

TRIBAL CONSULTATION MEETING
ON ADMINISTRATIVE ASSESSMENT, BIA & BIE STREAMLINING

Held on Thursday, April 26, 2012
at the Northern Quest Casino
Airway Heights, Washington

Reported by: Amy J. Brown, CCR, RPR, CRR

1 P R O C E E D I N G S

2 BRYAN NEWLAND: All right. Good morning,
3 everybody. Good morning, everybody.

4 AUDIENCE: Good morning.

5 BRYAN NEWLAND: (Native language spoken).

6 My name is Bryan Newland. (Native language
7 spoken). I am a Native Ojibwa from Northern Michigan and
8 I am the Senior Policy Advisor to the Assistant Secretary,
9 Bureau of Indian Affairs.

10 I'm really glad to be here at Kalispel today,
11 this beautiful facility. I want to thank the Kalispel
12 Tribe for hosting us. I want to thank everybody here for
13 getting up early and coming out for this discussion.

14 Before we get started, I want to acknowledge
15 my outgoing boss, Assistant Secretary Larry Echo Hawk,
16 who's officially the assistant secretary through the end
17 of the week but had his last day in the office yesterday.
18 It was kind of a bittersweet day, but we wish him well and
19 I know that this -- this effort was important to him and
20 remains important to those of us who are stuck holding the
21 bag at the Department of the Interior.

22 But I also, before we get started, want to ask
23 Lloyd Irvine, councilman from Confederated Salish and
24 Kootenai Tribes, to offer some words of prayer so we can
25 start this meeting off in a good way.

1 LLOYD IRVINE: Good morning. What I would
2 like to say this morning to all of you here, it's going to
3 be a good day. And I would just like to ask the creator
4 to bring into this room and to the hearts of everyone here
5 today and to bless the travels and make it safe for the
6 ones who are here today to share their knowledge and
7 participate in the things that's so important to us
8 people, and with this in mind I thank you.

9 (Native language spoken).

10 BRYAN NEWLAND: Thank you. I want to set
11 the stage for what we're going to do today and tomorrow.
12 I know a lot of folks are eager to talk about a number of
13 things and perhaps some of you came to talk about the
14 Assistant Secretary of Indian Affairs' Administrative
15 Assessment. Maybe others drove here today to talk about
16 the Bureau of Indian Affairs' streamlining or others about
17 the Bureau of Indian Education.

18 I want to make sure that everybody understands
19 that what we've done is broken this consultation down into
20 three subparts, so we're going to lead off this morning
21 with Beth McGarry from the Bronner Group to talk about the
22 administrative assessment for the Assistant Secretary For
23 Indian Affairs, and after that we're going to move into a
24 discussion about BIA streamlining, and after that, I think
25 tomorrow, we're going to talk about the Bureau of Indian

1 Education subjects.

2 So we have a court reporter. I would -- I'd
3 like to ask that when you stand up to speak that you give
4 your name. And in order to help this consultation work
5 for you and for us, we want to make sure that we keep the
6 comments on point. So if we're in the administrative
7 assessment portion, that if you really, really are anxious
8 to talk about BIA streamlining, that you wait until then.

9 Because what's going to happen is we're going
10 to take the transcripts from today's discussion and we're
11 going to go through those comments, and it will make it
12 easier for us to understand and hear what everybody has to
13 say if we don't have to try to categorize every comment,
14 if we can just kind of stick to the subject at hand. So I
15 would just ask that you do that.

16 And at this point I think I'm going to turn it
17 over to Beth. And just very quickly before she comes up,
18 you know, we started out three years ago in '09 and heard
19 a lot from Indian country about, you know, some of the
20 problems that have resulted from previous reorganization
21 of Indian Affairs.

22 I think it's no surprise that folks hear that
23 there's some complicated bureaucracy at the Department of
24 the Interior. We have Bureau of Indian Education schools
25 or BIA regional offices where you'll have one member of

1 our staff working down the hall from somebody else who's
2 in charge of facilities, and there will be a hole in the
3 roof that you say I need that fixed. You can't just walk
4 down the hall to the guy that's in charge of facilities
5 and say, "Hey, can you get that taken care of?"

6 You've got to call all the way up to
7 Washington, D.C., We've got to argue about it there, then
8 you've got to call back down to that guy down the hall
9 who's in charge of facilities and they've got to figure
10 out how to handle all of that.

11 We know, we've heard these stories from folks
12 from Indian Affairs and folks in Indian country, and
13 that's why we really put an emphasis on moving forward
14 with this effort. So we're going to do more listening and
15 talking today after Beth gives her presentation, and I
16 look forward to the discussion.

17 Thank you.

18 BETH MCGARRY: Good morning, everyone.
19 It's an honor for me to be here today to listen to you and
20 your comments and questions about the administrative
21 assessment that we conducted for Indian Affairs.

22 But before we begin, I think it would be
23 really helpful and nice if we, everyone introduced
24 themselves so that we, you know, knew who was here and
25 maybe you didn't get a chance to see someone you knew

1 coming in.

2 So if -- Stan, if you wouldn't mind starting.

3 STAN HOLDER: I'm Stan Holder. I'm the
4 acting deputy director --

5 BETH MCGARRY: And I believe -- I'm sorry,
6 Stan. I didn't mention, we have a mic on both sides and
7 it will help the court reporter if we could pass the mic
8 around when you're introducing yourself.

9 STAN HOLDER: Start over here?

10 BETH MCGARRY: Up to you. Whatever.

11 STAN HOLDER: I'm Stan Holder. I'm the
12 acting associate deputy director for the Division of
13 Performance and Accountability for the Bureau of Indian
14 Education. My office is located in Hartford.

15 ROXANNE BROWN: Good morning. (Native
16 language spoken). My name is Roxanne Brown. I'm the
17 Associate Deputy Director - East for the Bureau of Indian
18 Education located in Minneapolis.

19 IVA MCKAY: (Native language spoken). My
20 name is Iva McKay. I work with the Tulalip Tribes of
21 Washington. I work as a grants administrator and serve on
22 the education task force.

23 GERALD SMALL: Good morning. Gerald
24 Small, tribal council member for Chippewa Cree Tribe.

25 DELORES PIGSLEY: Good morning. Delores

1 Pigsley, Tribal Chairman, Confederated Tribes of Siletz,
2 Oregon.

3 BRENDA BREMNER: Good morning. Brenda
4 Bremner, general manager for the Confederated Tribe of
5 Siletz.

6 JIM CAMPBELL: I'm Jim Campbell, the
7 forest manager for the Quinault Indian Nation.

8 JENNIFER McLAUGHLIN: Good morning. I'm
9 Jennifer McLaughlin and I'm the self-governance
10 legislative associate for Jamestown S'Klallam tribe.

11 HARVEY WHITFORD: Good morning. Harvey
12 Whitford, principal of Wa He Lut Indian School, Frank's
13 Landing Indian Community.

14 JON CLAYMORE: My name is Jon Claymore.
15 I'm the education line officer for the Bureau of Indian
16 Education, and my office is located in Seattle.

17 LLOYD IRVINE: Good morning. My name is
18 Lloyd Irvine, Confederated Salish and Kootenai Tribal
19 Council, everything under -- under the sun. Thanks.

20 TERESA WALL-McDONALD: Good morning. My
21 name is Teresa Wall-McDonald. I work for the Confederated
22 Salish and Kootenai Tribes in Council support and I'm also
23 the acting tribal lands department head. And I want to
24 point out that in 2010 we led the nation in fee-to-trust
25 acres, 37,000 acres converted to trust.

1 BRENDA LOVIN: Good morning. Brenda
2 Lovin, assistant principal, Wa He Lut Indian School,
3 Frank's Landing Indian Community, Olympia, Washington.

4 MARILYN GOUDY: Good morning. My name is
5 Marilyn Sohappy Goudy. I'm the interim principal at the
6 Yakama Nation Tribal School in Toppenish, Washington.

7 MIKE WILSON: Good morning. Mike Wilson,
8 the natural resources manager for the Grand Ronde tribes.

9 ROBERT MANY GUNS: My name is Robert Many
10 Guns. I'm Blackfeet tribe in the honorary council.

11 EDMOND AUGUARE: Good morning. I'm Edmond
12 Auguare, and I'm elder for Blackfeet Tribe and also a
13 member of the MIEA.

14 TJ SHOW: Good morning. My name is TJ
15 Show. I'm chairman of the Blackfeet Tribe, Blackfeet
16 Tribe of Montana.

17 JEFF OKA: Jeff Oka, CFO of the Coeur
18 d'Alene Tribe.

19 RICK GAY: Rick Gay, grant/contracts
20 officer, Umatilla Tribes.

21 DALE DENNEY: Good morning. I'm Dale
22 Denney, a realty officer for the Makah Tribe.

23 MEREDITH PARKER: Good morning. Meredith
24 Parker, general manager of the Makah Tribe.

25 MATT KALLAPPA: Matt Kallappa from the

1 Office of Self-Governance Northwest Field Office in
2 Vancouver.

3 JIM PETERS: Jim Peters, Squaxin Island
4 Tribal Council, and I'll take this opportunity to invite
5 all of you to our canoe journey this year, July 29th, so
6 hopefully all of you guys can make it.

7 DON WHITENER: Good morning. Don
8 Whitener, tribal administrator, Squaxin Island Tribe.

9 CHARLES CALICA: Hi. Good morning. My
10 name is Charles Calica. I'm the secretary-treasurer and
11 chief executive officer of the Confederated Tribes for the
12 Warm Springs Reservation of Oregon, and former BIA
13 superintendent for the Northern Idaho Agency.

14 DEBRA PATTON: I'm Debra Patton. I'm the
15 general manager for the Ketchikan Indian Community in
16 Ketchikan, Alaska.

17 ROB SANDERSON: Good morning. My name is
18 Rob Sanderson. I serve as the vice president for the
19 Ketchikan Indian Community in Ketchikan, Alaska. I also
20 serve as the vice-chair for the Tlingit and Haida Central
21 Council.

22 LAWRENCE LaPOINTE: Good morning. My name
23 is Lawrence LaPointe, council member for the Puyallup
24 Tribe.

25 PETER MILLS: Yes. Good morning. Peter

1 Mills, program manager for design and construction
2 management, Puyallup Tribe.

3 ERIC KENDRA: Good morning. I'm Eric
4 Kendra, superintendent at the Coeur D'Alene Tribal School.

5 DONOVAN CHASE: Good morning. Donovan
6 Chase, principal, Coeur D'Alene Tribal School.

7 DENISE BARENGO: Good morning. Denise
8 Barengo, the executive director for Nome Eskimo Community
9 in Nome, Alaska.

10 CYNTHIA AHWINONA: Good morning. Cynthia
11 Ahwinona, president, Nome Eskimo Community, Nome, Alaska.
12 You have nice weather here. Thank you. There's no snow
13 and it's so warm.

14 JOANNA MAREK: Had to warm up, did you?
15 (Native language spoken). Joanna Marek with
16 the Nez Perce Tribe. I serve as the assistant
17 secretary-treasurer and land enterprise commission chair.

18 RICHARD ROLLAND: Good morning. I'm
19 Richard Rolland, director of the Northwest Tribal
20 Technical Assistance Program, Urban and Regional Planning
21 Program from Eastern Washington University.

22 We are involved with providing services to
23 tribes and transportation in furthering economic
24 development. So federal contractor (inaudible).

25 GEORGE SELAM: Good morning. George

1 Selam, General Council Secretary-Treasurer for Yakama
2 Nation.

3 SHARON GOUDY: Good morning. Sharon Goudy
4 from the Yakama Nation, CEO of Credit Enterprise as well
5 as the treasurer for the Affiliated Tribes of Northwest
6 Indians.

7 STELLA WASHINES: (Native language
8 spoken). Stella Washines, tribal council, Yakama Nation.

9 JENNIFER HOOPER: Good morning. I'm
10 Jennifer Hooper, director of the Education, Employment,
11 Training, Childcare Department in Bethel, Alaska, for
12 AVCP, and we have 56 tribes in our consortium.

13 DAN VIS: Good morning. I'm Dan Vis. I'm
14 a fiduciary trust officer for OST, Northern Idaho agency.

15 RICHARD SANGREY: Good morning. I'm
16 Richard Sangrey of Chippewa Cree Tribe, chief-of-staff.
17 Looks like Rocky Mountain regional office up there.

18 BRENDA WALHOVD: I'm Brenda Walhovd and I
19 work with BIA for land consolidation.

20 HEIDI GORDON: Good morning. Heidi Gordan
21 for the Indian Land Consolidation Program.

22 BETH MCGARRY: That you all very much and
23 welcome.

24 Some of you who came into the room early may
25 not have picked up the handouts that arrived a little late

1 on the table and so they're out there now, and I think
2 that Linda is passing out CDs. Our report is on the CD.
3 It's also on the Indian Affairs' website under
4 "Consultations." You got a PowerPoint presentation and I
5 think an executive summary.

6 So we are all about transparency and sharing
7 of information. It's -- you know, it's all there. And,
8 of course, consulting with you is extremely important. We
9 talk to all the members of the TIBC during our assessment
10 phase, and we also went to several consultations to get
11 feedback from tribal leaders on what they thought was
12 wrong with the support services function in Indian
13 Affairs.

14 And so now, after we've made our findings and
15 recommendations -- and that's just what they are,
16 recommendations, nothing is final -- we're looking for
17 your feedback on whether you think these are good ideas or
18 not good ideas.

19 So back, way back in 1999, the National
20 Association of Public Administrators did an assessment of
21 the support functions at Indian Affairs. At that time the
22 support functions were all decentralized. They were
23 conducted out of the BIA regional offices and BIA serviced
24 Bureau of Indian Education for their support services.

25 During that time there were -- Indian Affairs

1 was not doing well on their financial audit statements.
2 They had material weaknesses and there were problems in
3 the financial statements for Indian Affairs.

4 So the National Association of Public
5 Administrators made recommendations to centralize some
6 functions, but not all functions. Then that report laid
7 dormant for several years and in 19 -- and in 2003, 2005,
8 the prior administration decided that they wanted to
9 centralize all the support functions.

10 And so, as a result, everything -- HR,
11 finance, budget, contracts -- all were centralized in
12 Washington; however, not all the employees were moved to
13 Washington. Many of them stayed in the field but their
14 supervisors, instead of, as Bryan said, being down the
15 hall, were back in Washington.

16 So the organizational structure in 2004 became
17 very centralized. Here we have a deputy assistant
18 secretary for management, which was a new position, and we
19 have the CFO who had budget; acquisition and property
20 management; financial management, which is really
21 accounting; and audit and evaluation, which is your
22 internal control function; planning and policy; HR;
23 facilities, environment and cultural resources, and then
24 the IT function with all their subsets.

25 When we came in last year to do our

1 assessment, we found that the organizational structure is
2 not as it's official structure. It has, as all
3 organizations, morphed into a little bit of a different
4 structure. So as of last year we still had the deputy
5 assistant secretaries for management, the IT function with
6 several more subcomponents, the CFO, who still had budget,
7 acquisition and property and finance. Planning and policy
8 had become planning and performance management.

9 And performance management is if you've all
10 heard of GPRA where the government requires organizations
11 to look at their programs that are being funded and how
12 effective are they, that's performance management. So
13 that's where they are.

14 Internal -- internal assessment, your internal
15 watchdog group of your organization, moved out from the
16 CFO to its own independent office. Still have the HR,
17 still have facilities and environment, and a new office
18 appeared, and that was the Office of Homeland Security and
19 Emergency Services.

20 So we then looked at this organization as it
21 was in 2011 and made some findings and recommendations.
22 So I will start with the end of this story at the
23 beginning so you can see where -- where I'm going.

24 The original organization that I discuss was
25 decentralized and it was all controlled by BIA management

1 and there were -- at that time the federal government was
2 really clamping down on all the federal agencies'
3 financial stability, statement, management of funds, and
4 unfortunately Indian Affairs at that time was not faring
5 well on their financial management, and the BIE felt that
6 there was not -- they were not getting adequate support
7 services through the BIA administration.

8 Now, these are perceptions. I'm not saying
9 any of this is true, but this is what we heard. So then
10 we have this very centralized organization, which in every
11 federal agency has to have an acronym, so the Deputy
12 Assistant Secretary - Management organization is called
13 DAS-M, so that will be that shortcut during my
14 presentation.

15 So the problems with DAS-M that we heard about
16 was a perceived lack of program disconnect. So here are
17 the support services not being connected to the programs
18 because they're in their own little pod and not really
19 customer focused, not serving the tribal communities.

20 They're more about their own world of
21 operations, and that they did not have an organizational
22 identity. Although they were now in this DAS-M
23 organization, when we did a survey of employees, many
24 employees still identified themselves as being part of
25 BIA.

1 So what we are recommending is a balanced
2 approach to solve these problems. We believe that it's
3 important to have shared responsibility between a central
4 organization and the local organization. You still need
5 central policy and oversight so there's consistency. You
6 don't want unfair treatment that somebody who is asking --
7 you know, letting a contract in Miami is treated different
8 than someone in Billings. So you need central policy and
9 oversight, but you need regional staff supervision and
10 local control.

11 So the employees that are in the field should
12 report to managers that are in the field, and in doing
13 this change, you will have -- we're recommending that we
14 streamline -- look at the policies and procedures,
15 streamline them, try to improve customer service so that
16 the service to tribal communities is faster.

17 Improve communication and a new focus on BIE
18 needs so that they have support employees that are working
19 for their organization.

20 They're running a school system, which is
21 completely different than a federal agency. It has a
22 different cycle, budget cycle, contract cycle, hiring
23 cycle for teachers, and so our recommendation is that they
24 have support employees that are focusing on their needs.

25 So this is what we recommend to be the new

1 organization. We still have a deputy assistant secretary
2 for management. The CFO here has accounting, which is for
3 the financial statements. And I have to give Indian
4 Affairs a lot of credit. They have corrected all their
5 poor financial statement findings. They've had no
6 material weaknesses for several years. They've done an
7 outstanding job on their financial management.

8 We recommend splitting the Office of
9 Acquisition and Property because we believe people should
10 be more specialized and not generalists. If you're
11 working to let contracts, you should be a contract
12 specialist. If you're working on property, you should be
13 a property specialist.

14 Budget is so integral to policy and the future
15 of Indian Affairs that we recommend that that office be
16 pulled out from under the CFO and be a direct report to
17 this Deputy Assistant Secretary - Management so that they
18 are -- don't have to go through extra layers to get to
19 leadership in Indian Affairs, that there's a direct
20 report. Budget formulation is critical and that's why we
21 recommend moving the budget office to their own separate
22 identity.

23 Still keeping internal evaluation, the
24 internal oversight to make sure there's no waste, fraud
25 and abuse, that they need to be independent. HR,

1 facilities, environment, and then IT. You'll see what's
2 missing is that Office of Homeland Security and Emergency
3 Services.

4 So our view is in the organization, DAS-M had
5 a big presence in the support world and BIA and BIE is a
6 lesser presence. We recommend for the future that DAS-M
7 exist but with a lesser presence and that BIA and BIE have
8 a stronger presence, and we believe that that will improve
9 accountability and service.

10 So over the next 12 months we are recommending
11 that all the field employees that currently, you know,
12 work locally, be supervised locally. So that, the total,
13 this is for budget employees, accounting, facilities
14 management, property, and the 19 HR specialists that work
15 for BIE in Albuquerque.

16 This initial group is about 145 people who
17 will be reporting to supervisors not in DAS-M any more,
18 but supervisors in BIA and BIE, but they won't -- they
19 won't be moving. They'll be staying exactly where they
20 are and their duty stations stay the same.

21 Now, there are some quick changes. As with
22 any, you know, organizational assessment, we were at
23 Indian Affairs since June of last year. Some of these
24 changes that we were recommending were pretty obvious to
25 the management in Indian Affairs.

1 So the idea of splitting property from
2 acquisitions was something that was -- has already started
3 and that has had real positive impact for the
4 organization.

5 Same with Homeland Security and Emergency
6 Services, it just really didn't make sense to keep them in
7 DAS-M, but that they should be moved to BIA. So that was
8 a change that was already under way simultaneous with our
9 assessment.

10 Similarly, information technology, there's an
11 initiative in the Department of Interior called IT
12 transformation. That was started last year and that is
13 something that the whole department is doing.

14 So although in our report we made findings and
15 recommendations about IT, those are being communicated
16 through the IT transformation initiative, because this is
17 a department-wide program.

18 Now, I do see some of you flipping through
19 your slides. Today I'm giving you a reduced presentation,
20 so some of these things are a little out of order from
21 what you have in your packet. It's all there, I'm just
22 giving a more condensed version for you today.

23 So budget, the Indian Affairs' budget
24 formulation we found to be reactive. We weren't looking
25 forward; we're just not being forward-thinking.

1 So we -- our new recommended model is to have
2 three groups in the Office of Budget. Now, if you recall,
3 I recommended that the Office of Budget report directly to
4 the Deputy Assistant Secretary for Management.

5 So we're recommending formulation; that's
6 where you're creating the budget for the out-years. As
7 you recall, I talked about performance management being in
8 their own separate office. Our recommendation is they be
9 moved into the budget office.

10 They're looking at an effective program.
11 What's effective? What's not? That information really
12 needs to be fed into the budget formulation. What
13 programs should we continue funding? What needs some
14 work? What are successful and maybe should have more
15 funding? So we're recommending that that, that group, be
16 brought into the budget office.

17 And execution is, you know, once the budget
18 has been passed and you're spending money, do you have
19 sufficient money in that account? You don't want to be
20 antideficient. That's the execution group. Right now the
21 employees in budget do everything. If you call them on
22 the phone, you are not going to get a specialist. You're
23 going to get a generalist.

24 So our recommendation is that the employees
25 become specialists and that they be assigned a program

1 area. So if you're working for the Justice Services
2 program in BIA, you should be an expert in that program
3 with a backup so that your program specialist knows who to
4 call and gets a good -- and gets an answer and you become
5 more helpful and it takes less time.

6 If you're having to do everything, you're not
7 an expert in anything, and it just takes longer. So
8 that's our recommendation and that, we hope, will bridge
9 the gap between the program and the support function.

10 In any organization, there's always that gap
11 and you have to work hard to make sure that support
12 services program, and we think if you have people assigned
13 to the program on the support side, that will lessen that
14 gap.

15 We've also recommended an improved budget
16 formulation process. In appendix A in our full report we
17 gave an example of how a budget office could manage three
18 budget years at the same time, which you have to do in the
19 federal government.

20 You have to manage the budget that's this
21 year's budget, the already -- the one that's on the Hill
22 that's being voted on, and then the next year out budget.
23 So we've given examples on how to do that, and part of
24 that is consulting with TIBC earlier and having templates
25 so that the TIBC council can give thoughtful, informed

1 recommendations to the budget formulations staff, that
2 there be thoughtful budget decisions and that they not be
3 done at the last minute.

4 So a lot of our specific recommendations are
5 about starting a budget cycle earlier so it's not so
6 reactive and everything done at the last minute.

7 Unfortunately, Indian Affairs has had a
8 reputation of delivering their budgets to the Department
9 of Interior leadership late and with not good -- well
10 written budget justifications, and we think this problem
11 can be solved by starting the budget process earlier. And
12 then, of course, every year at the end doing a lessons
13 learned -- what worked, what didn't, what can we do better
14 next year.

15 We already talked about realigning the Office
16 of Budget, the DAS-M, and then moving the 26 field
17 operation budget employees to supervisors in either BIA or
18 BIE, and during the -- for any of these recommendations of
19 moving employees, during the implementation phase is when
20 we would be looking at what is the workload, what is the
21 right balance, what are the policies and procedures, what
22 can be streamlined.

23 All of that would be done through a thoughtful
24 implementation process. One of our recommendations for
25 implementation is that it not be done top down, that it

1 involve employees from all levels of the organization,
2 because we believe the employees who do the work every day
3 know what changes to recommend. So we're very -- it feels
4 very important for employee engagement to make these
5 changes successful.

6 The reorganization that was done in 2003/2004
7 was very top down and directive and so it was never
8 embraced or accepted by the employees, and we think if you
9 do implementation from the ground up, that the change will
10 be sustained.

11 Financial management, and this is the
12 accounting function, we think that the organization will
13 benefit by more local supervision.

14 Now, I mentioned how Indian Affairs had done a
15 really great job in improving their financial statement
16 and position within the department, and to not backtrack
17 on that we do think that any of the activities related to
18 the financial statement should remain centralized, and
19 I've listed here on the slide those type of activities
20 that should be done by central staff.

21 But there's approximately 41 employees in the
22 field doing accounting work and we recommended their
23 supervision be changed from DAS-M to a local supervision
24 BIA or BIE.

25 Now, acquisitions and contract management, we

1 heard a lot of feedback that it was not customer focused
2 and very slow. For example, at BIE, the schoolbooks were
3 not getting to the children at the beginning of the school
4 year and that many of the contracts that needed to be let
5 quickly to solve immediate problems were not happening.

6 So our recommendation is to realign the field
7 employees to local supervision. Part of the
8 implementation work for this group is really looking at
9 workload balance amongst the different regions and for
10 BIE.

11 So a lot of -- we can't really name a number
12 of employees that should be moved to local supervision.
13 This is going to take a little more drill down into
14 workload analysis for the staff to see who really -- how
15 it can equitably reassign supervision for the field
16 employees.

17 Property, same problem. This is what Bryan
18 talked about. You know, there's an issue in property
19 management. The BIA regional director will go down the
20 hall, "Hey, you know, can you help me with this?"

21 "Oh, I got to call Washington."

22 We just don't think that's very effective, so
23 we think 30 to 36 field property staff should move to
24 local supervision.

25 Facilities management has the same supervision

1 problem but it also has resource issues. This resource
2 issue is department-wide. The Department of Interior
3 Inspector General has talked about the backlog of
4 maintenance in facilities across the whole department, and
5 Indian Affairs is not immune from this problem.

6 So, first off, we do recommend changing the
7 supervision of the 36 regional facilities managers to
8 local supervision, again, to deal with the customer
9 service and accountability issues.

10 We believe that the central office should
11 still retain policy and procedure responsibility and can
12 coordinate the dissemination of funds, but we think that
13 the current formula that's being used for operations and
14 maintenance should be re-looked at and with input from BIA
15 and BIE leadership on how to change this formula so
16 that -- to try to address some of the maintenance costs
17 and also work with the budget formulation staff to see
18 about increased funding.

19 And that's a very hard sell right now in our
20 budget, federal budget climate, but this is an issue that
21 needs to be addressed.

22 HR, also a lot of complaints about HR, that it
23 takes forever to get somebody hired, that they're -- the
24 security clearances take too long, and that
25 they're -- when we did an employee survey, the employees

1 did not feel that their own development as employees was
2 being invested in by Indian Affairs, that there was not an
3 emphasis on employee growth and development.

4 So every year the federal government does an
5 employee viewpoint survey. They send a survey to all of
6 the employees and ask them to rank their organization on a
7 number, like almost 100, different qualities. The Indian
8 Affairs employees rank very high to devotion to the
9 mission, belief in the mission, connection to the work.

10 Where they don't rank highly is in the topics
11 that are listed here on the chart. The one that
12 I'm -- you know, that we're concerned about are of course
13 all of these, but in training and development, you can see
14 out of all of the federal agencies, 228, the Indian
15 Affairs employees ranked their organization 192.

16 Teamwork was also very, very -- almost last.
17 And that's why we think it's so important on the
18 implementation teams that there be employee involvement,
19 not just managers and supervisors deciding what the future
20 is going to be, and we think that will help address the
21 teamwork issue.

22 So there's a lot to be done in human
23 resources. If you look at the Indian Affairs job page, I
24 can only pick one word, and that's boring. You know, it's
25 not dynamic.

1 It's a great organization. You want to market
2 the working for Indian Affairs, but the page is too
3 boring. You know, who would be interested? So
4 we -- there's a lot that can be done.

5 You can have video clips, a day in the life of
6 an employee, meet your supervisor. There's so much now
7 that can be done with internet resources to draw new
8 employees to the organization. So that's one
9 recommendation.

10 Another is that we need good performance
11 metrics. If a manager said, "I have a vacancy. I need to
12 hire someone," we should be able to track how many days it
13 takes on each step of the hiring process to get that new
14 employee onboard. Right now, Indian Affairs does not have
15 that metric. So that's a recommendation, that they do
16 that.

17 There's a need to really look at the future.
18 21 percent of DAS-M employees are eligible to retire right
19 now, and 13 percent of all Indian Affairs employees are
20 eligible to retire right now. So what will the future
21 look like? We recommend Indian Affairs really develop a
22 workforce and succession plan.

23 So right now there's 19 HR specialists in
24 Albuquerque that service BIE, but they're not supervised
25 by anybody in the BIE organization. There's a lot of

1 complaints about how long it takes to hire teachers. We
2 think in doing an implementation team with this group and
3 having local supervision from BIE, that these problems can
4 be corrected.

5 So for employee development, the Department of
6 Interior has a leadership program. We recommend that
7 Indian Affairs nominate and sponsor employees to attend
8 this program.

9 Develop a -- one of the -- one of the pieces
10 of feedback that we received from tribal leaders was that
11 new employees do not know the difference between direct
12 service, 638, and, you know, and self-governing tribes.

13 So we recommend that there be a dynamic
14 web-based orientation program that is available to all new
15 employees that really emphasizes the history of Indian
16 Affairs and also talks about the differences in the tribal
17 government so that employees are well versed in the
18 customers that they're going to be servicing.

19 There's also a lot of online courses that the
20 Department of Interior has and we recommend that Indian
21 Affairs start marketing those courses to their employees.
22 Not every development course do you have to go and attend
23 a conference. There's a lot that can be done right where
24 you're at.

25 As much as we wanted to recommend that there

1 be HR specialists re-assigned to local management, there's
2 really right now insufficient HR resources to realign, so
3 we really have to drill down into the workforce analysis
4 to see where the needs are and what funding is necessary
5 for additional employees.

6 And I think, Bruce, you have a good example.

7 BRUCE LOUDERMILK: Yeah. My name is Bruce
8 Loudermilk. I am the Acting Deputy Assistant Secretary
9 for Management.

10 One of the problems we have with HR and one of
11 the things we've seen is the Rocky Mountain region, for
12 instance, where we have six HR folks there, all of them
13 report to different supervisors throughout the nation.
14 So, I mean, that's some of the problems we have.

15 My permanent position as regional director out
16 of the Great Plains region, I have one employee relations
17 specialist servicing the Great Plains region, which is
18 probably about 600 employees. So, I mean, that kind of
19 shows you some of the hurdles and some of the -- some of
20 the challenges we have in our HR offices right now.

21 So that's just -- just the tip of the iceberg.

22 BETH MCGARRY: Right. That's a very good
23 example of why we couldn't make right now specific
24 reassignments, but it's definitely something that needs to
25 be worked on in the next year to solve these problems.

1 EEO. The Equal Employment Opportunity office
2 was being managed by BIA, and unfortunately they got very
3 behind in processing complaints and were put into
4 receivership or taken over by the department's civil
5 rights office in 2009. So one of the disturbing feedback
6 from the employee survey is that fairness of leadership is
7 ranked very low in Indian Affairs.

8 So our recommendation is that Indian Affairs
9 develop a strategic plan so they can manage their own
10 anti-discrimination obligations, get out of receivership
11 and bring this responsibility back into Indian Affairs.

12 Safety, like facilities maintenance, is
13 another area that there are insufficient resources, and
14 that is a problem. Also, the safety officers that are in
15 the field are so overwhelmed with so many tasks, one of
16 them being managing the workers' compensation program,
17 that it's not actively managed and it's strictly because
18 there's just too much on the safety officer's plate.

19 So we make, you know, several recommendations
20 on how to reinvigorate the safety program. One is to
21 consider shared resources with other Department of
22 Interior components that may be in the same area -- Park
23 Service, Fish and Wildlife -- who have more safety
24 officers and maybe doing a shared agreement with them to
25 improve coverage for the Indian Affairs.

1 Really do an in-depth study of the safety
2 program, and we think the funding should be done directly
3 to BIA and BIE for safety and not funneled through the
4 DAS-M.

5 Internal controls. So I say this is that
6 watch -- internal watchdog that's looking out for both
7 internal waste, fraud and abuse, but also, as many of you
8 do who have grant funding, you have the single audits,
9 reports, that are done independently, and then that report
10 is sent to Indian Affairs.

11 If the costs are questioned costs or
12 disallowed costs, the program manager in Indian Affairs
13 makes a decision of whether that auditor was right or not.
14 Maybe the auditor thought a cost was questioned but the
15 program manager says, "No. Really that's covered under
16 this grant. It's okay." But they have to make a
17 decision, yes or no.

18 And, unfortunately, Indian Affairs was behind
19 in making those decisions, and if they don't make a
20 decision on those costs within one year, Indian Affairs
21 loses its ability, it's barred from collecting any of
22 those funds back. And when you collect the funds back
23 that were questioned or disallowed, they can then be used
24 for other purposes.

25 In 2010, Indian Affairs was barred from

1 collecting over \$10 million. So this is an area that we
2 think needs to be shored up. We're recommending that the
3 Assistant Secretary issue a national policy memorandum
4 about management accountability, that we get, once again,
5 meaningful performance metrics that really let the program
6 manager and the leadership at Indian Affairs know where
7 these decisions are so they don't get time barred.

8 And then ultimately for internal controls,
9 it's best if it's done by a peer group, so a peer or the
10 peers in Rocky Mountain maybe would go look at Southern
11 Plains and so everybody is learning from each other if
12 you're doing, you know, a peer-review process. Indian
13 Affairs isn't there yet, but that's one of our long-term
14 recommendations.

15 Communications concerning support offices'
16 policies and procedures is not good. So Indian Affairs
17 has an intranet site that's available to all the
18 employees. A lot of the support offices either don't post
19 their policies and procedures or they're so -- they're
20 very outdated, and so therefore, if you're working in the
21 field, you don't really know what is the current policy.

22 So we think that at a minimum these web pages
23 have to be updated with current policies. Assistant
24 Secretary Larry Echo Hawk issued messages to employees.
25 They were very, very popular, and we recommend that that

1 continue and that it help drive the employees to this
2 intranet site. That can be a great source of internal
3 communication.

4 We also recommend, to deal with these employee
5 rankings that are poor, that Indian Affairs develop an
6 employee work/life committee to be open to hearing what
7 are the concerns of the employees, and then address them.

8 So, over the next 12 months we -- you know, as
9 these implementation teams are organized, our
10 recommendation -- I mean, this is still up to Indian
11 Affairs to decide how to do this, but it's our
12 recommendation that these employee engagement
13 implementation teams be formed and that the things that
14 they look at are changing the supervisory chain of
15 command, redoing the policies and procedures.

16 They'll have to change budget allocation
17 because if employees are being supervised by DAS-M and now
18 they're being moved to BIA, that budget has to be moved,
19 too, with the employee, and then have training for both
20 staff and supervisors so that the change is clear and
21 productive.

22 So this is just a slide with -- I've been the
23 project executive on -- or project manager on the team and
24 I'm also Bronner's director of federal services. I'm very
25 interested in your comments today, but if you want to send

1 me an e-mail, that's great, too.

2 Okay. Your turn. We have a mic here. Yes,
3 sir.

4 UNIDENTIFIED SPEAKER: Yeah. Good
5 morning. You mention that one of your recommendations
6 regarding budget is to start the formulation process
7 sooner.

8 Could you elaborate on that, because so much
9 of the formulation depends upon OMB and other -- other
10 folks, and if you start sooner you're starting with no
11 knowledge of what kind of actual numbers you might
12 actually be working with in February/March for the
13 out-year.

14 And also, we deal with four budget years, not
15 three.

16 BETH MCGARRY: Thank you. Very good
17 points. If you're looking at the -- you know, you're
18 looking at the fiscal year ending September 30, so for
19 formulation I think the months in October and November are
20 that time for the lessons learned, what worked well the
21 last year, what didn't work.

22 Developing those templates, even though you
23 don't know the specific target number, you can really work
24 on the templates for what kind of information you want.

25 You can get the performance management

1 feedback on how programs have been doing so that you have
2 all that pre-work done ahead of time and not wait until
3 OMB gives you your targets, so that as soon as you have
4 those targets from OMB, you're right out to the field in
5 the programs asking for the requests and the guidance.

6 There's a lot that can be done and not just
7 wait for OMB to give you your targets. It's tough, no
8 question, and it is a cycle that's dependent on OMB and
9 then the department, and then to Indian Affairs, but I
10 think there are things that can be done in advance so that
11 you're ready.

12 BRYAN NEWLAND: Beth, if I could cut in
13 here.

14 First, just a housekeeping item. When you
15 give your comment, again, we're recording notes here. We
16 want to make sure that we're attributing them properly so
17 if you could give your name and who you're representing,
18 that would be helpful.

19 But just on that point, I want to add about
20 the budget formulation process. You know, there's within
21 the -- within the executive branch in all the agencies,
22 you know, there's a credibility issue about who puts
23 together, you know, the budget very well, and by
24 rearranging the way that we do this, that will allow us to
25 be smarter about it and it will give Indian Affairs a lot

1 more credibility within -- both within the department and
2 then within the entire executive branch, which in turn for
3 the folks -- for the folks from Indian country in the room
4 wondering how this is going to effect them, will allow us
5 to defend our budget better, our budget proposal better,
6 which means more money for tribes.

7 So this is really kind of -- you know, I hate
8 to say it, but it's really kind of doing the obvious, but
9 being smarter about the budget, where are we doing -- you
10 know, what programs are performing well, planning earlier
11 to match up the budget with policy initiatives that we're
12 consulting with all of you about on a regular basis.

13 So this will allow us to be more precise and
14 have more credibility both with the department and the
15 Office of Management and Budget, which will lead to better
16 budgets and hopefully more money for tribes in the future.

17 BETH MCGARRY: Yes, in the back. Thank
18 you.

19 JOANNA MAREK: Again, good morning.
20 Joanna Marek, Nez Perce Tribe.

21 Your presentation was very good, and just
22 hearing the gentleman, the more organized feedback that
23 more funding comes under the tribes. What I'm hearing and
24 seeing, what I've been reading, is money, the direct
25 services to the tribes, are being taken away. So that's a

1 question. That means no money is coming to our tribe;
2 it's being taken.

3 The fiduciary trust responsibility from the
4 government, the Bureau of Indian Affairs, has that trust
5 responsibility, not only to tribal governments but to the
6 individual landowners that it's going to impact, and I'm
7 trying to be very, very respectful here because I -- I can
8 be very direct and I don't mean to offend anyone. So I
9 want that to be very clear.

10 It appears there is a problem and the failure
11 of the Bureau to manage, train, and supervise their
12 employees is impacting the tribes and the people who they
13 hold a fiduciary trust responsibility to.

14 I don't know what tribal leaders that you
15 refer to, but I'm saying as a tribal leader we are out in
16 a remote area, many tribes that I see are going to be
17 impacted by the changes.

18 If your staff doesn't know how to answer
19 questions, where is the training? Who's providing that
20 training?

21 So, again, our regions, our direct services to
22 our people and the tribes are set in jeopardy because of
23 failure to give your employees training, the adequate
24 training and orientation.

25 Our tribe is asked -- or our regional office

1 has tried since 19 -- or 2009 and probably prior to fill
2 positions that are required in leaving, and that was an
3 opportunity to bring in your younger force to be trained,
4 to take over these positions from those that are ready to
5 retire, but that hasn't been done or met.

6 And I have several, but I just want to hear
7 and bring out that I really feel the money, nowhere in the
8 reports, nowhere did I see monies coming to tribes. Where
9 it's going to go is in those central offices for people
10 working at a desk. We need people out in our area and
11 we've requested it for it.

12 We've hammered our superintendents and said we
13 need those positions filled, we need that help and
14 services to our people and we -- you failed us. We didn't
15 get it.

16 And I'm hearing now that you're just going to
17 strip our agencies away. So where is this direct service
18 going to come from? Back East? Middle East? West?
19 Portland? You know, where are we going to get our direct
20 services once they're stripped?

21 Transportation, that's going to be services to
22 your vets, services to the education. Those are all going
23 to be where? Those direct services are being taken from
24 us.

25 Thank you.

1 BRYAN NEWLAND: Thank you for those
2 comments.

3 I want to stress we're going to have an
4 opportunity here after -- after this, this part of the
5 consultation, to talk about I think what you were looking
6 to address, ma'am, with the Bureau of Indian Affairs'
7 streamlining.

8 This presentation was more about the Assistant
9 Secretary and Deputy Assistant Secretary for Management's
10 administrative assessment. So I want to make sure that we
11 just -- we're going to have -- I'm sure we're going to
12 have a really bigger discussion about that when we get to
13 that presentation. I want to make sure we're keeping the
14 comments on point and everybody will have an opportunity
15 to address that. I promise.

16 BETH MCGARRY: And as far as one of our
17 major goals of the administrative support function was to
18 improve service to the tribes by localizing supervision so
19 that support employees that are in the field are being
20 held accountable by their local supervisors.

21 And nothing in our assessment was to -- a lot
22 of changes are -- or most all of the changes are about
23 making changes within the current budget structure. I
24 don't think that any -- you know, where we said there was
25 a lack of resources, it's strictly acknowledging that, but

1 there's a lot that can be done to improve service to the
2 tribe by making internal changes.

3 SHARON GOUDY: Sharon Goudy, Yakama Nation
4 Credit Enterprise.

5 If I understand the purpose of this
6 presentation for DAS-M to reorganize, it says the
7 consultation with the tribal leaders is a primary driver
8 because ultimately the support structure impacts services
9 across American Indian and Alaska Native communities.

10 We heard the presentation as it impacts the
11 current employees and the organizational scheme of DAS-M
12 and the proposed realignment, but what we really haven't
13 heard, and I know you said you were going to get into it,
14 is that impact upon those direct field services of each
15 tribal nation that's represented here.

16 And it has happened across time where we
17 continue to dismantle BIA, we haven't addressed the
18 sunseting of OST. We've taken apart basic inherent
19 services that belong to the tribes, such as the land, the
20 agencies that we go to for economic development, for
21 education, for law enforcement services.

22 Now DAS-M, the top of the organizational
23 scheme, it creates confusion to the tribes of line of
24 authority, who signs for the departmental manual that
25 we're going to work with.

1 Nothing is more frustrating than working at
2 the local tribal level and finding out there are no
3 instructions and no foresight to put those manuals into
4 place that help each of us do our jobs for our tribal
5 members at the grassroots level.

6 That's my comment about this, because it does
7 impact tribal services. As of today, we still don't have
8 meaningful departmental manuals that reflect previous
9 changes, and then there's going to be a new structure of
10 who we go to for continued services primarily to
11 accommodate DAS-M for the existing employees and line
12 authority.

13 So I just wanted to make that comment.

14 BETH MCGARRY: Thank you.

15 MIKE BLACK: If I could just comment on
16 that real quick here.

17 I think you really nailed it as far as what
18 the purpose, and maybe we haven't really described it as
19 well as we should or could, but I think you really nailed
20 it. What the purpose of why we're here for essentially
21 this first session this morning is because of the
22 fragmentation of the Bureau and what has happened over the
23 past eight years.

24 We go back to 2004. As we talked about in the
25 presentation this morning, that's when the Bureau of

1 Indian Affairs was, for lack of a better term, kind of cut
2 up and stovepiped out.

3 All of these administrative functions were
4 taken. And I've been the brunt of a lot of tribal
5 frustration over the years, and my own frustration with
6 the process and the way we've been set up, because we have
7 four or five different stovepipes out there, and the
8 accountability has been really tough to deal with.

9 When the tribal leaders come to me or come to
10 somebody else on my staff and say, you know, "We need some
11 help getting contracts out. We need some help getting our
12 budget out there. The funding is not coming down fast
13 enough," well, we may have to jump over three different
14 lines of authority to get that done.

15 By making some of these changes and the
16 recommendations that come out in the study, we will have
17 that localized control returned back to the regional
18 directors. You'll be able to call your regional director
19 and he will have that authority over the contracting
20 people, over the property people, over the budget folks,
21 over the finance folks. You'll have one spot to go and
22 we'll be able to hold the regional directors accountable
23 to make sure those things happen.

24 So I'm hoping that we will be able to improve
25 the services out there to Indian country through this

1 process.

2 Thank you.

3 BETH MCGARRY: Sir?

4 RICHARD SANGREY: Good morning again.

5 Richard Sangrey with the Chippewa Cree Tribe. You never
6 mentioned law enforcement. It's kind of an off-land site,
7 also, with the regional director not having any type of
8 authority over them.

9 But also the implementation team we talked
10 about, who is that going to consist of?

11 BETH MCGARRY: Of course for your first
12 question, the justice services is a program under BIA and
13 our focus was strictly support functions, not programs, so
14 I'll defer to Mike on that.

15 And then the implementation teams will be
16 designed by Indian Affairs and we're just making
17 recommendations that involve employees at all levels of
18 the organization.

19 MIKE BLACK: And I guess your first
20 question, the law enforcement issue, and that is something
21 that has been brewing and ongoing for, there again, a
22 number of years, probably going back to '04/'05 time
23 frame. It's something we're still looking at.

24 That's, for a lack of a better term, a whole
25 'nother animal in itself. The region, we're dealing with

1 our law enforcement and their services. The new Tribal
2 Law and Order Act was assigned here last year.

3 Implementation of that, dealing with all the
4 different -- the 280 status in different states and how
5 we're going to move forward with that, tribal force, et
6 cetera. So that's something that will be ongoing over the
7 next couple of years. It's just not part of this effort
8 right here.

9 TJ SHOW: Yeah. TJ Show, chairman of the
10 Blackfeet Tribe.

11 I guess it's real hard to ask questions
12 without trying to maybe jump into the next discussion.
13 The question I ask, I'll be happy to take it back and
14 recant that if it indeed falls within the realm of the
15 next question-and-answer session.

16 But I believe someone had mentioned it this
17 morning, the lady behind me said "the sunset of OST." I'd
18 like to step back a little bit and find out where that
19 process is, because it's my understanding that was to take
20 place, and, to my understanding, the OST eats up a lot of
21 the BIA budget, at least that's the way I understand it.

22 And why I'm here is to actually gather facts.
23 And tell me what -- how you guys see that and if that
24 indeed is going to take place and if it's going to move
25 back under the BIA, all of them things.

1 Again, I'll take this back and ask
2 that -- this same question in a later-on session if that's
3 where it belongs, but it's real hard to separate these out
4 because it all entails this structure you have.

5 MIKE BLACK: I can go ahead and address
6 that right now, and we won't be really discussing OST
7 throughout the day with what we're doing here.

8 But what is ongoing right now is you have the
9 secretarial commission on -- the Secretarial Trust
10 Commission is out there. It's chaired by Fawn Sharp, a
11 chairwoman, of the Quinault, and there are also, like I
12 say, four other members -- Bob Anderson, Stacy Leeds, Tex
13 Hall and -- oh, yeah, Peterson Zah from the Navajo, are
14 the five members of the commission.

15 That is ongoing right now. There's going to
16 be a webinar coming up towards the end of this month.
17 It's going to be the first, I think, public meeting will
18 be held in Albuquerque in June, and that's what I really,
19 really encourage all of you, because one of the charges of
20 that Commission is to look at the termination or sunset
21 clause within the laws dealing with OST, evaluating all
22 the trust functions with regard to OST and all those
23 services that are provided, and gathering input from
24 Indian country as to how we can improve our delivery
25 services through trust and what -- what should happen with

1 OST.

2 Should it be sunsetted? That was one of the
3 major questions put before the Trust Commission. So in
4 addition to the efforts that we have ongoing right now,
5 that is a separate effort being run by the Trust
6 Commission.

7 TJ SHOW: Well, I guess to add some input
8 to that then right now in terms of the OST, at least it is
9 my opinion that to my knowledge that the OST does not fall
10 technically under the regulations of the BIA in terms of
11 hiring practices, meaning you don't even necessarily have
12 to be a tribal member.

13 It does not fall within that realm where
14 like -- at least the BIA level you have to hire tribal and
15 local Indian -- Indian employees, I guess. That's a
16 problem I have with that, is OST is just this other arm,
17 if you will, through the stovepiping, whatnot.

18 And they're not held accountable to hiring
19 membership, whether that be the Blackfoot Tribe or any
20 tribe, for that matter, and that's the one thing I would
21 like to see if that -- if it indeed has to stick around.

22 I believe, though, in my opinion, that the BIA
23 has become too conservative, you know, in terms of we're
24 being sued again, I mean, obviously, because of the Cobell
25 lawsuit stuff. In my opinion she proved her weight and

1 she proved the justice to the tribal community, but in
2 return, though, everyone has tightened their belt up so
3 much that tribes literally can't -- can't hardly move in
4 terms of business and other aspects because everyone is so
5 worried about litigation.

6 And at some point, and I've always said this,
7 at some point in time, you know, if the belt gets
8 tightened so much that the tribes get pushed down, I
9 guess, I guess under the thumb of the BIA, that at what
10 point does the tribe say, "Okay, enough is enough. You
11 know, we have to take measures in our own hands to indeed
12 litigate because you're actually costing us business"?

13 And I could go on and on about details, but
14 that may be for a further discussion this afternoon.
15 That's the only comments I have. Again, my name is TJ
16 Show. I'm chairman of Blackfeet Tribe.

17 MIKE BLACK: Thank you, sir.

18 BETH MCGARRY: Okay. If there's no other
19 comments, questions on the administrative assessment, do
20 you want to take a break?

21 BRYAN NEWLAND: We have one back there.

22 BETH MCGARRY: We have one. Okay.

23 UNIDENTIFIED SPEAKER: In regard to this
24 presentation, we've already had two consultations and you
25 have four more after today. I understand in Miami you

1 only had six attendees in your consultation process. The
2 east coast wasn't represented. I did go to Phoenix and
3 the room was full.

4 In the recommendations you're making and the
5 training process and the reorganization of who reports to
6 who, whether it's a regional director, you create new
7 regions, are tribes going to have to wait until another
8 consultation before all this change is to take place?

9 BETH MCGARRY: I believe the plan is --

10 UNIDENTIFIED SPEAKER: I mean, I went to
11 the 1991 reorganization of the Bureau then and they're
12 still having problems with what they did then in 1996. I
13 mean, retirement age was moved to 55 and I know a few
14 people that were told they had to retire.

15 And I understand, also, that 87 percent of the
16 Bureau is made up of Native people, but 85 percent of the
17 employees, potentially, could retire. Where is that going
18 to leave the Bureau and tribes, basically the tribes and
19 tribal members?

20 That's a question that needs to be answered.

21 BETH MCGARRY: I'll answer your first
22 question and then I'll defer to the leadership on that
23 other one.

24 The plan is to wait for all the input from all
25 the consultations before the implementation is started, so

1 that's the current plan as far as our work.

2 And...

3 MIKE BLACK: And then I guess to your
4 second point regarding training, I think that's going to
5 be something that just needs to be ongoing. It's a part
6 of the larger effort through all the different things
7 we're discussing today, not just the administrative
8 assessment, but the streamline processes.

9 I mean, that's something I've asked, you know,
10 my folks to really take a good, hard look at because we
11 are dealing with what we're calling an aging workforce,
12 and you'll see those numbers as we go through our
13 presentation and stuff.

14 So we're also looking at the option -- the
15 fact that we could have a lot of experience walking out
16 the door, so how do we address that. I mean, how are
17 we -- how do we address our workforce plan, part of our
18 workforce development, if our younger staff out there are
19 people that are, you know, at the lower levels of the
20 organization that have the capabilities to move up but
21 they just don't have the training and the experience to do
22 so yet.

23 How are we going to deal with that? That's
24 some of the things I'm hoping we get some input on in
25 addition to some of the ideas we have for that.

1 BETH MCGARRY: Okay. So a ten minute?
2 Ten-minute break, and then when we come back we'll move
3 into the BIA streamlining.

4 (A break was taken.)

5 MIKE BLACK: Okay. Well, good morning,
6 again, everybody. We'll go ahead and get started on the
7 next area of discussion for this morning, and that's on
8 the BIA streamlining.

9 First off, for those of you that don't know,
10 I'm Mike Black, Director of Bureau of Indian Affairs. And
11 I was just asking folks here a minute ago what date it was
12 today, and as of tomorrow it will be my two-year
13 anniversary in this position.

14 So it's been a privilege and an honor for me
15 to serve with the Bureau of Indian Affairs for the past
16 two years, and I've worked with many of you in this room
17 on a number of different things. And I like to
18 think -- you know, I work for the Bureau of Indian Affairs
19 so it's hard for anyone to believe we're doing a good job,
20 but I think we're making progress. I really do.

21 And it's been, you know, a long -- I spent a
22 part of my career out in Montana. It's nice to be this
23 close. I'll just be honest with you, my daughter
24 graduated from college this weekend. I'm headed back to
25 Billings again this weekend, spend a little bit of time in

1 Montana, and I'm looking forward to that, so.

2 Again, thank you for welcoming us, and I
3 really appreciate all of you that have taken time out of
4 your schedule to come spend with us and offer what I
5 consider to be very valuable input into what we're trying
6 do here.

7 And a lot of what you're doing -- and, I mean,
8 there was some comments made earlier regarding the budget,
9 the budget process and the things that we go through. And
10 for those of you who are familiar with our Greenbook,
11 you'll note in the 2013 Greenbook it is called out for us
12 to do streamlining, look at consolidation, streamlining,
13 and cost-cutting efforts to the tune of about 14 and a
14 half million for the Bureau of Indian Affairs.

15 So that is a large part of why we are here
16 this morning. I had my team of people looking at this and
17 Bryan has been the lead on this, and he'll come up and do
18 the presentation shortly.

19 But my charge to him was, you know, put it all
20 out on the table. We've got to look at everything. We've
21 got to find ways to come up with about 14.5 million
22 dollars in saving for the 2013 budget cuts. And one of
23 the areas to do that, if the budget actually comes to do
24 that -- this is the President's proposal. Keep that in
25 mind.

1 But if this comes up, we have to be able to do
2 that to meet those targets and stuff so we don't get
3 across the board cuts. Which we really do, you know, when
4 we're looking at across the board cuts, those are the
5 things that really do chop into the tribal budgets, chop
6 into those direct services that we provide to the tribe
7 and that you compacts are (inaudible) for.

8 And being out here in the Northwest, you know,
9 where so many of you are self-governance tribes, I think
10 your input there again is also very valuable. You've been
11 very successful in what you've done and how you've been
12 able to do some of the things you do with limited budgets.

13 I think your insight and input to us is
14 valuable. I also want to be real clear, you know, Indian
15 Greenbook does talk about the possibility of closing
16 agency offices, about merging, consolidation of offices,
17 regional and the agency.

18 No decision have been made on any of this.
19 That's why we're here. We've got to look at a number of
20 different things. We're putting all of this out on the
21 table for you to take a look at and provide your input to,
22 and we mean that. I think that's going to be extremely
23 valuable to all of us when we go forward.

24 My main mission when I came into this job two
25 years ago was to try to improve the services for the

1 tribes. I believe, still believe very strongly I work for
2 you. All of our people work for you. That's why we're
3 here. That's why I have a job in the federal government,
4 is to serve the tribes, and we have to do the best job we
5 can.

6 I'm really excited about the administrative
7 assessment and those opportunities because I really think
8 that takes us back to where we should be, and that is
9 putting the services down to the lowest level that we
10 possibly can where they belong.

11 All the work really happens out in the field.
12 It all happens out in the -- all of my career in the last
13 two years has been out in the regions working out there,
14 so I think I brought -- I hope I brought a little bit of a
15 different perspective when I came to D.C. because I do
16 have kind of an idea, at least. You know, some of the
17 decisions we make, how they impact the field and the
18 services that we deliver.

19 So I'm really trying and I'm pushing real hard
20 to try and get all of that down to the lowest level
21 possible so that we're providing that service, but keeping
22 in mind that if we are forced into some of these kind of
23 cost efficiency cuts, budget cuts, how do we do that
24 without impacting or with minimal impact to the tribes and
25 the individuals that we serve?

1 How can we do that within our own structure,
2 not taking from the tribal budget, taking from within our
3 own budget somehow and providing at least the best service
4 we possibly can in consideration, and some of that
5 may -- we really do have to look at how we provide
6 services, how can we make better use of technology in
7 providing services, do we need, you know, agency offices
8 out there with two or three people.

9 There's probably in a lot of cases, there's
10 good solid justification for why those offices are there.
11 There's some critical functions that can't be provided,
12 you know, from a distance away, but those are the things
13 we need to hear about.

14 I mean, I don't have experience across the
15 whole country, you know. My experience has been largely
16 in the Great Plains and the Rocky Mountain regions. I
17 know those tribes and those agencies very well. I know
18 how they operate and what services they provide.

19 But I need input from you on some of the
20 agencies here in the Northwest and the different services
21 that are provided and are these things that we could
22 possibly provide from another agency office. Are they a
23 service we can provide from a regional office?

24 I mean, I need that input and we all need that
25 input as we move forward to make some of these decisions.

1 Hopefully, you know, maybe none of these cuts will happen,
2 but we have to be prepared.

3 And I think in the long run we really need to
4 take a good, hard look at our organization anyway.
5 Because if we are going to achieve some savings in our
6 administrative delivery of services, that money can also
7 be filtered back out to the tribes, so. In contrast to
8 some of the comments earlier, it wouldn't be taking some,
9 giving back more. I mean, that's some of the goals I have
10 here as we move forward.

11 So with that, I'm going to turn it over to
12 Bryan Rice, our Deputy Director For Trust Services, and
13 we'll go through the presentation and we'll look forward
14 to some dialogue after that.

15 BRYAN RICE: All right. Good morning. I
16 won't take it personally. I won't be offended if I get
17 "good morning." All right. Thank you.

18 So I always find it interesting to come up to
19 these desks and these podiums, you know, because it almost
20 seems like I need to be about six inches lower to the
21 ground, and that's how they were designed, so we'll get it
22 right here.

23 I have my notebook under here. I wanted
24 to -- well, first let me -- a proper introduction is in
25 order. So I'm Bryan Rice. As Mike said, deputy for trust

1 services out of the D.C. office. I've been with the
2 Bureau since about 2002. I started in Yakima. I worked
3 out at White Swan. I was a timber sale officer working
4 out in the field living on the reservation, working on the
5 reservation.

6 I'm Cherokee. I'm from -- my family is from
7 Southeastern Oklahoma. I won't hear -- if you hear me say
8 "hill," or a couple of other words you might hear a little
9 bit of a draw in there, but otherwise I try to bury it as
10 much as possible.

11 After Yakima and working for Mr. Speaks here,
12 it's always interesting to see how -- how we ended up.
13 You know, I worked for Stan out in the Northwest region
14 and then ended up in Alaska. So I spent predominantly the
15 majority of my career in the Northwest and then the
16 Alaskan part of the state and ended up in D.C. a couple of
17 years ago in this position. So don't let the suit fool
18 you.

19 You know, if I had it my way, I would be up
20 here in Carrharts and my whites. You know, they're
21 getting a little bit cracked, probably need another layer
22 of oil on them, but it comes with the job so I got to do
23 it.

24 So I wanted to read you something, and I
25 think, as everybody knows, you know, we have a new

1 consultation policy for the department, and as we were
2 going through this streamlining work, you know, this
3 workgroup that Mike referred to, you know, we're -- we
4 take very seriously the consultation policy and how it's
5 been developed and some of the history that's lead up to
6 it.

7 So I think those are -- you know, the whole
8 document itself is real indicative of how we're going to
9 operate here because we're going to try to follow this as
10 best as we can, because it's dynamic. It's really our
11 first go at it since it came out.

12 So let me read you these couple of sentences
13 and that will sort of give you my thoughts and my intent,
14 the spirit of where we're coming from here.

15 "Consultation is a deliberative process that
16 aims to create effective collaboration and informed
17 Federal decision-making. Consultation is built upon
18 government-to-government exchange of information and
19 promotes enhanced communication that emphasizes trust,
20 respect, and shared responsibility."

21 So when I read that and I, you know, go
22 through, take it in context of the bigger document, the
23 Consultation policy. That's really important. That's why
24 we're all here.

25 As you dig through and mine a little deeper

1 into that Consultation policy, you'll see it sort of
2 breaks a couple different sections up, one being that the
3 first step is an informed discussion, a sharing of
4 information, which is what this step is here, and then the
5 second step from that is an actual proposal, which I think
6 a lot of times in the past there's many people in the room
7 here with far deeper and broader experience.

8 You know, a lot of times you've been given
9 this document or you've been given an idea and been told
10 this is what we're going to do; you know, whether you like
11 it or not, here we go. And that's not what this is. I
12 want everyone to keep that in mind as we go forward.

13 So all the things you're seeing in this packet
14 of information, it's a theme, it's an idea, it's different
15 areas that we can address to focus on, as Mike talked
16 about, this fiscal -- fiscal year '13 President's proposed
17 budget and the streamline initiative.

18 So almost got myself -- caught myself
19 (inaudible). That was quick.

20 So let me dive into this and I encourage
21 questions, I encourage comments. You don't have to wait
22 until the end. You know, ideally we'll run through it and
23 then we'll have further dialogue, but if something comes
24 up, by all means, you know, raise your hand, speak up.
25 Don't throw anything. I didn't see any tomatoes in the

1 room so I think I'm safe for now, but.

2 All right. And then another thing, you know,
3 here is the schedule, granted we're a little bit early
4 here. The real intent here is to hear everybody else, so
5 I want to spend minimal time on this presentation and
6 really start to get into the dialogue and the comments
7 that need to be heard to make this an effective overall
8 activity.

9 As we looked at the Bureau of Indian
10 Affairs -- and keep in mind, like we've heard a couple of
11 times, we're talking about three distinct entities or
12 three distinct levels as we're looking at this
13 consultation.

14 This morning we heard about the Assistant
15 Secretary's administrative assessment. So that focuses on
16 about 700 positions that are all human capital, budgeting,
17 acquisitions, really those support functions.

18 We're looking at this middle piece is going to
19 be within the Bureau of Indian Affairs. And so this is
20 regional offices, agency offices, central office in D.C.
21 And so there's always been a blurring of the line, you
22 know, because you'll have an acquisition person that maybe
23 is sitting at a regional office but their line of
24 authority is to the Assistant Secretary.

25 So while the administrative assessment is

1 focusing on those positions, we're going to be talking
2 about the actual, you know, what we're going to call the
3 Bureau positions, even though we all -- I can say it's all
4 one Bureau. We are the Bureau of Indian Affairs, but make
5 sure everybody keeps that in mind.

6 When we look at some of the history of what's
7 happened, this is probably our first attempt at having
8 this type of informed discussion. If you go back to the
9 different reorganizations or when we had a RIF, you know,
10 a reduction in force action which was back in the mid
11 '90s, you know, it just happened.

12 It just -- you know, so what we're talking
13 about today, there's more options, there's more
14 opportunities. I mean, it's imperative that everybody
15 here weighs in.

16 The streamlining initiative that we're talking
17 about, you know, as you take a look at the BIA, the work
18 chart where we are structured, you can see where we're
19 focused on, where this \$14.5 million line item that's
20 listed out in the budget actually affects across the
21 country, give a snapshot of what we have.

22 So we're basically, for conversation's sake,
23 we'll say 5,000 employees. You know, on any given day we
24 have 82 more, 82 less. In general, 5,000 is the number to
25 work off. I think today it's 4,870 something, so.

1 85 agencies, 12 regional offices. There's
2 over 185 duty stations. And this is where, again, we have
3 a complex organization. We have a lot of different things
4 going on, so all of these duty stations, it may be BIA
5 schools, there may be law enforcement only at some of
6 these duty stations. There's some where you have a mix of
7 all of those. So, if we're looking just across the board,
8 you know, we have a huge amount of duty stations, and even
9 a higher amount of that have ten or less full-time
10 employees. You'll see that "FTE" acronym brought up quite
11 a bit.

12 When we look across Indian Affairs as a whole,
13 here is how the break down is in terms of the streamlining
14 initiative. The Assistant Secretary's office is
15 responsible for a certain part. You'll hear later from
16 our colleagues from the Bureau of Indian Education on how
17 they want to address their section of it.

18 So really that second bullet is what the next
19 couple of hours are going to be together talking about,
20 what we're focusing on. And you can see, you know, I took
21 the verbiage right out of the Greenbook there.

22 So it spells out what we're trying to look at,
23 how we're trying to reach certain ideas to reach this
24 \$14.5 million if we actually -- if it does come to that.
25 Like I said, if the budget lines up and all the stars

1 align, and everything happens, that's where we need to be.

2 When we -- when we looked at the organization
3 as a whole, we wanted to take I'm calling it a linear
4 approach, and by that I mean we wanted to look at
5 different elements within the organization, but we're
6 complex. There's a lot of things going on here.

7 There's many different duty stations, there's
8 different program areas, there's different lines of
9 authority, and when you just look at that on the surface,
10 that's a really daunting task to -- to, you know, take in
11 all that information, synthesize it, analyze it, and come
12 up with some -- some ideas or recommendations.

13 So what we try to do is say, well, let's look
14 at this. In a perfect world, if we had enough time, if we
15 had more time and a little more money and, you know, all
16 the things that we always say, we would have a workforce
17 or work assessment, you know, some kind of requirements in
18 terms of, well, what are the functions that we actually
19 need to do, what is the work -- what are the widgets that
20 we need to create.

21 And I know that's a very cliché example, but
22 sometimes, you know, a really simple idea. You know, how
23 many widgets do we need to create? What do we need to
24 create them and how do you get to that point? Well, where
25 we're at right now, we've got about -- in February when we

1 started all that, back when the Greenbook was presented,
2 you know, that gives us about eight months, ten months
3 until the end of the -- end of the fiscal year to make
4 this all happen.

5 So what we started to look at is we said,
6 okay, we have this work, this element of looking at what
7 kind of work needs to be done. What do we need to do?
8 What do we need to actually reach that function? And then
9 what's the staff that we have to actually do it? What
10 kind of workforce do we have? What are the locations?

11 So what we did is we said, all right, let's
12 take a look at the workforce. You know, we heard a
13 comment earlier today that talked about 80 -- over
14 80 percent of the BIA is Native. You know, we have Indian
15 preferences used for all of our positions. And then when
16 you look at the demographics of the workforce, we have,
17 relative to other bureaus, relative to other federal
18 agencies, we have a much more seasoned, as I would call
19 them, a much more tenured workforce.

20 So when we look at the Bureau as a whole, and
21 it's important -- I think it's the third bullet down. You
22 know, we didn't include law enforcement in this, and
23 somebody brought it up earlier. Law enforcement has their
24 own organizational structure. They have their own
25 retirement system. They have a lot of things that are

1 very specific to law enforcement.

2 There's been a lot of focus over the last
3 couple of years to really bolster the law enforcement and
4 the office of law enforcement services' function, and so
5 we thought that bringing them into this streamlining
6 initiative would be counterproductive to what's been done
7 to build that program up. So we left them out of this.

8 So if you were to actually include law
9 enforcement positions, these numbers would be slightly
10 higher. But for our positions here and what we're talking
11 about, these are all the positions within the Bureau of
12 Indian Affairs, so Office of Trust Services, Indian
13 Services, you know, the two different program areas that
14 you find in the regional agencies, central office.

15 So when we looked at -- you know, when we took
16 this linear approach, we said -- and actually I probably
17 should go back a slide to continue this. So, you know, we
18 looked at using incentives for these -- for these staffing
19 positions. If we have a large amount of staff members
20 that are eligible either to retire or to take an early out
21 incentive, this might be an opportune time to sort of, you
22 know, realign everything.

23 We have all of these great words, right, that
24 everybody probably knows more than I do: Realign,
25 redevelop, streamline. But we have, you know, a broad

1 pool of folks that actually might be eligible. That
2 doesn't address, we heard the comment earlier, it doesn't
3 address what happens when we have all this
4 institutional or corporate knowledge that goes out the
5 door.

6 I mean, we can't just open the door and say
7 "Okay, whoever wants to go, can go." That would be a very
8 challenging situation to work on, but it's something that
9 we have to look at because that potentially could be the
10 result of what we look at here.

11 When you look at the numbers here, you know,
12 take -- take the staffing numbers here, take this with a
13 grain of salt in terms of if we were to just look at a
14 short-term approach and say, you know what, we need to
15 have 14.5 million dollars in savings and we have to have
16 it by October 1 and we did it strictly on staffing, how
17 would we do it?

18 Three hundred positions, if they were -- if
19 they were incentivized -- anybody know that was a word? I
20 just learned that "incentivized" was actually a word. You
21 can take a noun and turn it into a verb.

22 So incentivized, you know, staff members can
23 be incentivized who are early-out eligible, retirement
24 eligible, and they can go. You know, between salary
25 savings and incentives that are used to, you know, promote

1 that, sure, we could reach that \$14.5 million, but
2 that -- I mean, that's such a short-term approach that
3 long term it would just be -- it would be disastrous.

4 But, you know, for conversation, for your
5 comments that you provide before or after this, this is
6 to, you know, to give some sort of context to what this
7 would look like.

8 So 300 positions, if we were to refill roughly
9 75 of them, that would cover the 14 and a half million
10 dollars. Well, you know, okay. That's all right. So
11 then the next level we went to, and I'm sure there will be
12 plenty of comments on this, which I heard a couple, and
13 you know we started looking at offices.

14 If we started saying, well, what can we get if
15 we look at offices where there's high amounts of staff who
16 are eligible to retire relative to the total staff that
17 are there, could we still carry out the function we need?
18 Maybe. Maybe not. It's something that we have to look at
19 on a case-by-case basis.

20 Do -- you know, considering the proximity of
21 offices, if there's offices that are within, you know, so
22 many miles, is that another area?

23 You know, I'll give you an example. The
24 forestry program that's run out of the Rocky Mountain
25 region also does the forestry services for the Great

1 Plains regional office. That's one example. You knows,
2 can that be done anywhere, everywhere? Maybe. Maybe not.
3 You know, it's something we need to talk about.

4 So when we started looking at all the duty
5 stations, we were looking at all of them, all 185 duty
6 station. We looked at all of them. We're still looking
7 at all of them. So this list that we came up with here,
8 this first cut, a first look.

9 And what we started to say is, all right, if
10 we have high percentages of retirement or early-out
11 eligible relative to the total staff, if we have places
12 that are in relatively close proximity and they have
13 programs that could potentially be done either by an
14 agency that's close, a regional office that's close, or
15 maybe not, what we found was the common -- the common
16 thread seemed to be this ten, this ten, you know, staff
17 members, you know staffing level.

18 So this is just the first look. I mean, we --
19 it would take many more slides to have all 185 duty
20 stations up here. So this is the first initial look at
21 the organization as a whole and how -- how we could
22 actually take saving costs.

23 And then -- I'll give you an example. So when
24 you start looking at all of these, let's say all of these
25 particular agencies continue to have some kind of scrutiny

1 put on them, we looked at how we could actually provide
2 those services maybe out of the regional office, maybe out
3 of one of these particular offices if they're in close
4 proximity to each other.

5 The agencies on this list represent about a
6 million five in terms of space savings. Okay. If we
7 started expanding that across the Bureau as a whole, what
8 does that look like if we start focusing on the regional
9 offices? What does that start looking like if we look at
10 different agency offices?

11 There's a lot of different ways to look at it,
12 so I hope the comments really, really focus on, you know,
13 it's not so much about my agency and what, you know, it
14 does for me, but more what's the service that's provided,
15 what needs to be done, can it be done from somewhere else?

16 If it can't be done, it can't be done from
17 somewhere else. I mean, that's just the way it goes. But
18 we have to look at all the places. Like Director Black
19 said, everything is on the table.

20 There's some maps that are attached -- I think
21 everybody should have the updated color packet that's got,
22 you know, the first probably ten pages or so are slides,
23 and then you'll have five or six pages of narrative, which
24 adds a little more depth to the slides.

25 And then the maps that are at the end of the

1 document, those were taken, those were tiled from -- GIS
2 term -- those were tiled from a larger map. So it was a
3 larger map and we just cut it up so we could actually get
4 it on an 8-and-a-half-by-11 document.

5 So you'll see like Eastern Region and Alaska
6 are on the same map, so don't let it -- don't let it run
7 you one way or another, but what it does is it gives you a
8 good idea or a good representation of what kinds of
9 staffing levels we have in all the different positions --
10 or all the different duty stations. So the regional
11 offices, they're across the country, there's 12 of them.
12 There's a city grid.

13 There's another -- another area where, you
14 know, what kind of -- what kind of efficiencies through
15 streamlining can we gain through programs managed out of
16 different regional offices, programs managed across
17 regional offices. Is there an opportunity to centralize
18 programs?

19 You know, centralization of programs, it's
20 always an interesting term. What we're talking about here
21 is, you know, let's say the title function, the title
22 function can be done in electronic format. Do we need
23 somebody sitting in a particular office in a particular
24 duty station if it could be done from anywhere, if it
25 could done from anywhere? You know, it's another area

1 we're looking at.

2 When we look across the region, it gives a
3 pretty interesting picture. Those two dates that are up
4 there -- through 2012 and through 2017 -- this gets into
5 the VERA and VSIP, the early-out and the buy-out
6 incentives that I just referenced them earlier. I didn't
7 spend a lot of time going into them.

8 But basically there's two types of incentives
9 that come from the Office of Personnel Management. And,
10 not to dive too far or too deep into that, but those two
11 incentives, early-outs is if a staff member is within so
12 many years of retirement eligibility, the Office of
13 Personnel Management can grant the authority for the
14 Department of the Interior to allow that age to be dropped
15 to a certain amount, or not necessarily an age but that
16 years of service.

17 So when we look through all the staffing
18 levels of the Bureau of Indian Affairs, all 5,000 of those
19 positions, minus law enforcement, through fiscal year '12
20 means anyone that's going to be eligible for retirement up
21 to September 30th of this year, through fiscal year '12,
22 and then if we extend that out five years through 2017, it
23 would be through September 30th of 2017 we will have the
24 remainder of staff that will have early-out eligibility.

25 So that's --

1 UNIDENTIFIED SPEAKER: I have a question.

2 BRYAN RICE: Yeah. Sure.

3 UNIDENTIFIED SPEAKER: Looking at the
4 western region there, 248 people in the next five years,
5 do you have any indication of what percentage of the
6 current staffing level that is?

7 BRYAN RICE: Well, in terms of -- you mean
8 248 out of the total? Yeah, I mean, that's over half for
9 the western region. I don't have the statistic in front
10 of me, but that's a very high amount. You know, Navajo
11 region that represents even a higher number.

12 The Navajo region probably has closer to 300
13 full-time staff, so. Some of them are very high. Others
14 are relatively low. You know, the eastern regional office
15 up there, there's only a few, you know, 16 folks out of
16 about 50. So percentage-wise, it's still very high but
17 it's nominally a small number.

18 So in summary when we look at this -- when
19 we look at this approach, we look at the organization as a
20 whole. We're really try to focus on staffing levels. And
21 this doesn't -- you know, we heard the comments earlier
22 that talked about, well, if you have a lot of tenured and
23 seasoned staff walk out the door, how do you fill that
24 function? How do you train that function?

25 You know, there's a lot of different ways to

1 answer that and it's part of the discussion that needs to
2 follow on after this. And I'm hoping that your comments
3 are -- are deep and well thought out to talk about
4 different ways that this could actually -- you know, this
5 could actually work.

6 Because, you know, in reality if we had a
7 third of the staff walk out the door tomorrow from
8 retirements, early-out incentives, pragmatically you
9 cannot train that many people to come in, you know, and
10 fill behind them. I mean, that's just a reality.

11 The way that we even look at this, though, is
12 through a linear approach and we start saying, okay, we're
13 looking at the staff. We can incentivize, you know, the
14 top end of the staff and look at different areas how to
15 redeploy staff in these programs, and then we start
16 looking at the programs.

17 Can the programs be run centrally? Can they
18 be run out of multiple duty stations? Can they be run out
19 of different offices? You know? And then with that, is
20 there space savings associated with office closures, with
21 consolidation of offices.

22 These are all -- you know, it's almost like
23 this big gradient that slides from one to the other. At
24 this end it's, well, if this high-end salary employee goes
25 and this low-end salary employee stays and they're in a

1 duty station with a low -- you know, there's just -- it's
2 a huge matrix, but it's something that we're looking at
3 and it's a lot of effort.

4 There's a lot of people involved in this, and
5 so the piece that is integral to making this work is
6 everyone's comments from here. So hearing from all the
7 tribal leaders and all the representatives that are here.
8 You know, this is going to be important to ensure this
9 comes out correctly.

10 Real briefly, there's one -- there's one edit
11 after May 23rd, not that I expect to see everyone in
12 Alaska, except for two, maybe. See you back home.
13 May 23rd will be the Alaska consultation, otherwise this
14 is where we've been and where we will be going.

15 And you probably saw my name and e-mail in the
16 Federal Register notice that notified everyone about
17 today's meeting, and so I'll leave this up for a period of
18 time so everybody can write it down.

19 Comments, written comments are going to be,
20 basically -- I should come back to this in a second. You
21 know, as written comments are provided, this is the flow
22 of what we're going to be doing. We're going to be taking
23 the comments after the consultations end -- June 1st, last
24 comments come in -- be looking at them trying to find a
25 common theme, and ideas in different areas that conflict

1 with what we thought about so far.

2 There's different ideas, comments and themes
3 that augment what we've talked about so far. And then
4 from that, how do we go forward? What's the next step
5 forward?

6 So this is all going to be happening on a very
7 rapid time frame and I hope that everyone comments in
8 length. Be verbose. You know, write it down, and we're
9 all going to be looking at.

10 One thing that we talked about a little bit
11 earlier, and I want to make sure that we cover this just
12 for a second. And that is, so this document, the written
13 text or the narrative that goes with it, the maps, the
14 Bronner assessment or the administrative assessment that
15 you saw earlier, it's all posted on the web. It's all on
16 the bia.gov site. So that's the public, www.bia.gov.

17 And there's a "Consultation" tab. And under
18 that tab it has all these documents, it has the Federal
19 Register notice. Everything is there. As the comments
20 and the dialogue that the court reporters are gathering,
21 all of that is going to be posted there, as well.

22 So we look at this basically as three ways to
23 ensure that we have got communication going back and
24 forth. Anything that's being created, any of the
25 communication in the documents, is going to be posted and

1 be on the bia.gov site. We're also, anything that's
2 coming out of the BIA offices, we're going through the
3 regional directors, which is the normal flow of
4 information, so we're trying not to create any kind of new
5 processes. So it's something that's familiar.

6 And then the third area is through me. So
7 anything that comes in, you know, to my e-mail, I'll
8 respond to you and it's -- it's going to be shared and
9 worked with a larger group on.

10 So with that, unless there's -- do you have
11 any comments?

12 So I would love to hear from all of you now.

13 Yes?

14 Go ahead in the back. I was trying to
15 pre-place a microphone.

16 JOANNA MAREK: Joanna Marek, Nez Perce
17 Tribe.

18 Having some of my peers, my leaders from other
19 tribes come in, and as you show on your PowerPoint that
20 the meeting started at ten o'clock this morning, and I
21 show a letter dated March 6th where the meetings start at
22 eight o'clock.

23 So some of them have come in this morning
24 thinking it was at 10:00 and missed a good two-hour
25 dialogue this morning, which is unfortunate. So there was

1 no consistency as to when the meeting was really to start.
2 So I'm going to try to be very brief.

3 It appears, still, that we are being penalized
4 for the failure of training employees, bringing employees
5 in, because we as tribes are dealing with that back home.
6 So we're looking at that and now we're asked to help you
7 folks.

8 I don't know how many tribal leaders have
9 looked at the OST audit. Very disheartening. I really
10 appreciate our OST staff that is in our region, our field
11 office. They have helped a lot; they've done quite a bit.

12 But when you look at that audit, again, misuse
13 of money for tribes, and they were supposed to be a
14 blessing and help the Bureau, help everybody straighten
15 out the finances, and that hasn't happened.

16 So I do know that through Fawn Sharp for the
17 Northwest region, we do need to encourage the sunset of
18 OST. Those employees should be placed under our regional
19 for our Bureau where they belong.

20 At 200-plus million, we're talking a mere
21 14.5 million to get rid of employees in field offices to
22 benefit who? Certainly not the tribes and the people, the
23 direct services. But that 200-plus million that they have
24 in their budget, once they're sunset, can be turned over
25 to the Bureau and the tribes where it belongs.

1 And I'm not sure why you're not looking at
2 that. That should have been training. So I know you've
3 asked us not to speak for our own, but that's what we're
4 here for, our field offices, as well as everyone else's.

5 I'd like to see the training happen. I don't
6 want them closed because those are direct services to the
7 tribes and the people. Our regional office, we work very
8 well together. They've done an excellent job, as well.
9 They've helped us. We've helped one another. They've
10 listened to where we needed to grow, the help we needed.

11 But I don't see this -- I would not consider
12 this as a consultation because what I keep hearing is the
13 failure -- let's get rid of the old, what are you going to
14 do as tribes.

15 That's your responsibility and was your
16 responsibility to bring in people and train them like it
17 is for us as tribes, to bring in a new force, to take over
18 our positions even as leaders to work with our young ones
19 at the table, educate them, train them. Obviously that
20 hasn't happened.

21 So to penalize the tribe and its people, the
22 tribes and its people, I think is unfortunate.

23 So I am going to say we need to not close the
24 field offices because a true consultation, government to
25 government, you just oversee our programs. We should be

1 having this dialogue, tribal leaders, with the President.
2 We're sovereign nations. That's who we should be
3 addressing this with, not their staff. Thank you.

4 BRYAN RICE: Thanks for your comment.
5 Yes?

6 TERRY GOUDY-RAMBLER: Good morning,
7 Mr. Rice, and the rest of you. My name is Terry
8 Goudy-Rambler and I'm the tribal council representative
9 with the Yakama Nation.

10 I'm going to be brief, also, and I agree with
11 the lady that has spoken somewhat before me, but I'm going
12 to be in a more positive direction because I believe that
13 the federal agency Bureau of Indian Affairs has all along,
14 you know, been trying to streamline what they created, the
15 638 process. In my mind, that's where the tribes took the
16 responsibility on to conduct all of our natural resources,
17 land base, our treaty rights and all, to protect them.

18 And so I believe that the tribes will have to
19 step up to the plate if the President Obama is going to
20 make these cuts. The Yakama Nation is not going to sit
21 back and think that we're not going to survive because we
22 have survived ever since, you know, the first downsize of
23 Bureau of Indian Affairs when they 638'd the process.
24 That was the first step.

25 So I believe that we've already been trained

1 somewhat. I believe that if we're going to be downsizing
2 the Bureau of Indian Affairs' side, that we have already
3 done that with the regional office. They have downsized
4 in their contracts and grants arena and their timber
5 resource arena and their lands arena, but the tribes have
6 picked up the slack.

7 And the only thing that I'm afraid of is that
8 Yakama Nation has now retroceded Public Law 280. We're
9 going to have to build our law enforcement dramatically.
10 And I have spoken to the chairman. I'm the vice-chair of
11 the executive committee.

12 I have spoken to our chairman, Harry Smiskin,
13 and possibly asking for your assistance when it comes to
14 that because we're going to have one year to accomplish
15 this detrimental task ahead of us, and we're going to have
16 to go full force ahead and create everything that it's
17 going to take to accomplish this mission.

18 But I truly believe that, you know, that we're
19 going to have to step up to the plate. And I appreciate
20 your guys' meetings here to let us know. Hopefully the
21 Obama Administration is going to take into consideration
22 that they've already been downsizing throughout history
23 since the '60s, and that you guys will all keep your
24 places because I don't know how much more downsizing we
25 could survive. I mean, we will, but it's just, you know,

1 creating, in my mind, a disaster coming up. Some of the
2 tribes aren't ready for it.

3 And I felt like back when they -- through the
4 638 process for the tribes, that some of the tribes
5 weren't ready for it, that we needed to make sure that
6 everything was in line, but with our contracts and grants,
7 that we take care of and make sure that they are in
8 compliance, that that's your job to see and know that we
9 are in compliance.

10 So that's my opinion that I'm going to go on
11 record. I believe that if there's going to be a hub
12 created, that that's going to take a lot more discussion
13 for that to take place, if that's going to take place down
14 the road.

15 Thank you.

16 BRYAN RICE: Thank you.

17 DELORES PIGSLEY: My name is Delores
18 Pigsley and I'm the chairman of the Confederated Tribes of
19 Siletz. I've been the chairman for many, many years. And
20 somebody here mentioned in 1991, I believe it was the
21 meeting in Albuquerque when we went through a
22 reorganization discussion and everybody was ready to throw
23 shoes at the Assistant Secretary. I think some probably
24 did then.

25 But it was the beginning of the fracturing of

1 the Bureau. And from there until 1994, I believe, a lot
2 of action took place. OST was created and it definitely
3 should be a part of the discussion. I know we sent
4 resolutions in many times requesting that OST be put back
5 under the Bureau.

6 And I agree with the lady that spoke before me
7 from Yakama. We're a self-governance tribe. We've been
8 downsized. Our agency has been downsized and we're one of
9 the ten on the list to be streamlined. We left money as a
10 self-governance tribe in that agency so that that agency
11 would exist, and so by closing the agency, that doesn't
12 get rid of the money that we left there. That money, I
13 presume, would then go back to the tribe.

14 We haven't actually had more than
15 ten -- less -- we had more than ten staff years ago, but
16 because of self-governance it has been downsized, but the
17 agency provides a valuable service to our tribes, and for
18 the first time in since the Bush Administration we've
19 actually had land taken into trust. That never happens.
20 And we work very closely on timber sales and taking land
21 into trust with the agency.

22 We have a very good relationship with the
23 regional office, but why take those specialty people out
24 of the area and, for us, going and driving to Portland is
25 a two and a half hour drive, and so that doesn't make

1 sense to me.

2 And the other part that hasn't been talked
3 about on the streamlining, what happens to the office of
4 self-governance? I know it's part of the ASIA downsizing,
5 but it doesn't say where it goes. And I understand that
6 the office in Vancouver would be -- it says streamlined.
7 But what does that mean? Where do they go and how does
8 that help tribes, is my question.

9 Thank you.

10 BRYAN RICE: Thank you, chairwoman. If I
11 can comment and answer, and then if Mike and Bruce, if you
12 need to add in.

13 So the first -- let me answer the second
14 question and work backwards. So as far as the Office of
15 Self-Governance goes, we're not being -- we're not talking
16 about that here.

17 That's not part of the 185 duty station that
18 we're talking about within the Bureau of Indian Affairs
19 that's being focused on through the first half of this
20 this morning, so.

21 TERRY GOUDY-RAMBLER: We still need an
22 answer.

23 BRYAN RICE: Okay.

24 MIKE BLACK: And, unfortunately, I don't
25 have an answer for that one. Representatives -- as you

1 stated, that's through the ASIA. The Assistant
2 Secretary's office is where self-governance reports
3 through and I don't know if Bryan has any comments as far
4 as self-governance.

5 BRYAN NEWLAND: And chairwoman, I'll give
6 you my -- I think you already have my card, though.
7 (Inaudible). I don't have an answer for you. I don't
8 think that was a part of what we were looking at through
9 the Bronner assessment.

10 TERRY GOUDY-RAMBLER: It's listed in one
11 of your documents.

12 BRYAN NEWLAND: Okay. I'll -- I don't
13 have information for you right now. I don't know, but I
14 will get back to you.

15 BRYAN RICE: Okay. Another question,
16 comment?

17 TERESA WALL-McDONALD: Yes. Good morning
18 again. My name is Teresa Wall-McDonald. I work for the
19 Confederated Salish and Kootenai Tribes, and we're a
20 self-governance tribe, and I want to acknowledge that I
21 speak with the permission of our tribal council member,
22 Lloyd Irvine, so I speak with the permission of our tribal
23 leader.

24 I'd like to start out with a positive comment.
25 Mr. Black referred to progress that was made, and I'd like

1 to congratulate him because I saw some recent really good
2 policy, and that was the categorical exclusion for home
3 site development or residential leases that was under
4 5 acres.

5 That makes a world of sense because we're able
6 to make appropriate land-related decisions for our tribal
7 members in an efficient and effective manner, but I would
8 like to ask now, how many of our self-governance tribes
9 are compacted tribes?

10 Okay. This is my question: If consolidation
11 occurs at the regional and central office level and you're
12 looking for efficiency and you're looking for a cost
13 savings, will those shares, those financial shares, be
14 taken off of the table and tribes' funding agreements
15 reduced?

16 So if a position is eliminated at the central
17 or the regional office, does that mean that our
18 self-governance agreements, the financial amounts that
19 come to the tribes, those will be modified because that
20 position no longer exists?

21 BRYAN RICE: So the simple answer is no.
22 And I'm trying to -- I'm trying to -- I think there's
23 another question in there. So maybe -- let me respond, if
24 I can, and see if this brings it out further.

25 What we're talking about here is staffing

1 levels, BIA staffing levels, and then potential duty
2 station costs. So those are the costs. And what you're
3 referring to in your AFAs or within the actual contracts,
4 I see that as a separate area.

5 So are we on the same page here or are you
6 asking a different question?

7 TERESA WALL-McDONALD: I don't see that as
8 a separate area, only from this regard. I read the
9 275-page request or -- or report. I've read everything
10 you produced and I gave it all to our budget director.

11 Our budget director immediately said, "Oh, my
12 gosh, if they start consolidating functions at the central
13 or the regional office level and shares associated with
14 functions are no longer available, we would lose an
15 estimated \$300,000 in our AFA."

16 And that is my question. In the
17 consolidation, in the streamlining, will self-governance
18 tribes be held harmless? Can we count on the same count
19 in our annual funding agreements if a share is no longer
20 there because a function has disappeared? That's my
21 question.

22 So I would like you to think about that.

23 MIKE BLACK: I think -- Bryan. The short
24 answer, Teresa, I think is still no.

25 TERESA WALL-McDONALD: Okay.

1 MIKE BLACK: I really appreciate you guys
2 bringing that out. That is something that's really come
3 to my mind a lot more this morning just listening to the
4 conversation, is that, you know, how does it -- I mean,
5 keep it in mind, you know, the services that we provide
6 everybody, the compact tribes as well as the 638 tribes as
7 well as the direct service tribes. We should not impact
8 that service and we should not impact the funding that
9 goes to the tribes whether it be 638 or compact.

10 Regarding your shares, as part of your AFA, as
11 part of your annual funding agreement now, a lot of it is
12 already in your base and we can't affect that. So, going
13 back, the short answer would still be no, but we'll get
14 some more information.

15 TERESA WALL-McDONALD: Thank you very
16 much.

17 The lady that spoke down here, she was talking
18 about her agency. Our agency, Flathead agency, is one of
19 the duty stations with low staffing because we've
20 compacted everything. If the agency were to be
21 consolidated at another location, we want to explore
22 compacting the superintendent.

23 We cannot lose that signature authority. I
24 wish there would have been one more column where you -- on
25 the page where you listed small agencies with less than

1 ten staff. The other column should be what is the
2 diversity of trust functions.

3 We are a high trust function. We have a high
4 number of trust transactions. So that's what I think
5 should be taken into consideration. We would be directly
6 negatively impacted with the loss of those, of the
7 signature authority at the local level.

8 So I hope that in the analysis it's just not
9 staffing, it's also what is the diversity of the functions
10 and also the different results. Are people performing?
11 Because our council demands that we perform. We have a
12 good relationship with the regional office and the agency
13 office and are pleased to do the work of the Bureau as we
14 compact.

15 My last question is: As all of this unfolds,
16 what impact does all of this have to the future Cobell
17 fractionated trust land consolidation?

18 If the agencies and the regional offices are
19 going to be in transition for the next two or three years,
20 when the great opportunity comes to acquire fractionated
21 land, who are we going to talk to? Are people going to
22 know what they're doing?

23 I mean, you're downsizing when we're taking on
24 one of the largest consolidation land acquisition efforts
25 that have ever been done in the Bureau of Indian Affairs.

1 If I were Browning, I would be having a cat.
2 And the reason I would be having a cat is they're number 2
3 on the list in your Cobell draft report. I mean, you're
4 downsizing, they want to go out and do all this great
5 work. So I just -- I'm concerned about that.

6 We hope, Salish and Kootenai hope to have a
7 cooperative agreement to do this important work. We want
8 to know who we're going to work with. Are we going to
9 have an agency? You know, I mean, we understand the
10 dilemma. We understand the need to downsize.

11 The other thing is while you're revising
12 policies, ask us which policies we believe should be
13 revised. We know the important work, where the
14 efficiencies could be gained, and believe that we like to
15 work efficiently and effectively, but let us have some
16 input.

17 I understand revising the fee-to-trust policy.
18 Please, bring that on. Do an expedited process for land
19 that's bare, bare agricultural land and bare forested
20 lands with no developments.

21 We had a recent occurrence with a change in
22 personnel and the cost of our environmental site
23 assessments have increased by fivefold. That's what
24 happens when capacity is lost and you have new employees.

25 So I hope you take this into consideration.

1 Do more policy like the categorical exclusion for
2 residential homes on less than 5 acres. That was a
3 beautiful policy.

4 Thank you for the time.

5 MIKE BLACK: Thank you for your time and
6 we really appreciate these comments.

7 First off, I always have to give credit where
8 credit is due, and that categorical exemption policy
9 belongs right over there, Mr. Newland. He was one of the
10 leads in getting that pushed through, so I want to make
11 sure he get acknowledges for that, as well.

12 I'm going to try to respond to most of your
13 stuff here, if I can, if I can remember all of it. You
14 had a lot of good points there. And as I stated early on
15 when I first introduced myself, that's why we're here, I
16 realize.

17 I mean, we can throw numbers up here on the
18 screen and stuff saying, you know, this agency has less
19 than ten people so based on that alone we can close it.
20 No, that's not the fact. I mean, that's why we're here.

21 I mean, you state it very well. We have
22 signatory authority out there. That's part of the reason.
23 I mean, I believe there are two BIA staff members out
24 there in Flathead, but if those functions are central to
25 the operation of the agency, and you do have a lot of

1 trust, that's the information that needs to get fed into
2 this process.

3 We need to be able to look at those operations
4 and if those are things that can't move and can't be
5 consolidated, then we'll have to look at other
6 efficiencies.

7 So those are -- I mean that's a big part of
8 the reason we're here, is to get that input and we need to
9 look deeper into this.

10 But as I said earlier, you know, when I put
11 these people to this task, I said you got to throw
12 everything on the table and we've got to present
13 everything and be wide open to the tribes and the people
14 that we're going out to consult so everybody has an
15 opportunity to look at the same things we're looking at
16 and give us that feedback, give us that input into the
17 process.

18 There's one other thing you said I want to
19 make sure I talk to.

20 TERESA WALL-McDONALD: Expedited
21 fee-to-trust processing.

22 MIKE BLACK: Oh, yes.

23 TERESA WALL-McDONALD: Are we doing that?

24 MIKE BLACK: We're still working hard on
25 that. I'll touch on a couple of things real quick.

1 You know, two years ago when I first came into
2 this, that's the very first thing the Secretary and the
3 Assistant Secretary tasked me with, was the fee-to-trust
4 activity, and I'm really proud to be able to put some
5 numbers out there for everybody, and that is the fact
6 that, you know, prior to this administration I think we
7 had brought in about, oh, roughly 20 to 30 thousand acres
8 of land in the trust over about a three-year period, and
9 in the last two-year period we're up about 160,000 acres.

10 So that in itself -- and Flathead, I was glad
11 to go out there about, what, six months ago and present a
12 certificate to your staff in appreciation of the efforts
13 that you've made in bringing I think we're up around
14 80,000 acres at Flathead now in that two-year period, or
15 between 60 and 80 thousand, roughly. I mean, just the
16 efforts there. I think part of that has (inaudible) the
17 streamline process somewhat.

18 I don't know if everybody has seen it yet.
19 Another thing we did here about a week and a half ago,
20 Assistant Secretary Echo Hawk and myself signed a joint
21 letter regarding mandatory fee-to-trust acquisition and
22 largely addressed it, some the issues down in Blackfeet
23 with the 2216(c)'s or the undivided fee interest within a
24 trust parcel, making those mandatory trust acquisitions
25 and streamlining that process, as well.

1 So we should be able to move forward on a lot
2 of those things. It addresses the environmental site
3 assessments and those kind of issues on the mandatory
4 acquisitions.

5 So a lot of those things we're trying to move
6 forward on and, as you know the government you don't work
7 nearly as fast as I like to work a lot of times, but I
8 think we're making progress. We're getting there.

9 We've got the new leasing regulations coming
10 up. Yeah. And Bryan -- there again, Bryan has been
11 working real hard on dealing with some of the non-spoken
12 issues with the other environmental audit, ECM 10-2. That
13 came out. So we're working on trying to deal with those
14 issues as well.

15 Regarding the Cobell and the Indian land
16 consolidation efforts, that's -- I don't know how to put
17 it. I saw a lot of you at the consultations that we did
18 here in the past year dealing with that. That is a
19 separate animal itself.

20 That is funded completely through the 3.9 or
21 3.4 billion dollar settlement, the approximately
22 \$285 million for administrative costs to implement that
23 program is funded totally separate from all of this effort
24 and through our -- it's not part of our 2014 budget
25 process. So that won't -- I can't say it won't be

1 affected.

2 We need to make sure that some of the outside
3 operations, our (inaudible) and stuff that are going
4 to still have to be instrumental and that are still key to
5 all these, as well. That's kind of a separate effort and
6 it won't be affecting what we're doing here as far as the
7 budgets and stuff go.

8 BRYAN RICE: All right. Thanks for those
9 comments.

10 Yes, sir. Right behind you.

11 TJ SHOW: TJ Show, Blackfeet Tribal
12 Chairman.

13 I guess a lot of people know the Blackfeet
14 Tribe has put roughly 15,000 acres from fee-to-trust, and
15 we're still working on it because when we started the
16 project it was roughly 44,000 acres. So we're still
17 working and actually we even have to work with the state
18 government to try to get that stuff approved. Anyways,
19 thank you for that.

20 I guess my concern on behalf of Blackfeet is,
21 you know, the Blackfeet Tribe has 1.5 million acres and we
22 have roughly 18,000 members and one of the things that
23 happened is I think we're a big enough tribe that we're
24 not -- we're actually a compact tribe and so, you know, I
25 don't think that the tribes should give away or accept

1 some of the trust responsibilities, so we weigh things
2 before we take a program over.

3 We weigh things like, okay, if we're going to
4 take that six-year program, are we accepting a trust
5 responsibility that at this time, you know, with oil and
6 gas potential boom, economic boom that we're having, we
7 may elect to try to hold back a little bit on that.

8 With that being said, you know, one thing that
9 concerned me is I believe the BIA, it can barely uphold
10 the trust responsibility it has in some degree. And I
11 worry that, you know, through the streamline process that
12 some of that deteriorates.

13 I guess one of the things is I'd like to try
14 to keep at our local offices boots on the ground so they
15 can actually do their job. At our local office, you know,
16 a lot of our people that work there are our own tribal
17 members, and so we need to make sure that we're not
18 cutting into the bone and the service is depleting,
19 because I see that even today even without the proposed
20 regulations that you have now.

21 I see that happening today, and so that is my
22 main concern. I guess, you know, I think some of the
23 programs out -- you know, are just right now too complex
24 for the Blackfeet Tribe to take, and so that is my point
25 of view, is I just worry that the BIA cannot uphold their

1 trust responsibility to the tribe and, again, that -- I
2 reiterate that again because I want that on the record.
3 That is my main concern.

4 MIKE BLACK: Thank you.

5 UNIDENTIFIED SPEAKER: (Inaudible). You
6 know, you could classify this as a new day for Indian
7 Affairs. Of course, the 1996 reorganization, I attended a
8 few meetings during that time. Over 70 percent of the
9 downsizing and streamlining of the BIA. (Inaudible) cut
10 through a lot of red tape in personnel and the savings
11 that generate from that is supposed to come to all tribes.

12 The authority of the Bureau to be pushed down
13 to its lowest level like the superintendents, for the most
14 part that didn't happen. I guess my thinking is, and I'd
15 like to ask, after all is said and done on that downsizing
16 and streamlining, what was the size of the Bureau at that
17 time, the Bureau, all tribe region?

18 Because when I look at the 2004
19 reorganization, it makes me wonder if the Bureau did
20 downsize personnel just to build it back up again, because
21 some are going to reorganize again, and then here we are
22 in 2012 with the streamline.

23 Well, in '96 there was a lot of talk of
24 buy-outs and early-outs; it did really affect us. And
25 when we sat down to negotiate with the Bureau, as Stan

1 remembers, we negotiated hard. Sometimes it got pretty
2 heated in trying to save for FTEs, residuals for
3 non-compacted tribes. If only the Bureau could carry out
4 its responsibilities.

5 Now, I don't want to get too long. But
6 anyhow, when I look at the streamlining options of
7 personnel, I look at it as we're going to get hit hard by
8 no, you know, fault of our own, of ours.

9 I truly -- I got (inaudible). Last time I
10 said it but there is a difference between trust
11 responsibility and trust obligations. Carry those out. I
12 know that there's been a heavy push to have tribes in
13 self-governance. One of our other members made mention of
14 that at the council table, but another tribe,
15 self-governance tribe, stood up and says it is the
16 understanding of the larger tribes in the Northwest, do
17 not comment.

18 So I'm kind of concerned about that. If some
19 tribes are extended out and other tribes are denied, all
20 I'll say is this, is that a large tribe, the only thing --
21 and I carry that to leaders in the past, to hold the
22 government to its obligation.

23 I've had an older former councilman advise me
24 to speak out for (inaudible) tribe, and I'm glad that the
25 individual here, Mr. Black, came from a great place in the

1 Rocky Mountains. We have sat down with them because
2 they're also a great service tribe and the government
3 holding it up needs to carry out their obligations as far
4 as the trust responsibility.

5 That's all.

6 MIKE BLACK: Thank you.

7 BRYAN RICE: Right behind you, Linda.

8 RICK GAY: Rick Gay, Umatilla tribe. I
9 guess I'm wondering where this initiative came from. A
10 year ago when TIBC was discussing the 2013 budget, there
11 certainly was no indication that there was going to be a
12 \$33 million reduction applied.

13 The different -- you keep talking streamline,
14 the 14 million, but we're -- we're talking about 33, and
15 with the, quote, administrative savings, and there doesn't
16 seem to be any rationale about what's, quote, streamlining
17 and what's administrative, but it's still a \$33 million
18 cut to the budget.

19 The budget in front of Congress right now
20 applies those reductions by line item. You know, like in
21 forestry, TPA forestry has almost a \$2 million cut and TPA
22 ag. has a little under a million dollar cut and they're
23 the same size program.

24 So I don't understand where it came from.
25 You've provided no, quote, background, and it's what is in

1 the budget, is that what's going to happen if Congress
2 approves it, or how is this going to play out?

3 MIKE BLACK: Okay. Let me do the best I
4 can to answer those questions for you, Rick.

5 It's basically the streamlining thing we're
6 discussing here today. It's part of the President's
7 proposed budget for 2013. That's where it comes from.

8 In the Greenbook you'll see the language is in
9 there. I know almost all of you have probably read it.
10 It tells us that we have to go forward and look at, you
11 know, basically streamlining, consolidation efforts, et
12 cetera.

13 So that's where the 14 point -- and, I mean,
14 it's -- I think I want to say it's about \$20 million
15 overall. About 14, 14 and a half million is the BIA share
16 of that streamlining effort.

17 The additional cuts that you're talking about
18 are administrative savings that are supposed -- that are
19 part of the 2013 proposed budget are dealing with travel,
20 printing, telecommunications, those administrative costs.
21 And there again, that's an additional roughly 7, 8 million
22 dollar cut that we have to be looking at.

23 And those are we have to achieve through cost
24 savings, reduced travel, better use of video conferencing,
25 et cetera, you know, trying to streamline. And that's

1 part of the President's -- one of the President's
2 initiatives on administrative costs.

3 And you're right, there are some of those
4 things haven't applied to our 2012 budget through Congress
5 where they -- I don't have a good explanation for it. I
6 wish I did. So I've been trying to get answers on some of
7 that myself as to how it was applied through our budget
8 process.

9 Like you say, a \$2 million cut to one program
10 and maybe a million dollar reduction to another, but those
11 are the savings that we need -- or that we have to achieve
12 through, like I say, reduced printing costs, looking at
13 our telecommunications, cell phone costs, better use of
14 technology, less travel, et cetera. We have to achieve
15 those additional savings.

16 So that's probably the best answer I've got
17 for you. I mean, you -- you know the budget process as
18 well as anybody in here. I mean, you've been doing it for
19 a long time. So sometimes something comes up a little bit
20 random; it's unfortunate.

21 RICK GAY: Well, as you know, I could go
22 on for hours about this.

23 MIKE BLACK: I know you can.

24 RICK GAY: My concern, though, is the 2013
25 budget in front of Congress of the 33 million in cuts for

1 these initiatives. 55 percent of those are from TPA line
2 items, tribal-based budgets, monies spent in the field.
3 It's not administrative savings, so.

4 And your discussion says tribal programs
5 aren't going to be hit, so it raises a whole number of
6 issues in my mind about if compact tribes have their
7 programs, are those savings going to come just from direct
8 service?

9 You know, like I said, I could go on for
10 hours, so I'll stop.

11 MIKE BLACK: I would like to say the
12 administrative savings aren't part of the streamlining
13 effort, but you're right that's another factor that's
14 being taken into account. I'm up here and it's going to
15 be up to Congress.

16 We've been fortunate for the last few years,
17 you know, when Congress has put our budgets together. A
18 lot of the -- we've had pretty serious looking reductions
19 in the 2012 President's budget, that didn't happen,
20 thankfully, because of Congress. So we'll wait until we
21 see what happens in '13.

22 In the back.

23 GEORGE SELAM: Thank you. I have a
24 concern after reading on the streamline here, and some
25 concerns from other members, well, other tribes. I'm

1 George Selam, general council secretary-treasurer from
2 Yakama Nation.

3 And one of the concerns that I had was the
4 consolidation and the centralization. Now, you talked
5 about the BIA's trust responsibility and trust obligations
6 to these tribes and -- and, you know, you heard a concern
7 brought out financially, how is it going to impact? Are
8 you going to be cutting funds when you consolidate and you
9 centralize and, more so, what's it going to do and how is
10 it going to have its effect, you know, on all of these
11 other tribes and the treaty or their compact they have
12 with the BIA?

13 I'm sorry to say it like this, but you're
14 running away from your responsibility to -- as trust to
15 these tribes, and to me that there says a lot against the
16 treaty or the compacts in itself to sit there and
17 consolidate and wait for everybody to fall. Where are you
18 going to get the superintendent's signature? You know,
19 those questions emerge.

20 We talked about having it hard following the
21 chain of command or getting services, you have to go
22 through so-and-so, so-and-so, and it takes a long time.
23 And so you look at this scenario here when you sit there
24 and talk about consolidating and merging all these
25 guys -- all the offices together, is it not going to be

1 the same?

2 You know, you're going to go through these
3 channels here. It's going to be difficult to get funding
4 and things like that. These are just some of my concerns,
5 because the trust responsibility per BIA is per tribe, you
6 know. That's just my concern I had.

7 Thank you.

8 MIKE BLACK: Thank you.

9 SHARON GOUDY: Good morning again. Sharon
10 Goudy, Yakama Nation Credit Enterprise CEO. I had asked
11 to reserve my comments for this section, so I will make
12 those.

13 Our Honorable Selam has mentioned part of it,
14 and that was the trust responsibility, the treaty
15 responsibilities, how these savings are -- essentially how
16 the federal government is going to carry out its duties
17 within these agencies, but notwithstanding that there
18 still remains an obligation and that responsibility,
19 whether it's the Bureau of Indian Education or the Bureau
20 of Indian Affairs or OST or any other agency.

21 And the impact we have, the residuals in the
22 earlier presentation that you want to start with the lower
23 level staff first that actually do the duties to get their
24 input, instead of top down and bottom up. Well, that's
25 exactly how the tribes work.

1 When we come to these consultation meetings,
2 we have to consider the people at home and what their
3 service needs are and how these changes in the realignment
4 of government are going to benefit, how are we going to
5 interpret this and take it home to a local operating
6 level, particularly when you don't truly understand it
7 ourselves.

8 And I believe an earlier speaker spoke about
9 where is the justification that tells us, where is the
10 back up that tells us these are the areas that are
11 complying with the streamlining mandate and these are the
12 areas that were more appropriately cut that will be more
13 efficient and be more of a cost savings for us or more
14 effective for us.

15 We don't have the back up that tells us that
16 these are the areas. Maybe it's so for one agency; it
17 might not be true for all agencies, because even by areas
18 we're different, by tribes we're different.

19 So when you talk about consultation, we've had
20 this discussion over the years about meaningful
21 consultation. Is it the federal agency coming out and
22 telling the tribes this is what we're prepared to do and
23 you have target dates and program pieces already in place,
24 or is it truly come out and say this is a proposal, how
25 would you like to see it done and really make the changes

1 so that they make a difference?

2 And I guess I go back to some of the earlier
3 speakers where in Reno, Nevada, they had a session on BIA
4 reorganization way back then and I remember all the
5 comments that were made and we went on record and what was
6 going to be done happened anyway irrespective of the
7 tribal comments.

8 So maybe we're just wounded and have never had
9 our voice heard, but we do -- you know, we need to have a
10 place where our trust can be placed somewhere to make sure
11 our consultation results are meaningful and dialogue and
12 that our voices are carried forth to protect the people
13 that the tribe serves.

14 So the treaty responsibilities, the
15 consultation and the target dates, federal government is a
16 business, just like any business on a reservation. It
17 includes staffing and services and economic spending of
18 that dollar in your community.

19 So when you talk about taking out these duty
20 stations, you have employees there whether or not they
21 work, are from that tribe, but these are also economic
22 pieces in your government. These are employees and
23 families that spend their dollar in your community.

24 And when you think about that, and even at the
25 regional office level, if you're going to -- if this is

1 carried through and these duty stations are impacted, the
2 tribe should be informed of that as early as possible.

3 For instance, the Yakama Nation is going
4 through development of an education plan, our own
5 education plan. We need to know where those jobs are
6 going to be then so we can start training and preparing
7 our people to assume some of these keys positions.

8 I heard you say in your succession planning
9 that many are due for retirement and people are too young
10 or too inexperienced or too wet behind the ears or
11 whatever, to assume those positions, but at some point we
12 need to start working in our communities to train our
13 people for the key positions so that our people can know
14 what our views are and what we want.

15 So the sooner on that we know that this is
16 going to be a reality, the better, because it is a
17 business. It is an economic force in your community, and
18 the housing, all these other areas, are impacted.

19 There was some discussions about BIE
20 reorganization which relates to (inaudible). There was a
21 discussion about MOUs telling the folks that came to us
22 that you are a representative of that federal agency but
23 you often come to us and say that, well, that's not my
24 responsibility, that that is this agency's responsibility,
25 and, oh, no, that was the other agency's responsibility.

1 You can have 45 agencies overlapping
2 responsibility. And the discussion at that time -- I
3 think, Mr. Black, you were there -- was, well, what about
4 the MOUs? You know, why not these federal agencies also
5 work together to improve the efficiency of services on the
6 reservations, particularly by fragmentation.

7 To me, it's leading the tribes. We started
8 out with this big BIA and then we moved on and moved to
9 different agencies and now we're going to move the duty
10 stations into different, you know, agencies towards
11 minimizing support. We need the tribes and the services
12 to invest in (inaudible).

13 I believe that united we stand, divided we're
14 going to fall to the detriment of many in the community.
15 So I just want to say we need to see that analysis of the
16 functioning.

17 Changes and the supporting justifications.

18 We did have a page in this packet of the 33.1
19 budget reduction of direct program services. And it did
20 have the TPA in there of 17-plus million that somebody
21 asked earlier. And my question on that one was: Did your
22 tribal budget interior committee, was that their
23 recommendation? Have they acted upon this? Have they
24 reviewed it? And, if so, have those representatives been
25 out to their regions and their tribes and say, yes, we

1 agree that this is the steps should be made?

2 And again different areas, different agencies,
3 different needs. Where it might not seriously impact one,
4 it does seriously impact another. So I wonder where the
5 input came for that as well as the justification for that
6 decision.

7 And just bottom line, we are a treaty -- you
8 know, we are a federally-recognized tribe, those services
9 that are guaranteed to our tribes should be very
10 meaningfully taken and we can provided to you to come to
11 our homes and visit us and see the people who need those
12 services and how those decisions impact that -- I'll just
13 give you an example.

14 I worked for Credit over the years and secured
15 (inaudible) several times. We secured (inaudible)
16 transactions, mortgages on trust land or forms, our
17 businesses. It could take anywhere from six months to
18 three years and (inaudible) that long, and that's just
19 because of the fragmentation of services for realty and
20 OST, lack of (inaudible) agencies, et cetera.

21 And those are the things that why not get an
22 MOU to help us get our people into (inaudible). And to
23 this day I'm going to say that we're going to now move
24 that particular line authority or signatory authority,
25 because it (inaudible).

1 Thank you for your attention.

2 BRYAN RICE: Thank you for your comments.

3 If I could make one comment, one specific area. These
4 consultation sessions were structured to ensure that the
5 right communication and the right ears hear the words that
6 were being spoken and, you know, as you can see by who's
7 sitting at the table, and we have Mr. Speaks sitting here,
8 as well.

9 That element is taken very seriously and we
10 wanted to ensure that the right people are here to hear
11 this. So at all these consultation, you know,
12 Mr. Loudermilk will be here, Mr. Newland or one of the
13 Assistant Secretary's immediate advisory or senior staff
14 will be here. The regional directors will be around as
15 well as the directors, the deputies. Myself or Mike Smith
16 will be here. So I thank you for your comments. It's
17 very helpful.

18 I know there was one there. We also had up
19 here. I know you've been raising your hand. There's a
20 gentleman right behind you.

21 JIM CAMPBELL: Jim Campbell, Quinault
22 Tribe.

23 I too have some issues with talk about
24 consolidation and centralization. I've been around for a
25 long time and I used to be a BIA employee, and this seems

1 to be the BIA wants to become top heavy where GS-12s and
2 14s are pretty secure and 5, 7, 9, 11s, foot soldiers at
3 the agency, may be at more risk.

4 If you want to talk about service, better
5 service, it seems to me that you might consider taking
6 some of the duties like review and signature authority
7 that are apparently done at the regional office and
8 allocate some of those duties down to the agency level.

9 I also believe that it's no surprise about all
10 the people who are due to retire and nothing's being done
11 about it. I believe that there needs to be a transition
12 plan at least looked at or considered because we're
13 talking about in five years losing at least 50 percent of
14 the people and if you can replace a majority of that with
15 tribal, qualified tribal people, if you have the time
16 right now to educate them, and the time is right now.

17 I don't believe it's acceptable, and it's a
18 violation of trust responsibility for a lot of people in
19 the BIA to just say, "Sorry. We'll see you. We're all
20 going to retire." I believe that a transition of some
21 sort needs to be addressed and needs to be offered.

22 BRYAN RICE: Yeah. Thank you. I know
23 there's back row and then also right here, Linda. Yeah.

24 MEREDITH PARKER: Good morning. Meredith
25 Parker with the Makah Tribe.

1 I just had -- I don't know if I missed this,
2 but is the BIA the only agency within the Interior that's
3 going through the administrative cost savings to keep
4 those -- to encourage -- you know, to realize the cost
5 savings within it?

6 MIKE BLACK: That's across the government.

7 MEREDITH PARKER: That's across the
8 government. Okay. Because I had a concern -- I just
9 wanted to make a concern about the TPA forestry. That is
10 a concern for the tribes and reservation, so. We'll
11 certainly put our concerns in writing and forward those on
12 to you, but I just wanted to make sure I go on the record
13 with that.

14 Thank you.

15 NORMA JEAN LOUIE: (Native language
16 spoken). Good morning. Norma Jean Louie, Coeur d'Alene
17 Tribe.

18 I really appreciate everyone for their
19 comments that they're making and I just kind of noted a --
20 put down a few notes here from the information that you
21 gave. And as one of my colleagues mentioned, I was one of
22 the few that came in at ten o'clock not realizing that we
23 started at 8:00, so I guess I don't get the information
24 when I should, but.

25 And you stated, and it's in the documents,

1 5,000 full-time employees, 80 percent of which are Native,
2 there are 12 regional offices, 85 agency offices, and
3 there was a note in one of the readings, consolidation of
4 OST field staff with BIA eliminates duplicative services
5 positions, and this is something that I know the tribes
6 have wanted for a long time.

7 And in one of the documents it also states,
8 "Decisions regarding OST structure will be borne out of
9 the recommendations developed by the DOI Secretarial
10 Commission on Indian Trust Administration and Reform."

11 And as several of my colleagues have
12 mentioned, we're old school. We've been here since the
13 '90s, and when the initiative was presented to the tribes
14 about finance and across the nation, all the tribes said
15 no, but in place of that OST was developed and authorized
16 by Congress in 1994.

17 The trust was formed back in 1994, and
18 billions of dollars were put into that organization and
19 that was for the trust management of the finances of the
20 Native people.

21 And also, within that trust reform document
22 was a sunset clause that would do away with OST in a
23 certain number of years, and that was something else the
24 tribes across the nation, and particularly the Northwest
25 tribes, were looking at under trust reform that we've been

1 discussing for several years through the Affiliated Tribes
2 of Northwest Indian's organization, ATNI.

3 So I believe that the Office of Special
4 Trustee, as was mentioned, they are not completing some of
5 the services that they should be. Some of the services
6 they took over, like appraisals, some of our BIA services,
7 probates, we still wait years for those.

8 And with the -- with your streamlining, it
9 should be at the higher level. We need our local staff at
10 our agencies and large land based tribes or those with
11 large functioning assets that have several hundred,
12 several thousand leases, timber contracts that have
13 hundreds of landowners in one tract, 80 acres and 160.
14 That's a lot of management and that's what we need at our
15 local level, our staff.

16 So perhaps in your streamlining at the
17 regional level or the -- in D.C., maybe those positions,
18 yes, but we still need our people at the local level.
19 There's a lot of trust responsibility that belongs and is
20 owed to us as Indian people and we are, as I don't know if
21 someone mentioned it, understaffed as it is to complete
22 our transactions in a timely manner.

23 And also, I agree with a colleague from Salish
24 and Kootenai on the Cobell land purchase. The funds that
25 are in there are for the purchase, for the land purchase,

1 not for those individuals, the staff that will be doing
2 the work. That's going to consist of timber crews and
3 appraisals, and all of these things, contact with hundreds
4 of land owners in each of those allotments.

5 I also have to say that, since this is a
6 consolidation, as abiding [phonetic], that I would have to
7 for myself say no, that we can't do that. We are the
8 first people. We should be at the very top of this cycle.
9 You have treaties, executive orders that have made
10 promises to us as Indian people as the first people, and
11 when you're talking \$14 million for BIA and out of
12 education, you know, all of these things should be
13 considered last.

14 Obama's Administration, Congress should be
15 looking in other areas, not at us Tribal people. You have
16 that trust responsibility and, you know, consolidation?
17 No. We're not going to sit back and let this government
18 take away what we've fought for. Thank you.

19 (Applause).

20 HARVEY WHITFORD: Harvey Whitford,
21 Principal at Wa He Lut Indian School, Frank's Landing, in
22 Olympia, Washington.

23 I think it's appropriate to make a comment
24 with all our tribal leaders here, even though the BIE
25 streamline plan hasn't been outlined yet, because our

1 tribal leaders are very interested in their children's
2 education, our Indian children's education.

3 I'm pretty certain the politicians that make
4 all these recommendations and plans for streamlining,
5 budget cutting, realignment, I'm sure their children go to
6 many -- their children probably go to high expensive,
7 high, upscale private schools.

8 Our Indian children in our BIE and
9 BIA-operated schools, our people, they don't have that
10 option. They're struggling just to eat every day.
11 Grandmothers are raising their children, grandfathers are
12 raising their children, uncles are raising their children.
13 My brother raises ten grandkids, ten, because there's
14 nobody else to care for them.

15 And I'm certain that the streamlining is
16 going -- is going downhill to the BIE and it's going
17 downhill to our BIE -- BIE schools and BIE-operated
18 schools. We are struggling right now to give our Indian
19 children a high quality education.

20 Now, I want the tribal leaders to hear this
21 before it goes back to streamlining. The BIE, we work
22 very hard. We think out of the box. We struggle to give
23 our Indian children the best education they can so they
24 can go out and be our tribal leaders and the leaders of
25 our community and have successful lives.

1 And the streamlining is going to affect our
2 Indian children. They can't speak for themselves so we
3 have to speak for them. Just like it was said, the
4 treaties guaranteed our Indian children education, free
5 and appropriate, high quality education that was equal to
6 all the upscale schools we have around the country.

7 Our children come to our schools because they
8 want to get educated, they want to keep their Indian
9 culture, they want to know their language, their songs,
10 their traditions, their dances.

11 I'm a very good dancer, been dancing for 30
12 years, because my mom made sure that I knew how to dance
13 because she was a northern traditional dancer. So we try
14 to educate our kids academically and culturally. They
15 love to sing. They love to dance. And we're trying to
16 be -- trying to teach them to be the best readers, the
17 best at mathematics so we can reach that progress in the
18 No Child Left Behind Act and not get sanctioned from NCLB.

19 So the streamlining, I know BIE-operated
20 streamlining plan hasn't been said yet, but I found it
21 appropriate to let our tribal leaders know how I feel
22 about the tribal schools. It's going to affect us. When
23 I see the BIE-operated plan, the streamlining plan, we'll
24 know a little bit more about it, but it's going to affect
25 us greatly. It's going to affect how we educate our kids,

1 our technical assistance.

2 Our children are our greatest gift the creator
3 gave to us, our Indian kids. They're the ones that are
4 going to carry on our culture, our traditions when we are
5 gone.

6 Thank you.

7 (Applause).

8 BRYAN RICE: I know there's more. There
9 he is.

10 CHARLES CALICA: Hi. Good morning again.
11 Jody Calica, Confederated Tribes of Warm Springs.

12 We've had two council members here that are
13 here to listen and take in the information and we will be
14 submitting our formal comment before the June 1st
15 deadline, but we're very concerned with, as are the rest
16 of these tribes, about this structure and function of the
17 BIA.

18 Warm Springs is a treaty tribe. We're a
19 direct services tribe. We're one of a few tribes that's
20 exempt from Public Law 280 and we own 99 percent of our
21 640,000 acres. So those are some very -- so those are
22 some characteristics that are very key to our existence.

23 This reorganization initiative, as was
24 mentioned, there have been several reorganization
25 initiatives, BIA as it is to-be trust reform and a number

1 of other, and all of them have this theme of downsizing
2 the BIA and diluting what we see as the trust duty of the
3 federal government that's owed to tribes based on treaties
4 that direct relationship is administered by Congress, not
5 administrators. Not the departments, Congress.

6 You mentioned the policy statement. It's some
7 very nice words inside of that policy statement in terms
8 of the relationship between the departments, various
9 federal departments and Indian tribes, but there's one
10 phrase in there that undoes -- that serves to undo all of
11 the good intentions, and that phrase is that all of this
12 is subject to deliberative process privilege and other
13 privilege prerogatives.

14 At Warm Springs, the tribal council passed a
15 resolution to have a federal official removed. That
16 federal agency brought in their folks and their folks
17 looked at the situation and said, "I'm sorry, but your
18 resolution has no force and effect and this employee is
19 going to stay based on deliberative process privilege."

20 So that's one particular part I guess of your
21 consultation process that causes some concern.

22 As was mentioned by a number of other
23 representatives that in looking at this whole effort to
24 streamline that you really need to look at the size,
25 scope, character and complexity of the trust transactions,

1 the trust assets involved, and the trust functions that
2 are carried out by federal officials.

3 Going back, as a former superintendent working
4 on the Nez Perce Reservation, practically every allotment
5 on the Nez Perce Reservation has trespass, and who's going
6 to tend to that? The Salish and Kootenai Tribe has been
7 going on a fairly active land acquisition program for
8 reconsolidating their lands, and then they're taking on
9 the Federal Energy Regulatory Commission and their
10 acquisition of the Kerr Dam.

11 Well, that's some opportunities we have as
12 tribes, recognizing the energy potential for economic
13 development of other Northwest tribes.

14 Kind of shifting gears a little bit, at the
15 last Affiliated Tribes of Northwest Indians conference at
16 Little Creek, we identified a new enemy. It's going right
17 to the heart of tribes' rights and authority to manage
18 their trust lands, trust assets and trust proceeds, and
19 that's the Department of Treasury Internal Revenue
20 Service.

21 (Applause).

22 They're subjecting tribes to a burden that
23 they're not imposing on states or counties or
24 municipalities, and that's one of those functions that I
25 guess we as tribes look to, and it's in our mission

1 statement to carry out the responsibility to protect and
2 improve trust assets of American Indians, Indian tribes
3 and Alaska Natives.

4 So as we look at the relationship between the
5 tribes and the BIA as a principal agent of the trustee, we
6 look to you to help us protect our treaty rights,
7 interests and authority. And so I know that there are
8 other tribes who have similar kinds of concerns and I know
9 that if the IRS hasn't come knocking yet, they will be.

10 Thank you.

11 (Applause).

12 RICHARD GEORGE: Thank you. Richard
13 George of the Yakama Nation. I just have a few comments
14 here.

15 It's kind of confusing on why you guys are
16 streamlining because of the fact that, like Ms. Marek from
17 the Nez Perce said on the OST, it could be a 2 million --
18 200 million pot of money there. I don't know why you guys
19 don't just take 14.5 million from there to cover the
20 14.5 million cut.

21 I mean, maybe that's just too simple. I don't
22 know.

23 (Applause).

24 Okay. I'm kind of concerned about the
25 statement on the shared responsibility because of the fact

1 that if the streamline isn't done by the beginning of
2 FY 13 will there be cuts across the board?

3 Is that where you come in with that shared
4 responsibility?

5 Thank you.

6 BRYAN RICE: I appreciate your comment. I
7 can comment to that real briefly.

8 The across the board piece that you're talking
9 about in the document, you know, one of the potential
10 responses, if nothing happens here, if we -- if we weren't
11 having any of this discussion, if we said, okay, here we
12 go, we're going to Waltz through the 13 and do nothing,
13 potentially across the board could be a -- that could
14 happen.

15 And so in order to alleviate any kind of
16 negative action, anything that would be difficult arising
17 from that, you know, that's why we're looking at areas
18 we're looking right now.

19 And the example -- I think it's important you
20 know you talk about the -- or you point out the sharing
21 programs and the example I used was the forestry program
22 between Rocky Mountain Reach and Great Plains region. So
23 that's one example where it does work and it doesn't mean
24 that it would work everywhere, but that's one idea and one
25 topic that we can discuss further on how to make it

1 actually work.

2 I think I hear stomachs rumbling. Any other
3 last comments here?

4 Yeah.

5 UNIDENTIFIED SPEAKER: Thank you. I want
6 to make a comment on Mr. Jody Calica's last statement on
7 the taxation of the Native American Indians.

8 I would like to know, since you guys are all
9 here in the same room, what is the federal government
10 going to do, since that's a Congressional act that Native
11 Americans are tax exempt? So eventually I believe that
12 the tribes are going to jump on the federal government to
13 protect the treaty rights that has been already promised
14 and deliberated for the last 100 years.

15 So I would like to, you know, go on record,
16 also, in that that is your trust responsibility, that it
17 is in some of the treaties that we are tax exempt.
18 There's WAC rules. There is a Congressional act. So I'm
19 looking towards the federal government to uphold their
20 trust responsibility for all 560 nations.

21 Thank you.

22 BRYAN RICE: All right. Is there -- oh,
23 in the back. Okay.

24 UNIDENTIFIED SPEAKER: You didn't answer
25 me.

1 BRYAN RICE: I don't know.

2 BRYAN NEWLAND: This is a -- I
3 don't -- I'm not sure of the IRS issue that you-all are
4 referring to. I know a lot of folks have a lot of issues
5 with the IRS so it's kind of a take your pick. But, you
6 know, up in the Assistant Secretary's office we do work on
7 treaty rights and treaty rights protection. So I would be
8 curious to learn more about this issue and then see how we
9 can help.

10 Thanks.

11 MANUEL SAVALA: Hello. My name is Manuel
12 Savala, Kaibad Paiute Tribe in Arizona.

13 I just happen to be -- to be meeting with the
14 Kalispel Tribe on some FERC business, but I just wanted to
15 say -- I missed the consultation down in Scottsdale, so.
16 And I just happened to be walking by this one, so I said I
17 might as well give my \$0.02.

18 We love our BIA in St. George, Utah. It's
19 served three tribes -- Nevada, Utah and Arizona -- and
20 there's -- not three tribes, three states, and there's 12
21 tribes within that, and we also share services, and we
22 can't do without them. It would be hard to go to the
23 western region, over 400 miles.

24 I just wanted to say we want our agency.
25 Thank you.

1 BRYAN RICE: Thank you for your comment.
2 I think we have -- it looks like we have two -- two
3 comments, maybe one back here and then one up in front.

4 LAWRENCE LaPOINTE: My name is Lawrence
5 LaPointe, council member of the Puyallup Tribe. I have
6 two questions.

7 If there's no tribal support for streamlining
8 and only a few BIA employees take early-out, what does
9 across the board mean? Maybe that clarifies the question
10 earlier. I don't know.

11 And the second question is, comments are due
12 by June 1st. Your last meeting is in Anchorage to be
13 determined. Comments due by June 1st. Who's going to
14 review all the comments and are the comments that you
15 receive going to be forwarded to the tribes for their own
16 review?

17 I mean, for you to come and get consultation
18 with us and not knowing what the final decision is would
19 be meaningless to me as far as consultation.

20 And then once they're reviewed, does it take
21 effect October 1st? I don't know. I think everybody
22 deserves to know that.

23 BRYAN RICE: Okay. I can answer several
24 of those questions. I'll start backwards. So Anchorage
25 is May 23rd. I mentioned that when we went through that

1 last slide. The original Federal Register notice had
2 comments due I believe it was May 25th or 26th, and that
3 was with the consultation ending a week before that, so we
4 extended that to June 1st.

5 As far as comments, who they're going to be
6 viewed by, how they're looked at, that was also on the
7 second to third to last slide which talks about how we're
8 going to take all those documents -- "we" being the team
9 that's working on this issue. The directors are going to
10 be looking at it. Regional directors are going to see it.
11 It's also going to be posted on the website through those
12 avenues of communication I was referring to earlier.

13 Posted on the website, any communication that
14 comes out from the central office through the regional
15 directors to the tribes. And then, third, if there's
16 anything that ends up being more one on one, through the
17 contact, I posted my e-mail last.

18 And then your last question, which was your
19 first question, is what does "across the board" mean.
20 "Across the board" can mean all sorts of things. It means
21 that there's nothing that's been decided yet. It just
22 means that if October 1 rolls around and the stars align
23 and we have an approved budget in place as it looks right
24 now, we have to find 14.5 from somewhere.

25 JIM CAMPBELL: Jim Campbell, Makah Tribe.

1 My comments and my concerns are real similar
2 as far as about -- about the comment period being
3 June 1st. That's basically going to give you and your
4 team one month to review everybody's comments or their
5 input, possibly another month to formulate some type of a
6 plan or some kind of action, leaving two months.

7 And if you're not able to reconcile 14 and a
8 half million budget cuts, how realistic -- how realistic
9 is it really that we will not be facing across the board
10 cuts October 1?

11 BRYAN RICE: It's realistic that we'll
12 find a solution to this. It is a tight time frame. I
13 mean, you pointed it out. We're well aware of this and
14 working as quickly as we can.

15 UNIDENTIFIED SPEAKER: As a follow-up, I
16 don't see TIBC in your plans. What -- how are you -- are
17 you planning on working with TIBC or the TIBC budget
18 subcommittee in going through this process?

19 MIKE BLACK: Right now I don't think that
20 decision has been made yet with regard to the
21 subcommittee, with TIBC, and working through this part of
22 the process. We know they're fully engaged in our budget
23 preparations and planning processes, but right now we're
24 working on our 2014 process, so. There will be
25 discussions, I'm sure.

1 But then going back to the reality of it, you
2 know, come October 1, the reality of it is we won't have a
3 budget October 1, more than likely. So, you know, who
4 knows. I mean, we haven't really had a budget for the
5 last two years. We've been operating on continuing
6 resolutions.

7 How we're going into -- I mean, just be honest
8 about it, we're going into an election this fall so I
9 don't anticipate we'll have a budget come October 1. So
10 whether that's good or bad for us at this point, I don't
11 know, but we need to make sure we work through this
12 process.

13 We have a really tight time frame. We're
14 going to try to keep all the avenues of communication open
15 as we go through all of this, making sure the tribes see
16 the comments that come in. We're going to be posting them
17 on the website so everybody will have the opportunity to
18 review these the same as we will.

19 BRYAN RICE: I thought I saw one more,
20 back of the room.

21 DELANO SALUSKIN: Yes. Good morning. My
22 name is Delano Saluskin and I'm with the Yakama Nation.

23 And I don't want to talk too much, but I just
24 have a concern. You're talking about streamlining and
25 letting employees go and things like this. Is there some

1 sort of review on your regulations as well that would
2 accommodate the streamlining and the ability for the
3 Bureau to carry on its functions and responsibilities?

4 That's my first question.

5 And I have another question and I don't know
6 if I -- much about this consultation. I'm just newly
7 elected to the tribal council. I'm wondering if
8 consultation also applies to the local agencies.

9 Do we have the ability to talk to our local
10 agency employees to find out what their thoughts are on
11 this, or is there some sort of gag order from the up-above
12 agency?

13 Thank you.

14 BRYAN RICE: That's -- thanks for that
15 comment. I don't think we've gagged any employees lately.
16 No, there's no -- there's nothing that says you can't talk
17 to the agency staff.

18 This is something, you know, we really wanted
19 to hear from the tribes and tribal leadership first, and
20 the intent is about halfway through, so this is the third
21 out of seven. So we're starting sometime next week, the
22 week after, we'll be engaging actual Bureau staff more
23 intensely on how they're looking at this as well, because
24 in many instances, you know, BIA staff are tribal members
25 where they're at, so, I mean, it's one and the same.

1 Your first question, though, the review on
2 regulations, I don't know if I totally follow that but let
3 me see if I can answer it how I understood it.

4 You know, a BIA staff member, it's
5 their -- their choice. You know, just as in a tribal
6 program, it's somebody's choice whether you wish to stay
7 employed or not. And if a staff member is eligible for
8 retirement or, you know, at that point in their career,
9 that is -- that's absolutely up to them.

10 In terms of the incentives, though, there is a
11 review process that it goes through. It's not just a
12 carte blanche opening up of incentives.

13 DELANO SALUSKIN: Maybe I -- maybe you
14 misunderstood my question.

15 I guess my question is, again, agencies, and
16 we rely upon the services of the individual. I'm not
17 talking about retirement. I'm talking about regulations
18 that pertain to signatory authority or approval authority
19 and those sorts of things.

20 That's more what I'm concerned about, if
21 you're going to be streamlining and cutting staff people,
22 we're still going to be burdened with these cumbersome
23 regulations that the Bureau has and I think there needs to
24 be taken a look at your regulations and so that they're
25 streamlined as well.

1 BRYAN RICE: Yeah. Thank you. That's a
2 good comment, and if I can add to that.

3 The -- towards the beginning of the
4 presentation I talked about how there's a staffing level,
5 we look at the staffing levels, and then there's another
6 element to it which is the actual work requirements or, as
7 you're referring to, you know, the signatory or other
8 trust responsibilities that we have. And so, yes, we're
9 looking at those both in parallel.

10 JOANNA MAREK: Joanna Marek, Nez Perce
11 Tribe.

12 I believe what Mr. Saluskin was getting at is
13 can we as a tribe send a memo to Mr. Speaks so that we
14 could speak with him and our field staff on how we can
15 work together to retain those field offices? Because we
16 do need them.

17 As stated with the Coeur d'Alene Tribe, Mrs.
18 Louie, we have several leases. We have a lot that goes on
19 in our agency and we need them and we're just trying to be
20 very positive and work together to help you folks as well
21 as us.

22 And, you know, the taxation issue is -- is
23 knocking at the door, and I believe that was a CFR that
24 came out in 2007/2008. So the fiduciary trust
25 responsibility for the protection from you folks to us as

1 stated in our treaties, we should have been -- just like
2 right now, you know, we're not going to have enough time.

3 We can get on the site now and read what has
4 happened and the comments from the other tribes. How long
5 will it take for ours to be on the site so we can look at
6 all of it as well and the one final document before
7 June 1?

8 Thank you.

9 BRYAN RICE: If I can comment real quickly
10 on the -- the question you posed. I mean, there's nothing
11 that prevents you from -- I don't know there's anything
12 that ever prevented anyone from sending a letter to the
13 regional director, you know, asking audience or a meeting,
14 so, that's...

15 MIKE BLACK: I'd like to add, too, that in
16 fact I would encourage that. If that's going to help you
17 generate your responses, get additional information to
18 make a response to us on this overall plan, please do meet
19 with your superintendents and regional director to get
20 more information as far as the services that are provided,
21 how they're provided and what you need to know to make
22 educated decisions on what you're going to submit to us.

23 LAWRENCE LaPOINTE: I'll try to be brief.
24 My name is Lawrence LaPointe, Puyallup Tribal Council
25 Member.

1 Many of us in this room have already testified
2 in front of a House of Appropriations Committee and you
3 guys keep saying that this is Presidential mandate through
4 his budget process.

5 I don't know -- you probably can't believe
6 that we can go through a presidential delegation to
7 maintain what we're doing as tribes and maintain services.
8 I don't know if you agree with that or not, but it's an
9 attempt that maybe we should do.

10 MIKE BLACK: I would agree, and I guess
11 "mandate" would be the wrong word. This is part of the
12 President's 2013 proposed budget, and Congress still has
13 to act on it and Congress can say they don't have to take
14 those recommendations.

15 DELORES PIGSLEY: My name is Delores
16 Pigsley, Confederated Tribes of Siletz.

17 And I just want to state on the record that of
18 the offices and the agencies that are recommended for
19 closure, nine of the agencies listed are in the Northwest,
20 so the Northwest is taking a big hit here.

21 TERESA WALL-McDONALD: Teresa
22 Wall-McDonald, Confederated Salish and Kootenai Tribes.

23 Will the Secretarial Trust Commission weigh in
24 on the recommendations? Will any of the streamlining be
25 pulled through the Secretarial Trust Commission?

1 MIKE BLACK: I think as far as how it
2 could impact the delivery of the trust services, yes. In
3 fact, I currently serve -- well, I think I'm what they
4 call a co-lead or a co-designated federal official on the
5 Trust Commission, so a lot of this information I'll be
6 able to share with them, especially things that will
7 impact everybody.

8 RAY LORTON: Ray Lorton. I'm the
9 superintendent of Chief Leschi Schools in Puyallup,
10 Washington.

11 As I'm listening, I'm kind of curious. I
12 firmly believe you guys don't like this any more than we
13 do, so I'm going to draw that conclusion. And based on
14 that assumption, how proactive have you been in looking at
15 the bottom line in terms of your support with the various
16 departments, streamlining, reducing costs or whatever?

17 What are we -- at 14.4 million you're saying
18 we have to cut, is that -- so in that process getting to
19 that, that's a recommendation and I think those
20 recommendations you probably work with very closely.

21 So where were you at in the process of trying
22 to champion our cause and get that number higher or
23 agreeing or that type of thing?

24 Were you guys involved in that process,
25 because you're the messengers; you got the bottom line,

1 but I would hope that you're kind of defending the tribes.

2 Thank you.

3 MIKE BLACK: The best answer -- you know,
4 going through our budget process, I mean, these aren't
5 things that we throw up there. You know, we go -- through
6 the budget process we're given targets, we're given
7 targets that we're supposed to try to meet in an upcoming
8 budget.

9 Like, say, right now we're working on 2014 and
10 we may be asked to submit a flat budget, we may be asked
11 to submit a minus 5 or minus 10 percent budget, and
12 working through that process, yes, we do, we try
13 everything we can to champion, you know, the tribal
14 programs and protect the TPA programs through this
15 process, and look if cuts have to be made where can we
16 make them with minimal impacts to the tribal programs and
17 stuff, and that's where some of these things come from.

18 And you're right, I'm not crazy about this
19 idea. It's sometimes -- not a good time to be Bureau
20 Director right now with some of the things that are going
21 on and trying to deal with some of these budgets.

22 Some really tough decisions have to be made.
23 I have to answer to all of you in this room and as well as
24 everybody within the organization on how we deal with this
25 and implement this. We're doing everything we can to

1 champion the cause.

2 BRYAN RICE: I think they're hungry.

3 Yeah. All right. Well, last chance. The microphone is
4 roaming around.

5 All right. Well, I'd like to thank everyone
6 for your comments and, you know, please, please put
7 together written comments and submit those as well and
8 then look for the -- the text that's being captured here.
9 That will also be posted on the website.

10 And then we're going to break for lunch and
11 then the education folks will step in. Where are we at?
12 We're at 12 o'clock. I think the education was scheduled
13 for 2:30 originally. So we can either have a long lunch
14 or if everyone is here who's going to be here we can shoot
15 for 1:30. 1:30?

16 All right. So 1:30, please be back. Thank
17 you very much.

18 (Lunch break taken.)

19 ROXANNE BROWN: Good afternoon. I think
20 we're going to get started here so we can be respectful of
21 your time. We're embarking on discussion and feedback
22 from you-all on your communications, opportunity to
23 streamline.

24 Again, I'd just like to introduce myself. I'm
25 Roxanne Brown. I'm the Associate Deputy Director - East

1 for the Bureau of Indian Education, and I'm located in
2 Minneapolis.

3 I'd also like to introduce Stan Holder. He's
4 the Acting Associate Deputy Director for the Division of
5 Performance and Accountability located in Albuquerque. We
6 have Jim Martin out of D.C.

7 We also have representation from the Seattle
8 education line office, Jon Claymore, to my far left. So
9 we'll introduce this streamlining plan to you based upon
10 the \$3 million cut proposed by the President.

11 And this plan -- and I like the way BIE
12 phrased it. The things that have been brainstormed and
13 thought out is seeking tribal input on ways to streamline
14 the Bureau of Indian Education's ability to meet these
15 budgetary constraints to improve the quality of education
16 to those Indian students that we serve in our BIE-funded
17 schools.

18 For the fiscal year 2013, and you've all
19 looked at the Greenbook, it's based on a \$3 million
20 reduction for Bureau of Indian Education, and that's
21 something that hits us square in our -- in our faces, in
22 our pocketbooks, in how we're going to deliver those
23 effective services to our Indian students.

24 We're asking you to help us, based upon your
25 work and your interaction with your tribal education

1 department's work with your grant schools, and those of
2 you that maybe have affiliation with Chemawa Indian
3 School, to help us to improve the efficiency of the
4 services that we're able to provide in light of these
5 budget cuts.

6 We know that any consolidation or potential
7 consolidation will affect services to the elementary,
8 middle and high schools that we serve, our early childhood
9 programs, our peripheral dorms. We have boarding schools.
10 We have four off-reservation boarding schools. And we
11 also work closely with our tribal education departments
12 and our tribal councils and school boards.

13 So right up front we're asking for your input.
14 How do you foresee these budget cuts impacting services
15 provided to your children? What recommendations do you
16 have? What plans might we submit to address this?

17 We're asking for input on realigning services
18 with the reduction of funds. We're asking for input on
19 streamlining our organization to meet the budgetary
20 constraints while also being responsive to the needs of
21 our students in our school communities.

22 We're asking for input on how we might work
23 smarter and better in working with tribal education
24 departments and committees on behalf of those students we
25 serve. We're asking for input on how to empower our

1 students through our Bureau philosophy under our director,
2 Keith Moore, through learning, leadership and service.

3 Here you see actually our -- our
4 organizational chart as it was approved in August of 2006.
5 We have the director. We have the three deputy directors
6 here at the very bottom with education line offices
7 reflected there.

8 One of the -- one of the things I need to
9 emphasize is that this \$3 million deficit that we're
10 looking toward, if it gets Congressionally approved, does
11 not impact schools -- school funding. It impacts how we
12 design our services and resources to help support schools,
13 but it does not impact school funding.

14 This funding is -- and if you look back at the
15 Greenbook, and I wish we had included a slide of that
16 section of the Greenbook, it impacts the education program
17 management funding. That funding impacts, at the very
18 bottom level, these education line offices, the ADD
19 offices Navajo, West and East, and it impacts the Division
20 of Performance and Accountability as well as the
21 director's office in Washington, D.C. The funding does
22 not impact school funding, that \$3 million.

23 The Bureau operates 183 elementary and
24 secondary schools. We have peripheral dorms where
25 students are able to stay in a residential facility and

1 attend public school systems. We have boarding schools.
2 We have cooperative school, which is state and Bureau
3 funded.

4 We have approximately 41,000 students, 64
5 reservations, 238 tribes in 23 states. We have 24 tribal
6 colleges, two that are Bureau operated -- Haskell and
7 SIPI. We also operate preschool programs, family and
8 child education, otherwise known as FACE, across many of
9 our tribes in the Bureau.

10 Okay. This is an example of -- this is the
11 Associate Deputy Director Office - East. That's my
12 office. I supervise nine line offices from North Dakota
13 down to Oklahoma with the tribes in Texas included, and
14 everything east, from Maine down to Florida. We have
15 approximately 64 schools that we oversee out of our
16 ADD - East office.

17 I have nine Bureau-operated schools to which
18 we provide direct oversight. There are 53
19 tribally-controlled schools and we have three contract
20 schools. I believe those are Miccosukee, Indian Township
21 School in Maine, and I believe Tiospa Zina School in South
22 Dakota -- North Dakota -- South Dakota, South Dakota.

23 So that's -- that's the east region of the
24 Bureau of Indian Education.

25 And so what you're seeing here, these are the

1 lowest echelons that are impacted by that \$3 million
2 budget reduction. This is one of the three regions of the
3 Bureau.

4 Here we have the Navajo ADD office. There are
5 six education line offices, 65 total schools. 31 of them
6 are Bureau operated, 33 are grant schools, and one is a
7 contract school. So, again, it's those six education line
8 offices and the ADD office whose budget is comprised of
9 the education program management funding, or that -- what
10 we're looking at for the \$3 million reduction.

11 And finally we have the third region of our
12 Bureau, ADD - West office. I might -- I might add that
13 Charles "Monty" Roessel is the Associate Deputy Director
14 for Navajo, and Bart Stevens is the Associate Deputy
15 Director for the West. Many of you, I'm sure, know him.

16 So Bart has seven education line offices that
17 he supervises or oversees, 54 schools. Nineteen of those
18 are Bureau operated, schools operated by the federal
19 government. Thirty-five of those are tribally-controlled
20 schools, and there are no contract schools under that ADD.

21 So these -- this is the bottom echelon of
22 what's impacted in education program management funding.
23 We have 22 of those education line offices across our
24 country, one of which is in Seattle, and I think Jon
25 probably serves most of the schools that are represented

1 here today.

2 We have 183 schools and dorms. 58 of those
3 are Bureau operated. 121 of those are grant,
4 tribally-controlled schools, and four of those are
5 contract schools under Public Law 93-638.

6 So we're here today to actually hone in and
7 focus in on your comments and feedback regarding the
8 fiscal year 2013 budget justification in the Greenbook for
9 the \$3 million reduction.

10 With input and assistance from you, from the
11 tribes, we would like to be able to identify opportunities
12 to improve our efficiency and our effectiveness in light
13 of this \$3 million reduction. Here we have thoughts and
14 themes and ideas of staffing reduction, resource sharing,
15 potential consolidation of programs and offices, much in
16 the same manner, in like manner that BIA described
17 earlier.

18 We're putting this out that any potential
19 consolidation which will affect services to our schools
20 will require the full support of the participating tribes.
21 So we actually look at this as an opportunity to hear from
22 you as to how we can effectively redesign, possibly, how
23 we provide services to your schools and how we can do it
24 more effectively, obviously more efficiently.

25 This is kind of a chronology of what we look

1 like in fiscal year '10, '11, '12, and here you can see
2 with this proposed \$3 million reduction we're looking at
3 an 11.817 budget. It's quite a huge reduction.

4 Here is some of the options that have been
5 explored and actually are -- have been developed as
6 thoughts, themes. I hesitate to say plans, but you have
7 to have some forethought.

8 So there are some things that have been
9 brainstormed in the organization which will have to be
10 viewed with what you submit and looked at and discussed
11 and chewed up and spit out and proposed as the best way we
12 can reconstruct ourselves to better serve the children in
13 our schools, actually.

14 So here we have exploring the Voluntary Early
15 Retirement Authority and the Voluntary Separation
16 Incentive Payments. In a little bit later you'll see the
17 numbers that are projected to be both retirement age and
18 years, be able to take advantage of this if they choose.

19 Consolidate offices or services. One of the
20 thoughts is to consolidate education line offices, those
21 22, with the Associate Deputy Director offices, with the
22 three, to be able to -- to have some resources, actually,
23 for our schools, be able to have some curriculum
24 specialists, some professional development specialists,
25 some specialists on teaching and learning.

1 How do we have -- what kind of instructional
2 models do we use? What kind of evaluation systems do we
3 implement to better serve our kids and to actually help
4 them to achieve when they're competing against -- against
5 schools off the reservation and outside the Bureau?

6 We're looking at residual staff at key sites
7 throughout the Bureau.

8 If sufficient of the full-time equivalency
9 take early-out or buy-out incentives, we could reach the
10 \$3 million target, is what's projected. So a combination
11 of savings through the FTE reductions and overhead costs,
12 which is our office leases and space, we should be able to
13 meet our budget targets, all with the expectation that
14 services would not diminish to our students.

15 It seems like I missed a slide in here. It's
16 not included. There was a slide in one of the
17 presentations that actually showed the number of staff in
18 the education program management budget line that were
19 eligible for early retirement.

20 So, it's pretty straightforward. We're facing
21 that \$3 million budget cut. If it goes forward, this is
22 the President's proposed budget for 2013. And in light of
23 that, there is some difficult decisions that have to be
24 made.

25 Stan?

1 STAN HOLDER: The -- as Roxanne had said,
2 the proposed cuts are going to impact the education
3 program management operation for the Bureau of Indian
4 Education. We're different in that we're a federal
5 education system. I think our oldest school is Riverside
6 Indian school that started in about 1873.

7 Throughout the years we've had schools
8 develop. I believe we ended up with over about, what, 300
9 schools at one time, and then over the years Congress cut
10 that back. The most recent that I can remember was when
11 they closed Intermountain Indian school and Chilocco.

12 A lot of us have a lot of history with Indian
13 education. My grandmothers went to Carlisle. My mother
14 was pretty much raised at Riverside and Chilocco, and my
15 sisters all went to Fort Sill Indian School down in
16 Lawton.

17 So we have a pretty rich history as far as the
18 Bureau of Indian Education is concerned. We had been for
19 years the Office of Indian Education program, which was an
20 office that was embedded in the Bureau of Indian affairs.

21 In 2005, we put in a proposal to have full
22 Bureau status. We received partial Bureau status and we
23 were able to reorganize into the Bureau of Indian
24 Education. Some of the dialogue that you heard this
25 morning was about transferring staff to the Bureau of

1 Indian Education from human resources and from the other
2 DAS-M offices.

3 Those transfers will actually enable us to
4 assume full Bureau status so that we can manage our own
5 human resources, procurement, and those other functions
6 that are essential for us to be able to manage the 173
7 instructional programs and the 12 dormitories that we have
8 in 23 states.

9 However, the \$3 million cut that we're talking
10 about will impact us tremendously. The three Associate
11 Deputy Director offices essentially act as district
12 offices for the various line offices in their areas.

13 I think many are familiar with the public
14 school system. You generally have a state superintendent
15 or state educational agency, and then you have district
16 offices, and within those districts, that district
17 superintendent manages the schools out in those districts.

18 Within the Bureau, we have an associate deputy
19 director that manage the line offices and the line offices
20 actually manage the Bureau-operated schools, and they
21 provide support to the tribally-operated schools.

22 So what we're looking -- where we're looking
23 at having to cut back is in those Associate Deputy
24 Directors and the education line offices.

25 I don't think any of you can imagine a state

1 education agency operating efficiently without district
2 level offices, without those district superintendents that
3 actually establish curriculum, provide professional
4 development, often design the technology plans for those
5 schools and then manage the special initiatives that come
6 down either from the state or the federal government.

7 So we're talking about removing an essential
8 part or impacting an essential part of management that
9 will directly affect the operation of schools, which will
10 definitely impact the quality of instruction that we're
11 able to provide.

12 Now, I know that a lot of us understand that
13 under No Child Left Behind we've had a very challenging
14 set of accountability to work under with the Adequate
15 Early Progress determinations that are mandated under
16 Section 1111 of No Child Left Behind.

17 What we found not only in Bureau schools but
18 in public schools is that we believe that in some cases
19 the standards and the assessment weren't really aligned
20 with the resources and the management at the school level.

21 So as a result of that, we've oftentimes seen
22 the disastrous impact of the high level accountability
23 system that No Child Left Behind required. As a result of
24 that, Arne Duncan, Secretary Arne Duncan issued an
25 opportunity for states to apply for a flexibility waiver

1 to waive the requirement that all students would be
2 proficient in math, reading and language arts by 2013.
3 The Bureau is pursuing a flexibility waiver, also.

4 However, I believe what No Child Left Behind
5 taught us is that for us to truly be able to educate our
6 children, to prepare them to be college and career ready,
7 to be ready for the military or whatever occupation they
8 choose, to be able to develop hopes and dreams as far as
9 improving their quality of life, because we all know the
10 situations that exist in a lot of our communities, the
11 poverty, the dysfunction and the other challenges that are
12 students have, that we have to have systems that are well
13 managed, that are articulated, and that provide support
14 all the way from the Director's office down to that
15 interaction that's going to take place between that
16 student and that teacher.

17 All of those levels of management coming from
18 the Director's office to the Associate Deputy Directors to
19 the line offices to the superintendents and the principals
20 at those schools affect that interaction between the
21 teacher and the student.

22 So we're talking about a critical issue as far
23 as formulating plans so that we can build a leaner,
24 cleaner approach to providing those services to those
25 students and to those teachers.

1 Because we are a bureau in the Department of
2 Interior, we have consultation requirements, so that's why
3 we're consulting with you today, to garner your input on
4 how we can approach the impending deficit that we're going
5 to have to deal with, how we can look at realigning our
6 structure and realigning services so that we can best
7 facilitate those teachers in the classrooms and the
8 opportunities for those students.

9 So, Jim, do you have anything to add to that?

10 JIM MARTIN: No.

11 STAN HOLDER: Okay. So I'm going to go
12 ahead and leave it open, and, you know, please, if you
13 have questions, recommendations, or thoughts on this
14 issue, we're -- we're open to hear whatever those are at
15 this time.

16 ERIC KENDRA: Good afternoon. My name is
17 Eric Kendra. I'm the superintendent at Coeur d'Alene
18 Tribal School, and I just want to say a few words in
19 support of our -- our education line office over in
20 Seattle.

21 This is my sixth year as a school
22 administrator, first year as superintendent, and so I'm
23 learning some of these new items that have been gone over
24 this morning here at the meeting, but I do know for a fact
25 that our line office in Seattle through Jon Claymore or

1 the ELO has really been a big support for us in achieving
2 our status that we have today of making AYP over the last
3 three years.

4 So we have been supporting our AYP through
5 programs that have been offered and brought to our
6 attention through the line office. Like we have through
7 our funding, we've hired academic coaches in math and
8 reading. We've been real aggressive in working with our
9 kids that are more of the under-achievers and brought them
10 up to benchmarks, and we had the opportunity to implement
11 an intervention program, hired a teacher through that.

12 So all these things that go to support our
13 regular education, bringing kids up to where they're
14 supposed to be in grade levels, grade levels K through 8,
15 have been brought to us through our line office.

16 And additionally, Mr. Claymore and the staff
17 at the Seattle office have visited us monthly in North
18 Idaho at our school, as well as the I believe it's 11
19 other Northwest region schools that they're in charge of
20 and that they oversee.

21 So the line office up there in Seattle plays a
22 real important and significant role in the success of our
23 kids in Coeur d'Alene, so. I think to jeopardize, you
24 know, and to take that away from us, it's going to be a
25 real kind of a wake-up call.

1 What are we going to do next and how are we
2 going to be provided the personal assistance on a monthly
3 basis and also brought -- who's going to bring forth the
4 support that we already have in place and to sustain that?

5 I think if the regional office moves to
6 someplace further away, I think we're going to have travel
7 difficulties and I kind of doubt that the same kind of
8 personalized service for our kids are going to -- are
9 going to be maintained. So -- so that's a big concern for
10 us.

11 Also, I was brought up in -- not referring to
12 schools necessarily, but earlier, that including the
13 teachers in these changes I think would be important for
14 the tribal schools, especially ours. Really interviewing
15 the teachers that are really in with the students all day
16 long and get some input from them for integrating any
17 changes school-wide or district-wide or above would be
18 beneficial ultimately for the outcome of the student
19 learning.

20 So with that I want to hand it over to our
21 principal. Mr. Chase wants so say a few words. So thank
22 you.

23 DONOVAN CHASE: My name is Donovan Chase.
24 I'm a principal at the Coeur D'Alene Tribal School and
25 I've been there going about ten years now. In the past I

1 know that the BIE did a maneuver change where prior to
2 being in Seattle they were in Montana and prior to that we
3 were somewhere in the Midwest.

4 From looking at academic growth overall, we
5 didn't make AYP in the past, in the '90s. When we were at
6 Montana, it was transportation issues for them to come
7 over and us to go over there, and it just seems like
8 there's been a huge change in the personal service, and I
9 guess it goes back to what you were talking about.

10 It's definitely support for kids. It
11 definitely starts at the home level. You know, like
12 our -- we have to contribute, you know, our tribal council
13 and our school board for their supporting us to achieve
14 this status.

15 I look at the money side of things and if we
16 were to take away our ELO offices and have a centralized
17 area where we'd go for trainings, and that kind of talks
18 about what we were talking about before, earlier this
19 morning, there's no doubt in my mind the funding would
20 affect at the school level because instead of traveling by
21 car for five hours or traveling by air for five hours and
22 airfare is definitely more expensive.

23 So in travel respects, there's no doubt in my
24 mind, it would -- it would affect the school financially
25 in a negative way.

1 That's it. Thank you.

2 STAN HOLDER: Yeah. I especially want to
3 thank you guys for your comments. Coeur d'Alene is a
4 turnaround school. Coeur d'Alene is one of the schools
5 that struggled a little bit with the implementation of No
6 Child Left Behind but ultimately they turned the school
7 around and are making adequate yearly progress and we
8 appreciate that, you guys.

9 DONOVAN CHASE: Three years in a row.

10 ERIC KENDRA: And we're on track for this
11 year.

12 DELORES PIGSLEY: My name is Delores
13 Pigsley from the Confederated Tribes of Siletz.

14 And education is our tribe's top priority and
15 we fund it through our own dollars. We have worked very
16 hard to come up with an education program for our
17 students.

18 We actually had to start a charter school in
19 Siletz because the state was closing the local school and
20 it has become a grade school and a high school and it's
21 funded through the state, through the charter school
22 budget.

23 As I said, education is our top priority and I
24 find it really, really ridiculous that this is an area
25 that we look to cut \$3 million, because these are our

1 future leaders, our future -- our whole future is in our
2 students.

3 And streamlining is good, but it doesn't tell
4 us how the money and how we're going to be able to keep
5 teachers in the schools.

6 Chemawa is a very good example. When the
7 budgets are down, they lose teachers, they lose supplies,
8 they lose extracurricular activities, they lost a football
9 team, they lost a basketball team, and have a very
10 difficult time funding all those activities. And that's
11 what keeps the students interested in school, is things
12 that they do with their classmates after school.

13 And I don't see how streamlining is going to
14 benefit the students. It's going to be a long outreach
15 for wherever these offices go, and it sounds like they're
16 just going away, they're not going any place.

17 And so I'd like to know where are they going?
18 Where is the staff going? And when you talk about
19 early-out and the money that you save, you generally are
20 getting rid of the people that have the longest history
21 and some of the best people that have worked in,
22 particularly, in the boarding schools.

23 Thank you.

24 STAN HOLDER: Thank you. Thank you for
25 your comments.

1 BRENDA LOVIN: Brenda Lovin, Wa He Lut
2 Indian School, Frank's Landing, Olympia, Washington.

3 I guess I really feel overwhelmed just
4 listening to the tribal leaders speak today because we all
5 are scrambling for dollars to survive. And I've been in
6 education 34 years now, maybe 35, you lose count after
7 awhile, and it's the same thing periodically that we have
8 to beg and ask for money to keep the funding at the same
9 level while maintaining all the things that we have to,
10 you know, follow, the policies, and then the changing of
11 time.

12 But we work really hard at our little school.
13 Our enrollment keeps climbing. We're busting at the
14 seams. Children want to be at our school. They ride the
15 bus just under -- right under two hours one way. I was
16 telling Harvey, some of our teachers aren't even awake and
17 our children are on the bus. You know? They want to be
18 there. They want to keep the Indian-ness.

19 Being around Indians, the humor, the dancing,
20 it's deeper than that. Those are the thing that make us
21 Indian. They choose to be where they're at. And,
22 unfortunately, it's the last stop for a lot of our Indian
23 children, especially our urban children, you know.

24 And I don't want to be forgotten out here in
25 the Northwest. We're already at a disadvantage with the

1 mainstream being two hours behind everybody. If you need
2 technical assistance, you almost have to be -- you know,
3 you have to be on top of it to keep up, if you want help
4 to call these SECAs [phonetic]. By the time you get
5 through with your job around 3:30 or 4:00, they're already
6 home so there's no one there to take your call.

7 And we go to school until June. Most of the
8 country is through. Their school year ends in May. We're
9 finishing up in June. So if they have any type of
10 workshops or anything that would benefit our teachers,
11 we're out of luck.

12 So I really am -- I don't know, I feel
13 overwhelmed. There's so much I want to say and speak to,
14 but I do want -- I hope this doesn't fall on deaf ears.
15 Changes are good. I understand the thing about budgets,
16 things like that. There never seems to be enough money
17 for Indians.

18 I can remember when I was in public school, we
19 used to have to write letters that they wouldn't cut the
20 Title 4, 5, 7, 9, whatever number it is now, and the JOM,
21 they froze that funding. But we were always having to
22 write letters to Congressmen to not, you know, forget
23 about the Indian population.

24 But I just would encourage whoever is part of
25 this committee, whoever has a say in this to speak up for

1 us and to remember that our children are the future. We
2 say that, but do we really, really support them?

3 I believe the lady that stood up, the chairman
4 who said that they put money into their school, I believe
5 her. You have to support your teachers. You know?

6 It's a hard job teaching children today. A
7 lot of our students are sent to us to teach them
8 everything. They don't get anything at home. We have to
9 do it, and we're willing to do it, but we need help.
10 We're running to catch up but we are turning our school
11 around. I see big changes.

12 We've worked extremely hard through our line
13 office. We have a Northwest leadership group of people
14 that meet. I think we have four or five meetings this
15 year, and we're all sharing ideas. We're coming up with
16 different ways of teaching, collecting data, if we can
17 show you where a child is at.

18 If you came to our school as a parent, we can
19 show you where your child is at, where they were, where
20 they need to be, and what we're doing to make sure they
21 get the instruction they need.

22 But I just want to encourage that we keep our
23 line office open because if you distance it, it's going to
24 work a hardship not only on us as schools but also parents
25 just putting it further and further out of our reach for

1 direct services.

2 And I think the person that's at the line
3 office knows these schools. You move it way off to
4 Timbuktu, they don't know our communities, they don't know
5 the tribal politics, they probably can't even pronounce
6 the tribal names. I mean, it just makes it foreign to our
7 people.

8 But, anyway, thank you.

9 (Applause).

10 WILLIE SHARP: Hello. My name is Willie
11 Sharp. I'm a Blackfeet Tribal Business Council, serving
12 my second term since 2006, but prior to that I was a
13 teacher, taught seventh and eighth, seventh and eighth
14 grade, and fourth grade for six years, and the principal
15 for another six. But that was all in the public school
16 system. I did a lot of things, you know, for the
17 (inaudible).

18 But I think that I would encourage whoever is
19 making the choices, you know, for the line officers to
20 keep them there and to make a pitch to somehow -- for all
21 of you that work in administrative classes, you know
22 they're supposed to be allocating -- trying to do all you
23 can to help, and not try to take away from the kids.

24 So I guess I'm kind of going back to my math
25 class when I was in (inaudible). You know, you got to

1 take the step. You got to take the risk, allocate, do all
2 you can. You know, just don't let it go by.

3 And, you know, speaking for me, you know, the
4 school that I was a principal at, I saw a lot of students,
5 you know, have trouble in the public school. They did
6 well at the BIE schools. I went off to -- I was in
7 Haskell, graduated from Haskell years ago.

8 So I was in the BIE school setting and I know,
9 you know, the problems that go on and did receive a good
10 education there, but, you know, like some kids, like
11 urban, you know, they come back and go back to the
12 (inaudible). Some people (inaudible) come from Chemawa,
13 you know, wherever and so the opportunity there, you know,
14 for that same quality is something that we need to strive
15 for for the students' sake.

16 We need to do all we can, you know, whether
17 it's for Browning and Chemawa or Oklahoma or wherever. I
18 think that as Indian people we want to see our children
19 succeed no matter who they are.

20 You know, back home we have outgrown our
21 district, you know. We started a few years ago with
22 (inaudible), started De La Salle School, a Catholic
23 school. And people keep talking about trying to start a
24 tribal school. You know, I know there's a lot of
25 Christian schools there, too, that are present.

1 So it's a choice, you know, that public school
2 isn't always a catch-all for everybody. They do well here
3 and there. And I think about some things, you know, like
4 opportunities, you know, like back home with our kids, a
5 lot of them have to drive a lot of miles from the
6 reservation.

7 But on the northern end, you know, the kids
8 that go up there, they go to Canada to go to school. You
9 know, they have a chance to go to Browning, but that's
10 50-some miles. You know, you have to be on a bus early in
11 the morning, you know, and bus right back out there. But
12 it's a choice, you know, that they make.

13 But, again, the quality I guess and the
14 opportunity of things, but you say, you know, it's tough
15 to lose a football team program or this program, because
16 you want to give your kids everything. You know.

17 I know when we were doing some research, you
18 know, like some of the real successful schools, you say
19 "He who has all the coins wins." What's that mean?
20 Computers, money, funding, opportunities. Then indicate
21 to you they don't have it. What do they got? They have a
22 tough life at home. Coming to school, because I see it
23 day in and day out, problems that are associated.

24 So I would encourage you with the line
25 offices, because you do need that direct line to help, you

1 know, if I was going to do the principal just by myself
2 and taking care of the evaluation and taking care of the
3 discipline and taking care of everything, you know.

4 But I'm thankful I did have (inaudible) a
5 principal who helped me in our school. And I guess that's
6 what needs to go up the line, you know, on the ladder, the
7 chain. Because in public schools, we have the district
8 superintendent, county superintendent, state
9 superintendent. You know?

10 So I would encourage you, I've been to a few
11 conferences through the BIA schools and stuff, you know,
12 back in the (inaudible), but you got to do everything you
13 can. You can't let 3 million evaporate. You got to do
14 something with the schools.

15 Again, that's my pitch here. Thank you.

16 STAN HOLDER: Thank you.

17 RAY LORTON: Hello. Ray Lorton,
18 superintendent, Chief Leschi Schools in South Washington.
19 I kind of brought up the question before when we were
20 first discussing issues earlier about what it is that you
21 guys are doing proactively to help alleviate some of the
22 causes that we're going to experience based on cuts.

23 Is there things you've done or proposed that
24 you aren't trying to move as an agenda to offset costs by
25 your offices?

1 STAN HOLDER: Good. Well, Ray and I are
2 friends, believe it or not.

3 What we can do as a Bureau, what we can do as
4 federal employees is that we develop a budget request
5 every year. That's the Greenbook they've been talking
6 about.

7 And that Greenbook goes through various
8 processes, goes to the Office of Management Budget, who
9 probably takes the most black and white look at federal
10 programs, be they educational programs, health programs,
11 whatever the case may be. They make recommendations.

12 Ultimately that goes to budget analysts. They
13 make recommendations and the President enacts a budget and
14 then that goes before Congress for either them to act on
15 it or to fail to act on it.

16 And then I believe that Bruce or one of the
17 gentlemen said this morning, we haven't had an approved
18 budget in a couple of years. So we ask for realistic
19 amounts to maintain the level of services and where we can
20 expand those services. That's how we got these map and
21 focus tools, it was through Department and the Budget
22 Appropriation and working with the Greenbook.

23 So as a Bureau we do everything we can, but
24 ultimately those decisions are made by the executive
25 branch and both houses of commons.

1 RAY LORTON: Are some of those written
2 proposals that you submit?

3 STAN HOLDER: Well, we have the Greenbook
4 but we also, like the Striving Readers Grant, that was a
5 competitive grant that we were able to apply for from the
6 Department of Education, and Gaye Leia King and I actually
7 worked on that grant and we were able to procure that
8 funding.

9 So when there are competitive dollars that are
10 available from the Department of Education or any federal
11 agency that the Bureau can apply for -- we're very limited
12 on what we can apply for -- then, absolutely, we apply for
13 those dollars, also.

14 RAY LORTON: Okay then. I can assume then
15 you guys are doing everything you can within your power to
16 help offset the budget cut, which you guys do within your
17 work pretty much?

18 STAN HOLDER: Absolutely. The Division of
19 Performance and Accountability, we handle -- our
20 management programs that are appropriate under the No
21 Child Left Behind and Individuals with Disabilities
22 Education Act, we're able to recover about 1.5 percent of
23 the supplemental program funding out of No Child Left
24 Behind and 5 percent out of IDEA.

25 What we do with that money is we use about 2

1 and a half million dollars to operate the Division of
2 Performance and Accountability. The other 2 million
3 actually goes to the field and funds positions at the line
4 office, the specialists, some of the reading and math
5 coaches, also.

6 So with the -- with the funds that we have, we
7 were very frugal and we try to operate as efficiently as
8 we can. These types of situations where we have a
9 proposed cut, you know, are not something that we create
10 and oftentimes not what we anticipate.

11 RAY LORTON: But I guess what I'm getting
12 at is you're asking us to take a look at our ideas and
13 options to make cuts. I guess I'm just saying, what have
14 you done to show us what you've done so when we look at
15 your proposal, that's something you can do to help reduce
16 costs?

17 We see a report, right, that was done and some
18 recommendations, but I'm not sure -- I don't think they're
19 your recommendations, but they're -- I don't know if
20 there's input from you guys in that report or not.

21 I guess that's my point, what is it that you
22 guys have done? And I'm going to leave it at that because
23 I think other people want to talk. But I will say this, I
24 would ask the question, why do we put line offices in
25 place to begin with?

1 I guess -- I think you might be right, it's to
2 better serve, and if they're eliminated I will tell you
3 that progress and communication will slow down
4 considerably.

5 You know, you have to seriously think about
6 what kind of service we get that are limited as it is.
7 Line offices aren't fully staffed as they should be. But
8 what services we do get I think are very adequate for what
9 we're trying to accomplish with kids.

10 If you extend those services out to Denver or
11 Washington, D.C., or wherever you're going to go, don't
12 think for one minute it's not going to impact the
13 classroom, because it will. I mean, it's just
14 that -- that's the bottom line.

15 And we're about kids and we make decisions
16 about kids, the kid is a common denominator. That kid
17 should be sitting at the table in our discussions and we
18 should defend that kid and what's best for kids.

19 And if you think about decision-making and the
20 process you go through, kids is the number one thing on
21 the table that should drive your decision. And if you're
22 talking about better services, I don't care if they're
23 technical services, support services, financial services,
24 those all go to kids.

25 And you want high performance schools? Guess

1 what? I'm not sure you're going to get them if you
2 modify, when we're not getting the support from our
3 education line offices.

4 Thank you.

5 STAN HOLDER: Thank you, Ray. Question
6 back there?

7 STELLA WASHINES: Stella Washines, Yakama
8 Nation.

9 We just reorganized our tribal council this
10 week and -- Yakama Nation -- and we're very glad that we
11 have three members of our new education committee here.

12 I served previously on the education committee
13 for the past five years, also on the tribal school's
14 school board working with federal and tribal school, the
15 Head Start.

16 And, first of all, I want to commend our Jon
17 Claymore for his work and giving us practical technical
18 support to operate our school and keeping the -- keeping
19 our feet to the fire as administrators and tribal council
20 to do what's best in the interest of that tribal school.

21 Now with these proposed cutbacks, that's going
22 to go away. And we're talking a lot about dollars and
23 cutbacks and funding and resources, as we always do in
24 tribal meetings of any kind that I attend.

25 But, you know, as someone that lives in our

1 community -- and I'm a graduate of Riverside Indian School
2 and I'll correct you that Chemawa Indian School and
3 Riverside Indian School are the oldest in the United
4 States.

5 And I will tell you also that my children, all
6 my daughters, have college degrees, but they're the first
7 of four generations not to be boarding school. My
8 grandmother went to boarding school. My mother went to
9 Chemawa. I went to Riverside Indian school. And so we've
10 been in this system for a long, long time.

11 And knowing all the challenges that exist in
12 our community, not even for our students but for the
13 teachers and the staff that work with them, and we have
14 our acting principal and superintendent here with us today
15 for our tribal school, and I would encourage her that if
16 she has any input that she wants to share, to do so,
17 because she's been very hands-on as a teacher working and
18 living with our students in our community for a long time.

19 I'm very, very proud of the accomplishments of
20 the Yakama Nation Tribal School. If you want to see the
21 face of hope in the face of adversity, you need to attend
22 our tribal school graduation. It is amazing. And that's
23 the greatest light in our community, is the education of
24 our children.

25 If we want to address crime, if we want to

1 address poor health, the best thing that we could do is
2 educate our people to improve all those unemployment
3 statuses, the homelessness, the early mortality, the
4 suicides and the violence. The best thing that we can do
5 is give our people an education and give them the
6 opportunity.

7 Now, all those things and all that being said,
8 how is that going to happen? Our teachers are some of the
9 lowest paid in our community and, you know, we can all
10 work to address that, but in the face of these cutbacks,
11 it's just not happening.

12 So our staff, I commend them. They're willing
13 to work with their people and provide relevant, meaningful
14 education. You know, recently they had the tribal school
15 children out digging roots. That's not just food; that's
16 not just culture. That's medicine. That's spiritual.
17 It's not just for our bodies.

18 And these teachers and staff, they provide
19 those type of things that give our children a way to live
20 in this world. They work with our young ladies that might
21 be carrying a child or that might even have children and
22 be in relationships that are not ideal.

23 We recently had a student graduate that was
24 the first to get a full ride to the University of
25 Washington and go there to major in mathematics with the

1 goal of being a mathematics teacher. Well, that was
2 really wonderful, but what most people didn't know was
3 that she was homeless.

4 And we have a lot of homelessness in our
5 reservations. Yakama, we're not proud to say, because I
6 was also on the housing committee, that our homeless is
7 young people, it's children, it's students. And they call
8 them couch cruisers because they have no place to live.

9 And I see a lot of head nods, because that's
10 not unknown in Indian country. The facts and figures that
11 we're talking about here, they have faces and families in
12 our community.

13 I would really sincerely ask that those people
14 in those positions of authority give that consideration in
15 making these cutbacks and don't do anything that would
16 further be detrimental to the efforts and endeavors of a
17 people that are really committed to educating our
18 children, because that's also helping our families.

19 Thank you.

20 STAN HOLDER: Thank you.

21 HARVEY WHITFORD: Harvey Whitford,
22 principal of Wa He Lut Indian School, Frank's Landing
23 Indian Community, Olympia, Washington.

24 Used to be an old soldier, an Airborne Ranger,
25 he always used to tell us "Let me paint you a picture."

1 So that's what I'd like to do right now for a few minutes,
2 is paint you a picture.

3 The children that we have, our Indian
4 children, like I said previously, they're our hope, going
5 to carry on our future because the creator granted us the
6 power to walk on this earth so many days and then we got
7 to leave, go to the spirit world, and our children are
8 going to take over from us.

9 If we don't have the education to empower
10 them, to carry on our traditions, our life for our tribal
11 land, our tribal people, then our way of life is going to
12 be gone.

13 And looking at the proposal that the BIE
14 streamlining or BIA streamlining has in store for
15 education, it concerns me very much. I'm going to use
16 football just a little bit.

17 The Seattle Seahawks went to the Super Bowl
18 about six or seven years ago for the first time in history
19 against the Pittsburgh Steelers. All I heard on the
20 sports news was "Who are the Seattle Seahawks? Where is
21 Seattle?"

22 They took a survey that Super Bowl year.
23 Ninety percent of the fans in the United States were
24 hoping the Pittsburgh Steelers would win the Super Bowl
25 because nobody knew about Seattle Seahawks.

1 We're way up there in the Northwest corner.
2 Olympia, Washington is way up there, the Northwest tribal
3 school. And looking at the proposal of eliminating an ELO
4 office when it's so important to us on that Northwest
5 corner and making hubs in the east and in the central,
6 we're going to be lost.

7 Another example is the BIE Institute this
8 summer is scheduled for the week of the 12th of June. The
9 Northwest schools, we're still in school on the 12th of
10 June. We don't get out until the 19th of June. The
11 public schools get out the same time we do, the third week
12 of June.

13 When I see the BIE Institute calendar, I'm
14 like, who's -- what are they thinking? Do they ask
15 anybody up there in our region when we get out of school?
16 How are teachers supposed to go to that institute? Their
17 kids are graduating and being promoted that year, our
18 biggest dinner of the year, our biggest celebration of the
19 year. We're still in school.

20 If the ELO line office moves away, the
21 bureaucracy is going to be so far away from us that all
22 the technical assistance that we get at our schools is
23 going to be that far away from us, too.

24 We have made a lot of major changes at our
25 school -- how we teach, who's doing the teaching, the

1 curriculum we have, vertical alignment for our kids in
2 reading and math, smaller reading groups, extra staff.

3 We made all kinds of changes, assessment.
4 Kids are being assessed every Friday in reading and math
5 to see how they're progressing. Weekly meetings, weekly
6 department meeting. The ELO line office helped us do all
7 this.

8 We have professional learning communities in
9 our school. We have leadership teams in our school that
10 help us be successful academically with our children. The
11 ELO line office was a major part in helping us make these
12 changes at our school.

13 We're not going to get that kind of personal
14 relationship if they're gone because it's going to be
15 demographically impossible, geographically impossible.
16 The money won't be there for that kind of assistance.
17 It's going to affect our children, our kindergartners on
18 up.

19 They are learning so fast now. They want to
20 read. They want to do good in math. They want to know
21 what their score is on Friday so they can move up to the
22 next level so they can reach the goal that we set. That's
23 what it's all about, those babies, and we're not going to
24 get that assistance to help us be successful without a BIE
25 officer up there to pull in these extra resources for us.

1 Our line office is always bringing in people
2 to help us. It's our choice if we accept it, but it's
3 there for us. And they give presentations to us on how
4 they can help us do better with our children in school.

5 So the line office reaches out, pulls in all
6 these extra resources for us -- teacher training,
7 assessment, curriculum, data, sports, and why do the hubs
8 have to be so far away from the Northwest? Just think
9 about that.

10 Nobody knew who the Seattle Seahawks were
11 during that Super Bowl because we're that far away.
12 Ninety percent of America wanted the Pittsburgh Steelers
13 to win because we're so far away.

14 What's going to happen if the hubs are so far
15 away? Denver? Washington, D.C.? Minnesota? Why not
16 have a hub in the Northwest? Why does it have to be the
17 east going west? Why can't it be east and west and then
18 in the middle?

19 Our kids are always asking us -- our parents
20 are always asking us about everything we can do to help
21 their kid be successful. Our parents reach out to us and
22 say, "What am I -- what can I do?" They expect us to have
23 all the answers.

24 And I know you don't have all the answers and
25 I would hope that the consultation meeting that we have

1 isn't just a process. I hope that the decision has not
2 been made yet and I hope that we're all here to give our
3 input before a decision is made.

4 It makes a lot of sense to have an east/west
5 hub and then a central. Everything seems always to move
6 this way. We're always last in the Northwest. Well, this
7 time we want to be first because our children deserve it.

8 We need the resources to help them be
9 successful and I would ask the BIE to really consider,
10 consider us in the Northwest.

11 Thank you.

12 STAN HOLDER: Thank you for your comments.
13 (Applause).

14 MARILYN SOHAPPY GOUDY: Good afternoon.
15 My name is Marilyn Sohappy Goudy and I'm with the Yakama
16 Nation Tribal School.

17 I this year have served as an interim
18 principal at the Yakama Nation Tribal School and I am also
19 a teacher. I'm the special services coordinator, so I've
20 held two jobs all year.

21 And it was possible for me to do that and do
22 the best job that I could because of the support and
23 technical assistance I received from Jon, from Verla, from
24 Jaime and from Wendell. And who else can you say if you
25 were to move to another -- have another ELO office, we're

1 on a first-name basis.

2 He comes in to our school at Yakama Nation
3 Tribal School and he can say hello to every one of our ten
4 teachers and our office staff. During our leadership
5 training that we had, we've become a family.

6 The ELO office, all the Northwest schools, we
7 are becoming a family. We're becoming familiar with each
8 other. We know what we're doing in everybody else's
9 school. I know that's not nice to say, but we know
10 everybody's business and it's good because it's helping
11 us.

12 The PLC, the Professional Learning
13 Communities, has really helped our school. Our teachers
14 are not stuck in the classrooms doing their own thing any
15 more. They're all out talking. They're finding out what
16 everybody else is doing. So this is one of the things, is
17 that we are, we are a family.

18 And the other thing that I wanted to talk to
19 you about, the tribal schools, the technical assistance
20 that I have received this year had to do with the nine to
21 11 homeless students we have had at tribal school. We
22 have 100 students. Ten percent of our students are
23 homeless. So I was able to call Verla and ask Verla,
24 "What do I do with these?" And she would fax me or e-mail
25 me whatever information I needed and how to handle this.

1 The technical training has been invaluable. I
2 have applied for three grants this year. One of them
3 didn't make it because I missed a deadline by 30 minutes,
4 but the education line office was there to help me with
5 that. If I ask Jon for assistance, he would send one of
6 the people out to the school to help me with that. So
7 just helping with grants.

8 And another thing is that our students, like
9 Ms. Washines was talking about, this school year we have a
10 girl who is a teenage mother, has struggled the last two
11 years in school. She got a full ride to Heritage
12 University, and Heritage University is not a cheap school
13 to go to. She received a full ride for four years.

14 We have another student that has been accepted
15 at Eastern, at Central, and in Pullman. Our students are
16 making successes. We couldn't say this ten years ago
17 about charter school.

18 And our kids are struggling. I know you've
19 heard the stories about our kids. They come in and if
20 they're not ready to learn, the teachers know that. They
21 know how to work with our Indian kids. Those of us that
22 are living in the community, we know them and they know
23 us. I can't lie to them because I live right in their
24 community. If they come to me with a problem, I'll sit
25 down and I'll talk to them about that problem, because I

1 went through the same thing.

2 All of our teachers and staff are like that at
3 tribal school and I am -- I'm proud to work there. I
4 really am. The community had a hard time accepting tribal
5 school. They just thought we were -- we just took all the
6 kids that couldn't go on any more, and we do. They're our
7 Indian kids regardless.

8 If it's their last chance to get a diploma, if
9 it's their last chance to try to get into college, then,
10 by golly, we're going to help them to get there because
11 that's what we're hired to do, and we are below state
12 level for all teachers.

13 I have to say, every teacher at the tribal
14 school are there because they want to be. They're not
15 there because of the paycheck. They're there because they
16 want to be there.

17 Our students are getting on the bus at
18 six o'clock in the morning. We start school at 8:25. Our
19 kids are getting home after 5:00 or 6:00, and that's if
20 they're not in sports. Then they get home any time
21 between 8:00 and 9:00, and then they're back on the bus
22 again at six o'clock in the morning.

23 We have some very dedicated students and the
24 tide is turning. We have some students that are just
25 there to be there, to visit, to mingle, but we're working

1 on those students that want to succeed.

2 I've heard everybody say we want to keep the
3 line office. I want to keep the Seattle line office
4 because they have been the most helpful to our school.
5 And I know other principals can say that, that they're
6 always right there.

7 If I have a problem, I always pick up the
8 phone and call them. You can always e-mail them and they
9 always get right back to me and help me with whatever
10 problem I have in running the tribal school.

11 So not just any education line office; I want
12 Jon Claymore. Thank you.

13 (Applause).

14 JON CLAYMORE: Let me get some money out
15 for her now.

16 VIRGIL LEWIS: Good afternoon. My name is
17 Virgil Lewis. I'm a member of the Yakama Tribal Council.
18 I just have a couple of questions to ask of you.

19 This \$3 million budget reduction, we all know
20 that the economy is very difficult at this time and that
21 the current administration inherited this issue and
22 they're dealing with it to the best of their ability.

23 If at some point in the future the current
24 administration continues on for the next four years and
25 the economy improves, do you see that the reduction is

1 going to maintain, meaning that these RIFs that are in
2 place are going to stay or are you going to see that
3 they're going to be put in place?

4 The second question I have, maybe you can
5 answer this and maybe you can't. At Yakama Nation, there
6 was a certain amount of college scholarship that were
7 supposed to be coming from the Bureau of Indian Affairs
8 and every year it seems like they get later and later.

9 In 2010, we had to take some of our own tribal
10 trust revenue to supplement the Bureau's tribal
11 scholarship funding that we knew was going to come, but
12 our students needed that funding to survive and to
13 maintain their education.

14 So we took that money, our trust revenue, put
15 it into the tribal scholarship with the promise that when
16 the Bureau funding came, arrived to us, that they would
17 pay it back.

18 Do you foresee -- maybe you can or can't
19 answer this, but is this going to be a problem every year
20 and is it going to continue?

21 STAN HOLDER: Well, let me take the stand
22 with that. The tribe in question here, are you 638, self
23 governance?

24 Gentleman over here standing up.

25 VIRGIL LEWIS: I'm sorry.

1 STAN HOLDER: How do you receive the
2 funds?

3 VIRGIL LEWIS: Yakama Nation is a direct
4 service tribe.

5 STAN HOLDER: Okay. Okay. The higher ed.
6 scholarship funds, when they come to the Bureau, they come
7 in the total amount of OMB approves the release of those.
8 They come with most of the other funds in the Bureau's
9 line item budget each year.

10 Now, for TPA funds, of which scholarships
11 is -- they're TPA, those funds are in mass put into the
12 respective tribe's base funding level.

13 So even under a continuing resolution
14 situation, whatever proportionate share is due all the
15 tribe, it goes into their tribal base on the same day,
16 basically, in the Bureau's federal finance system.

17 So those funds become available shortly after
18 the CR is passed, or after the full appropriation act is
19 passed.

20 Now, once those funds go into the tribal base,
21 the education office literally has no control over them.
22 It's up to the Bureau's either education line office. Are
23 they funding your students? I'm curious here. Or does
24 the tribe fund the students?

25 VIRGIL LEWIS: The Bureau is the one that

1 funds the students for the scholarships, just for the
2 scholarships.

3 STAN HOLDER: Okay. Then in fact as soon
4 as the funds are available in the finance system, that ELO
5 or whatever official normally awards the scholarship, the
6 funds are available.

7 So there should not be any week or month-long
8 delay after the funds become available in the finance
9 system. The same thing for all the 638 tribes, those
10 funds are automatically available to the contracting
11 people to put into the contract.

12 So I'll be glad to talk with you more about
13 your particular situation. Okay?

14 JIM MARTIN: On the other question,
15 what -- what's being proposed as far as any reduction in
16 staff is the VERA and the VSIP that you saw in the
17 parentheses in the one slide.

18 One is an early-out possibility for people
19 that have some years in the Bureau but not sufficient
20 years to retire. They could be offered an incentive to go
21 ahead and leave the Bureau and seek employment somewhere
22 else.

23 The other is the early retirement that's for
24 people that have a -- that have sufficient years in that
25 they would be close to retirement and that the Office of

1 Management Budget and the Office of Personnel Management
2 would agree that they could be offered early retirement
3 based on their age and their years of service.

4 Once those have been effected, those people
5 that choose to leave would not be prohibited from applying
6 for other federal jobs as everybody is that leaves the
7 Bureau under retirement or by choosing to leave the
8 Bureau.

9 As far as funding being restored -- reinstated
10 at some point in time in the future, we have -- I mean,
11 that would just be a wild guess. I think that generally
12 the condition of the economy is a reflection of what will
13 be put in place as far as the federal budget.

14 I think we're all aware that right now we're
15 still navigating out of what could have been a very
16 serious recession, you know, and that as the economy
17 improves I'm sure that budget will improve, but, like
18 everybody else, we don't know when that will happen.

19 JOANNA MAREK: Joanna Marek, Nez Perce
20 Tribe.

21 Stan, it's been disheartening. It's not a
22 pretty picture for our future, our children, who we all
23 want to insure they have the proper education to carry on
24 and protect, follow treaties, follow their government,
25 because they're going to be our leaders in the future. So

1 I'm going to state that we don't want any of the programs
2 cut.

3 This may not be a pretty picture for a lot,
4 but we're kind of being faced with -- what I feel needs to
5 happen is let's start cutting salaries at the top and not
6 so much cutting the positions and the field offices, your
7 line officers.

8 Education is very important to every one of
9 us. My degree is in early childhood education with an
10 emphasis working with disabilities, so I know how
11 important this education funding is and to keep everyone
12 there. So if you're looking at cutting \$3 million, you
13 know, across the board, let's start cutting salaries, not
14 positions.

15 Stan, you had made a comment, and I would like
16 everyone here to just really focus and pay attention on
17 this. The President has been trying to push because you
18 said that two houses make the decisions. Those are your
19 congressmen, senators, legislators, and we've heard in the
20 news that they don't want to give up their subsidy
21 payments. Are those going to be cut?

22 I have found the database for the whole United
23 States on these subsidy payments, and if every one of you
24 were to put in to your congressman, your senators, your
25 state legislators, you would be amazed at the millions of

1 dollars that they get in subsidies not only for their own
2 farmland, but for the farmland that they are farming off
3 of our reservations.

4 We need to stand by the President and with him
5 to cut those because those very people in those houses are
6 making these decisions to say "Cut those Indians, they're
7 a burden to us," while they're making millions.

8 They're very wealthy. They get paid after
9 they leave office. We as tribal officials don't. You as
10 employees don't. But we're allowing this to happen while
11 it's impacting our children and our future generations.

12 We really need to pay attention to that and be
13 advocates and say cut those subsidy payments. And you can
14 find that through the Farm Service Agency website for the
15 whole United States. It's pretty interesting.

16 So when you say "cutting across the board," is
17 it with them or is it just with the Bureau and the Indian
18 programs?

19 Thank you.

20 STAN HOLDER: I believe the cuts that are
21 being proposed, and let me -- let me make sure there's
22 clarification there. The President proposes a budget that
23 is sent to both houses of Congress for approval; however,
24 the budget, the cuts that are being proposed are not just
25 focused on the Department of Interior. They're pretty

1 much government-wide, so it's -- it's something that we're
2 all, all federal agencies are dealing with to one degree
3 or another.

4 And I appreciate your comments.

5 TERRY GOUDY-RAMBLER: Thank you. My name
6 is Terry Goudy-Rambler and I'm with the Yakama Nation.

7 I want to specify that I agree with all the
8 speakers here that I believe that education, Indian
9 education, is very important for the tribes for red man
10 country.

11 I believe that when they cut these Indian
12 schools, the tribal Indian schools, throughout the ones
13 you mentioned -- Chilocco, Fort Sill, different schools
14 like that -- it created a failure for the tribes to be
15 able to utilize that education system for our young
16 people.

17 I myself attended Chilocco for a short time
18 and I attended Fort Sill, and then my senior year I
19 returned home, but from the seventh grade clear up through
20 the twelfth grade, I attended Indian schools, and so I
21 know the importance of it because of our histories and our
22 families. Some come from divorced families, homeless
23 children.

24 It's a place of safe haven for our children
25 that we as tribes could rely on for safety and education

1 for our young.

2 I believe that what the lady in front of me
3 stated with the subsidies, that the native people have
4 never, ever gotten any subsidies for farming, ranching,
5 nothing that other nationalities have received.

6 So I would just like to go on record to state
7 that the importance of our education, that Yakama Nation
8 will not stand by the Obama Administration and the
9 house -- or the House of Representatives and Congress in
10 that we will, you know, stand up and state that, that we
11 will be against any state -- or funding cuts against, you
12 know, your departments.

13 I think that it's very important that you guys
14 keep your positions. I believe that the Bureau and the
15 other ones that they have set aside and state that they're
16 going to push for these early retirements, is that -- it
17 may be to the best interest of the federal government, but
18 for the tribes, it is not.

19 And so for those positions, even if they are
20 cut, that we need to fill them immediately.

21 So that's what I'd like to go on record to
22 state and thank you all for doing a good job for the
23 tribes that you are serving. You're doing your job.
24 Thank you.

25 STAN HOLDER: Thank you for your comments.

1 Any other comments or recommendations?

2 Okay. It's three o'clock and we had a
3 schedule that we were following and I'll -- I'll leave it
4 to the senior person here as to how we will approach this
5 if there aren't any other comments on the -- the
6 realignment.

7 JIM MARTIN: I propose that we take about
8 a ten-minute break here and then we come in -- is it on?

9 STAN HOLDER: They didn't have microphones
10 when Jim went to school, that long ago.

11 JIM MARTIN: Can you hear me now? I love
12 that commercial.

13 Well, I still would like to talk about Johnson
14 O'Malley today. Do we have others that would want me to
15 go through that presentation after the break?

16 I would also say that in the morning, eight
17 o'clock, I'll be here to do the same presentation, so you
18 get a two-fer, if you want.

19 UNIDENTIFIED SPEAKER: How long will
20 Johnson O'Malley take in terms of your presentation?
21 15 minutes?

22 JIM MARTIN: Maybe 30 at the most and then
23 it will be open for you to tell me how you want to do the
24 count.

25 UNIDENTIFIED SPEAKER: You say 15 minutes

1 receive --

2 JIM MARTIN: Well, if you give me 45
3 afterwards then we could just do it that way, or we can
4 just wait until the morning. And we're doing the
5 assurance statement in the morning, as well.

6 Assurance statement for the 100-297 grant
7 schools.

8 UNIDENTIFIED SPEAKER: So are you also
9 going to do the JO eight o'clock tomorrow morning?

10 UNIDENTIFIED SPEAKER: You want to save
11 JO? Do you want to do it the morning, JO?

12 JIM MARTIN: That's fine.

13 (The session ended at 3:03 p.m.)

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1 STATE OF WASHINGTON)
2 County of Spokane) ss.
3)
4)

5 I, Amy J. Brown, do hereby certify that at the
6 time and place heretofore mentioned in the caption of the
7 above-entitled matter, I was a Certified Shorthand
8 Reporter and Notary Public for Washington and Idaho; that
9 at said time and place I reported in stenotype all
10 proceedings had to the best of my ability in the foregoing
11 matter; that thereafter my notes were reduced to
12 typewriting and that the foregoing transcript consisting
13 of 187 typewritten pages is a true and correct transcript
14 of all such proceedings had and of the whole thereof.

15 Witness my hand at Spokane, Washington, on
16 this _____ day of _____, 2012.

17

18

19

20

Amy J. Brown, RPR, CRR
WA CCR NO. 2133, ID CCR NO. 700
Certified Court Reporter
Notary Public for Washington and Idaho
My commissions expire: 3-29-15 and 7-19-12

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