

From: Jacqueline Pata
To: James_Cason@ios.doi.gov
Cc: [Tahsuda_John_\(John.Tahsuda@BIA.gov\)](mailto:Tahsuda_John_(John.Tahsuda@BIA.gov))
Subject: NCAI Letter on National Monuments" Report and Presidential Action
Date: Thursday, September 21, 2017 1:08:54 PM
Attachments: [National Monuments White House Letter 9-20-17.pdf](#)

Jim - Attached is NCAI's Letter to the President on National Monuments I wanted to share with you. Thanks for the meeting the other day – I appreciate our ability to work together. If you need any additional information please let me know– Best Jackie

Jacqueline Kus.een Pata
Executive Director
National Congress of American Indians
1516 P Street NW
Washington, DC 20005
202-466-7767
jpata@ncai.org



NATIONAL CONGRESS OF AMERICAN INDIANS

September 20, 2017

President Donald Trump
1600 Pennsylvania Avenue NW
Washington, D.C. 20240

EXECUTIVE COMMITTEE

PRESIDENT
Brian Cladoosby
Swinomish Tribe

FIRST VICE-PRESIDENT
Fawn Sharp
Quinalt Indian Nation

RECORDING SECRETARY
Aaron Payment
Sault Ste. Marie Tribe of Chippewa Indians of Michigan

TREASURER
W. Ron Allen
Jamestown S'Kallam Tribe

REGIONAL VICE-PRESIDENTS

ALASKA
Jerry Isaac
Native Village of Tanacross

EASTERN OKLAHOMA
Joe Byrd
Cherokee Nation

GREAT PLAINS
Larry Wright, Jr.
Ponca Tribe of Nebraska

MIDWEST
Roger Rader
Pokagon Band of Potawatomi

NORTHEAST
Lance Gumbs
Shinnecock Indian Nation

NORTHWEST
Mel Sheldon, Jr.
Tulalip Tribes

PACIFIC
Jack Potter, Jr.
Redding Rancheria

ROCKY MOUNTAIN
Darrin Old Coyote
Crow Nation

SOUTHEAST
Larry Townsend
Lumbee Tribe

SOUTHERN PLAINS
Liana Onnen
Prairie Band of Potawatomi Nation

SOUTHWEST
Joe Garcia
Ohkay Owingeh Pueblo

WESTERN
Bruce Ignacio
Ute Indian Tribe

EXECUTIVE DIRECTOR
Jacqueline Pata
Tlingit

NCAI HEADQUARTERS
1516 P Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

Re: Executive Decision on National Monuments

Dear President Trump:

On behalf of the National Congress of American Indians (NCAI), the oldest, largest, and most representative organization of American Indian and Alaska Native tribal governments, we write to reiterate our comments on the Administration's review of National Monuments. Based on recent reporting regarding what may be contained in Secretary Zinke's report recommending revisions to certain monuments, we offer the following comments.

We appreciate the report's goal of protecting objects and prioritizing tribal cultural use. The best way to do this is to maintain the reviewed National Monuments at their current size and land designations. In both of NCAI's previous comments, we encouraged the Secretary to prioritize Tribal access and cultural use. In addition, we applaud the recommendation to include tribal cultural use in management plans. This is an important step to a meaningful government-to-government relationship and NCAI looks forward to helping the Administration carry out these recommendations.

NCAI has long been a proponent of public lands and Tribal access to traditional homelands, including the Badger Two Medicine area in Montana. The Badger Two Medicine is a sacred place for the Blackfeet Tribe in Western Montana and we applaud the Secretary for recognizing its potential for a National Monument. NCAI encourages you to use your executive authority to designate the Badger Two Medicine as a National Monument.

If recent reports are accurate, NCAI opposes the recommendation to diminish certain monuments in size. NCAI, backed by its membership and resolutions supporting National Monument designations, is concerned by the number of monuments that are recommended to decrease in size. The Bears Ears National Monument, Gold Butte National Monument, Grand Staircase-Escalante National Monument, Organ Mountains-Desert Peaks and Rio Grande Del Norte National Monument all hold ancient, historical and cultural objects of antiquity that must be protected. The original congressional intent of the Antiquities Act was to protect Tribal objects and these Monuments achieve that original purpose.

The Secretary notes that the Administration lacks the authority to enable tribal co management. However, collaborative and/or cooperative management practices have been enacted by the Department of the Interior in the past. In fact, in the Bears Ears Inter-Tribal Coalition's Proposal for the creation of the Monument, the Coalition encouraged "collaborative management" practices. The contours of collaborative and/or cooperative management are determined between the Administration and the Tribes and are consistent with the United States' trust responsibility to Indian tribes. Through such

management, the Agency makes good faith efforts as a trustee to work with and include tribal views and concerns on all procedures and decisions. It is fully within the discretionary authority of the Federal Government to implement cooperative management with Tribal Nations on any federal lands. In fact, Secretarial Order 3342 explicitly encourages cooperative and collaborative partnerships with Indian tribes in the management of federal lands and resources. Sec. 3 of the Secretarial Order includes examples of legislative authority that allows for such partnerships.

Before you make a final decision to decrease any monument in size, we ask you that you consider and uphold the Federal Government's trust responsibility to Tribal Nations by officially releasing the Department of Interior's Recommendations and sending the full report to each affected Tribal Nation.

We urge you to make no changes to National Monument designations including Bears Ears National Monument, Gold Butte National Monument, Grand Staircase-Escalante National Monument, Organ Mountains-Desert Peaks and Rio Grande Del Norte National Monument. Protecting these places, in their entirety, is essential to upholding the Federal trust responsibility to Tribal Nations.

Respectfully,

A handwritten signature in cursive script, reading "Brian Cladoosby".

Brian Cladoosby
President
National Congress of American Indians