces, improving
21 government is a big piece.

22 So when you guys talk about, or OMB asks
23 about the question, you know, what's the priorities
24 of Indian Country; is it education; is it
25 healthcare; is it natural resources; is it public

1 safety? On down the line. You can tick off the
2 issues right down the line, and it will vary from
3 tribe to tribe in terms of where those priorities
4 are. That's not for you to make the decision. It's
5 for you to get a sense of the complexity, and try to
6 put more resources and make an advocacy for more
7 resources, and have the capacity to understand
8 whether or not you're making a difference, and you
9 are making a difference.

10 So I've had a conversation with people in
11 this administration who thinks that we're still
12 stuck 15 to 20 years ago. We are not stuck 15 to 20
13 years ago. We have made significant strides, but at
14 best, as we make those strides and improve the
15 success, what is revealing is how much more we need
16 to do, and how much more we need from the
17 administration to assist us, so one of the areas is
18 economic development. So this administration and
19 the Congress keeps talking about jobs. We're all
20 for jobs, and you know we've got tribes out there
21 that have 50 percent, 70 percent unemployment rates.
22 Well, how do you help those tribes? So the things
23 that you can do in terms of strengthening tribal
24 government, strengthening our authority, our
25 taxation authority, and the non-authority of outside

1 interests to tax things that are going on within our
2 jurisdiction, those are things you can do. You need
3 resources to do that in order to complement what
4 we're doing at home as we're building up our
5 governmental infrastructure.

6 So bottom line is, is that it's not you're
7 broke. You've seen the issue, and I think most of
8 your team gets it, from the central office out to
9 the region into the agencies. So help us by getting
10 out of the way, basically, but doing a better job,
11 and eliminate and minimize your bureaucracy. So
12 that is just one example, guys. So, you know, let go
13 of it, it's working, it's working. If you think
14 it's not working, then you don't get it, you don't
15 understand what's going on in our communities.

16 So we can show you example after example
17 how redefining the lands has made a difference in
18 our communities, how improving our tax authority has
19 improved it, improving our ability to be able to
20 access capital so we can go out and develop new
21 ventures, whether they're large hundred million
22 dollar ventures, or whether it's a small \$1 million
23 venture, it doesn't make any difference, it all
24 makes a difference.

25 So I guess what I want to do is make the

1 comment that I've been doing this a long time with
2 you guys, you know, since 1977 when I think my first
3 engagement with the BIA, and it just seems to me
4 that you just got to get in sync with us and do a
5 better job being in sync with us, and don't try to
6 think what our interest is. Respond to what we're
7 telling you, and I know it's diverse, because I've
8 been a part of GB process since 1996, I know how
9 complicated it is from east to west to north to
10 south, but there is ways you can do it. So you're
11 not broke, but quite frankly, at 2.8 billion, you
12 could double it and still only begin to make a dent
13 in your effort to be able to help us do our job. So
14 that's one of the things that I would advocate is,
15 you're not broke, you just need more resources to do
16 your job to help us do our job to become self-
17 reliant and become a greater part of America.
18 Thanks.

19 **MR. BLACK:** I would like to respond real
20 quick, and Ron, I'll take full responsibility for
21 the fact that you're here with very little
22 information from us, and I think it goes to the
23 comments you made toward the end there was the fact
24 that I didn't want to come here telling you what you
25 needed. I wanted to hear from Indian Country, and

1 I've been doing consultations now for, gosh, 10, 15
2 years, and how many times have one of you in this
3 room come to us and said, you've already got a plan,
4 you're just here, this is token consultation. I
5 didn't want to do that. We have no plan. I wanted
6 to hear from you that would help us shape a plan
7 that we would come back to you and consult with, a
8 plan that you helped us develop. So there was
9 reasoning behind my madness in this, so I hope you
10 all understand.

11 Is there anybody else before I go back to
12 Buster? We've got one in the back. Go ahead,
13 Michell.

14 **MR. HICKS:** Just very brief. I just want
15 to make the point that I received these, and there
16 are certain few terms that state that it would cut
17 federal government for a long time. I appreciate
18 you guys being here.

19 Working through the state is never going
20 to be an efficient process. There was an attempt
21 with Eastern Band, the highways. There was a number
22 of things that we worked on. The first thing that
23 happens is the state is going to try to get their
24 cut right off the top of their overhead, in the red,
25 contract support, et cetera. That's not going to be

1 efficient. So help tribes find that efficient way,
2 and directly through the state is not it, and it
3 never will be.

4 You know, Eastern Band in 2015, we took
5 over the Social Services from our state, because
6 first of all, they weren't efficient, they didn't
7 utilize the resources like they should, and Eastern
8 Band took it over. We began to do it ourselves, and
9 again, we've always had a good relationship with our
10 state, and that's gone on for a long time. Not
11 every tribe is in that situation, but, you know, I
12 think that there's ways to, again, to utilize
13 resources, but not through the state, I mean, again,
14 and that falls to direct responsibility.

15 The other thing is, to align with this
16 administration, whether you agree with them or not,
17 infrastructure is something that I've heard over and
18 over and over, but when you look at the budget and
19 you analyze the 13 percent that's taken away from,
20 you know, the BIA/BIE, and it just happens to be a
21 flat number for some reason, and you look at IHS,
22 and it just happens to be a flat 6.0 percent, you
23 know, obviously they were trying to get to
24 something, but one of the things that I see coming
25 out of that is, again, it doesn't align with taking

1 the school monies out that was mentioned by the
2 governor here. That's an area that should be
3 improved, the technology aspect. If you want to make
4 tribes, and you want to make you're process more
5 efficient, align with infrastructure, let us -- as
6 the gentleman just pointed out here, Mr. Allen, that
7 creates jobs. The tribes can help create those jobs,
8 but you've got to give them a infrastructure
9 resources to do so. So, you know, I just think
10 there needs to be a lot of rework as it relates to,
11 again, the budgetary process itself, but align with
12 what they're trying to accomplish to create the jobs
13 and create the infrastructure. Thank you. I'm
14 Michell, M-I-C-H-E-L-L, H-I-C-K-S, former chief,
15 Eastern Band of Cherokee Indians.

16 **MR. ATTEBERY:** Buster Attebery. When
17 you're reorganizing please take into consideration
18 the local governments and working with the local
19 governments. A lot of times decisions are made out
20 here, and it gets to the local government, and I
21 don't know about other tribes. I assume there's
22 been a history, sometimes between the community and
23 tribes in that community, no different with the
24 Karuk Tribe, so with some of our projects I believe
25 there may be a conflict of interest with our

1 congressman in our district, and right now we have a
2 very difficult time even getting a seat at the table
3 with the Board of Supervisors. There's been some
4 animosity there for years. Probably five or six
5 years ago the Karuk Tribe took the stance to, quote,
6 kill them with kindness, if you can. We decided not
7 to battle it out with them in the newspapers and
8 just sell newspapers, to try to get a seat at the
9 table and sit down and have some valuable
10 consultation, but it's been difficult.

11 So when you're doing this, please, if you
12 could follow it down to the local level and maybe
13 have some influence there that tribes want to work
14 with the local governments too.

15 **PRESIDENT CLADOOSBY:** Just real quick, I
16 have five recommendations here. In June of last
17 year the President signed the Indian Trust Asset
18 Reform Act, I believe that was the last bill that
19 the President signed dealing with tribal issues, I
20 believe, I might be wrong, but we need to get an
21 undersecretary for Indian Affairs appointed. I
22 don't know how much pull you guys have to get that
23 done here, but we need to identify a single agency
24 to have responsibility for the administration of
25 appraisals, it's very important. NCAI has submitted

1 a lot of these recommendations that deal with the
2 Indian Trust Asset Reform Act. Implementation,
3 implementation, implementation.

4 We need to streamline law enforcement and
5 public safety funding, very, very important. Right
6 now we have law enforcement, public safety,
7 substance abuse, mental health, all of these
8 programs administered by different agents, with the
9 largest being the BIA, DOJ, and HHS, and so when you
10 have tribes having to hire multiple grant writers,
11 apply for multiple grants, dealing with multiple
12 agencies, we feel if you consolidate that, it would
13 be more efficient, not only for us, but for you.
14 So, for example, when a tribe has a successful
15 program, and they run it for two or three years and
16 the grant cycle ends, that's a problem for tribes,
17 or when you have tribal law enforcement receiving
18 new vehicles with no maintenance to deal with that,
19 that's a problem, or if you get construction for a
20 new facility, but no staffing, those are some of the
21 issues that we need to have serious discussions on.

22 Of course expanding the use of the 638
23 contracting. The Indian Self-Determination Act of
24 1994 permitted Indian tribes to contract or compact
25 to operate programs in other Departments of Interior

1 outside of the BIA. DOA should consult with tribes
2 about the possibility of expanding 638 contracts to
3 other DOI entities such as the National Park
4 Service. We've been talking about this for many,
5 many, many years, we're going to still continue to
6 advocate for that.

7 This is very important. Create an office
8 of Indian trust responsibility within the Office of
9 Management and Budget, and a council on Indian trust
10 responsibility under the White House Council on
11 Native American affairs. We've been asking for an
12 office at OMB for a long time now, and I think it
13 would be very important in your reorganization, your
14 restructuring, your making it more efficient that we
15 do something like this.

16 So, once again, Brian Cladoosby, Chairman
17 of the Swinomish Tribe, and President of the
18 National Congress of American Indians. Thank you.

19 **MR. MELENDEZ:** I just have one comment.
20 Arlan Melendez, Chairman of the Reno-Sparks Indian
21 Colony in Nevada. As far as land in a trust,
22 economic development, if the administration is
23 moving towards lessening EPA NEPA Compliance, one of
24 the recommendations, because it was so strict to
25 hold back tribes on economic development in one size

1 fits all, if there's any way -- there was a time
2 when we could gain categorical exclusions on certain
3 parcels that basically weren't really large, but
4 over the last few years it's very difficult because
5 we had to be in strict compliance to NEPA, so if
6 there's any way to go back to lessening some of the
7 NEPA compliances by categorical exclusions, I would
8 like to hopefully see that again, that way it would
9 move us faster on getting some of our economic
10 development on projects for land in a trust in a
11 timely manner, so I just wanted to state that there
12 are some things we could do since we seem to be
13 moving in that direction.

14 **MR. ALLEN:** One more thing. Ron Allen,
15 Jamestown S'Klallam Tribe. One of the things that
16 you need to emphasize is where you are efficient,
17 and then build on that efficiency. So self-
18 governance, quite frankly, is an efficiency. A
19 billion dollars being processed out for 270 tribes,
20 272 I believe as of today, and the issue is it's a
21 small staff of, you know, 12, 14 people, so retain
22 it. You know, you have 10,000 employees, or 11,000
23 employees, what that number is right now I've lost
24 track, but you've got a very small staff that
25 processes all these resources out to the tribes in a

1 very efficient way, build on that, support that.
2 Don't tear it down. Don't tear something down
3 that's a success, so I want to emphasize that,
4 because there's lots of areas that's important and
5 need to be fixed. I know about the BIE issues being
6 challenging and so forth, but where you already are
7 doing things right and doing things well, build on
8 that while you're fixing other areas that need be to
9 remedied.

10 **MR. BLACK:** Appreciate that. Thank you.

11 **MS. ANDREWS-MALTAIS:** Cheryl Andrews-
12 Maltais, Chairwoman Wampanoag Tribe. For redundancy
13 sake, and I think Ron and those guys are hitting it
14 on the head, really marrying more of the deligation
15 back to the tribes in the form of self-governance,
16 compacting and contracting, because the partnerships
17 between the tribes and the Federal Government have
18 been a lot more successful in reducing the
19 redundancy, and empowers the tribes, and creates all
20 of the economic development items that go along with
21 it, and plus I believe that by being able to
22 delegate more authority to the tribes will alleviate
23 a lot of the redundancy, and also almost cut down
24 some of the consultation requirements when it comes
25 to individual processes, such as the categorical

1 exclusions when there are projects going on
2 throughout Indian Country or Indian lands, and also
3 predominantly providing options for the tribes to be
4 able to elect and select. All tribes are at
5 different areas of state governance along the full
6 spectrum, so therefore, by providing as many options
7 for the tribe to elect in or opt out of I think
8 would be more beneficial to the agency as a whole,
9 particularly when it comes down to the other
10 agencies, and when it comes to BIA, just really
11 being there for an advocacy technical assistance,
12 but empowering BIA more to be able to help advocate
13 on behalf of the tribes, and not scrounging around
14 and duking it out for the same dollars. Thank you.

15 **MR. BLACK:** We've got about eight minutes.

16 **MR. PARKER:** Justin Parker, Northwest
17 Indian Fisheries Commission, Makah tribal member.
18 I'm going to kind of fly off of what Ron
19 highlighted, because I think a lot of that kind of
20 ties into, but first, I'm just going to say a little
21 quote from Jerry Maguire, "Help me help you." You
22 know, help me help you. Tribes have shown we've got
23 the experience, we've got the knowledge, lean on the
24 tribes, that's what I say with anybody, lean on the
25 tribes. If you need help on any of the issues,

1 we'll help move them, and I think a lot of what you
2 have in play, it's hard to compare what a plan might
3 look like not knowing really what it is you're going
4 to be proposing at the end of the day, but really to
5 me it's that a lot of what comes into play is the
6 personalities too. There's a lot of things that I
7 think the Bureau folks could really -- and I'm not
8 being critical of anybody, but just in the general
9 oversight is, just if we could get past some of the
10 counterintuitive, just some of the issues that we're
11 trying to advance, and take the initiative, help the
12 tribes move some of these initiatives versus being
13 an impediment at times, and then having that
14 roadblock put into place. Again, it's not anything
15 directed at anybody here, and you or yourself or
16 anybody down on your line, but just in the history
17 of the Bureau that always seems to be an impediment.

18 I mean, there's a reason why tribes have
19 advanced self-governance and been successful in
20 advocating for self-governance and moving self-
21 determination to where it is today. So I think it's
22 important that we need to have that communication
23 with not only the tribes, but also better
24 communication and involvement with the regional
25 staff, with the regional directors on down, and so

1 having that communication, that coordinating effort
2 is going to be critical, I think, with whatever
3 plan, because you can come up with the best plan,
4 but at the end of the day, as you implement it, it
5 may not be effective if you don't have that
6 coordinated effort. So I want to make sure that,
7 again, the tribes, the regional staff, the Bureaus
8 of the 12 regions are highly involved, and then as
9 13 of our tribes are self-governance tribes, so
10 again, playing off of what Ron said, you know, with
11 the self-governance staff, that it's important that
12 we retain that knowledge, that expertise that they
13 have there.

14 I think the Bureau supplements quite a bit
15 of funds for that office, and they have about 12, 14
16 staffers, and they're proposed to be a million
17 dollars, and I think it's four FTEs or something
18 like that, and so we don't want to lose that wealth
19 of experience that we've been able to generate over
20 the years, and so I just wanted to add to that mix
21 as well, and for the Bureau to support that effort.

22 **MR. BLACK:** Before I come to you, ma'am,
23 if you don't mind, just a quick comment off of
24 Justin's. One of the things I wanted to say before
25 we end was to say help me help you help me, because

1 that's really a matter of -- you know, this has been
2 fantastic for me today, I've heard a lot of really,
3 really good comments coming in as far as your
4 expectations and your ideas, but also, I would ask
5 you to take a look at the structure of the
6 organization. Are we best set up to serve you the
7 way you feel you should be served? Are our regents
8 where they should be? Do we have too many regents?
9 Do we have too many agencies? Do we have an agency
10 out there with one person that may be better served
11 by taking those resources and adding them to a
12 regional office? Are we best situated throughout
13 Indian Country to be able to get the services to you
14 where they need to be? So as you go through, you
15 know, over the next few weeks, it's
16 Consultation@BIA.gov, you can provide any written
17 comments to that e-mail address. So please, I ask
18 you to provide that information to us as well, in
19 addition to everything that we've gotten through the
20 different sessions, and we've got a couple more
21 sessions to go, I believe, so I just wanted to add
22 that real quick. Madam Chairwoman.

23 **MS. MALERBA:** Just one other thing. One,
24 you've heard a lot of our people speaking about
25 silos funding and silos programs, and so I think if

1 there is a way to cut down the barriers between
2 those programs, because every community does have
3 different needs, and it could be that the funding
4 could be more impactful if there wasn't just a
5 specific funding for this thing or that thing or the
6 other thing, because that's not how we operate,
7 we're much more wholistic than that.

8 The other thing that I would recommend is
9 as a plan is being developed and as you delve into
10 consultation further, one of the questions that I
11 think we should all be trying to answer is, what are
12 the metrics that we're going to use to evaluate how
13 well this new plan works, because I think that it's
14 one thing to establish a plan, it's one thing to
15 articulate a plan, but if we don't then go back and
16 look at is it doing what we intend this plan to do,
17 is it achieving the goals and the principles that
18 we've set out for it to do, then we're doing
19 ourselves a disservice by not going back at it and
20 taking a look at it at varying intervals, and I
21 think in some cases your advisory committees may be
22 very helpful for you to be asking some of those
23 questions at, and I would encourage you to use your
24 advisory committees as well, because not only do
25 they have tribal leaders at those committees, you

1 also have technical experts as well. It wouldn't
2 take the place of consultation, but I think it could
3 provide you with some good feedback. Thank you.

4 **MR. BLACK:** Are there any other comments?

5 **MR. PARKER:** I'll add one more to mine.

6 Sorry, I should have added this in my previous --
7 Justin Parker, Northwest Indian Fisheries
8 Commission, NIFC. So an issue we rolled out for the
9 White House six years ago next month, actually,
10 treaty rights at risk was ultimately trying to find
11 somebody in charge within the administrative,
12 whether it be the President, Chief of Staff, whoever
13 it may be on down, and they tasked CDQ with that,
14 and CDQ coordinated the effort, put somebody over in
15 RCS to lead that effort as well as NOA and EPA.
16 Well, all those political appointees are all gone.
17 We've been kind of hitting the pause button, if you
18 will, not sure where we want to advance and where we
19 want to lean on this administration. There's so
20 many people that are acting, they've got the cabinet
21 level filled out, but we're not sure where we're
22 going to go with the likes of the person that's
23 going to take your spot ultimately, and then deputy
24 administrator, so on and so forth, so it's been a
25 little bit of a struggle trying to find out, okay,

1 now we're five months into this administration, four
2 months, whatever we're at, what can we do back in
3 D.C., who should we be leaning on, who's in charge
4 basically. CDQ got booted out of those town homes,
5 and so I don't even know if they even exist as an
6 office anymore, so we're not quite sure where we're
7 supposed to be going with this. Again, we just kind
8 of hit the pause button until we could strategize on
9 how we move forward with this different
10 administration, but ultimately at the end of the day
11 it's going to be the same question, who's in charge,
12 who should we be leaning on back there, who's the
13 first person we should be going to, and that's
14 something that we've been kind of tossing back and
15 forth, and we're really just not making any headway,
16 and unfortunately we're losing ground, because there
17 are some pretty specific issues that comes to
18 habitat, comes to water quality, et cetera. So any
19 help you would have there would be very much
20 appreciated, and I just wanted to add that as you go
21 forward when you reorganize to think about tribes'
22 treaty rights, and the resources that need to be
23 protected through those treaty rights.

24 **MR. PRUNER:** One last quick comment
25 relative to all of these deals. If we get together

1 and talk, we can work out the problems, we could
2 develop respect for each other, and both sides live
3 up to their obligations. I would suggest that you
4 create a consultation facilitator. Since you're our
5 advocate in your department, but in many cases the
6 other departments aren't living up to executive
7 orders and whatever, then if you'll give us a
8 facilitator, we'll work with you and our congressman
9 and get the job done, or at least get together and
10 plan to get the job done.

11 **MR. BLACK:** All right, folks, unless
12 there's any other comments, that is the end of our
13 time, and I do want to thank everybody for taking
14 the time to come sit with us today. This was a much
15 bigger crowd than I expected, but it was pleasantly
16 full. So I thank you all very much.

17 **(Listening session concluded at 2:46 p.m.)**

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CERTIFICATE

I, Robin Balletto, do hereby certify that I reported all proceedings adduced in the foregoing matter and that the foregoing transcript pages constitutes a full, true and accurate record of said proceedings to the best of my ability.

I further certify that I am neither related to counsel or any party to the proceedings nor have any interest in the outcome of the proceedings.

IN WITNESS HEREOF, I have hereunto set my hand this 20th day of June, 2017.

Robin Balletto

Robin Balletto

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