UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
TRIBAL LISTENING SESSION

MYSTIC LAKE CASINO
SHAKOPEE MDEWAKANTON SIOUX RESERVATION
PRIOR LAKE, MINNESOTA
TUESDAY, JUNE 6, 2017

REPORTED BY:  JAYNE M. CARRIKER, RPR, CCP
Tribal Listening Session, held at the Mystic Lake Casino, 2400 Mystic Lake Boulevard, Prior Lake, Minnesota, on the 6th day of June, 2017.

o-0-o

APPEARANCES

FOR THE BUREAU OF INDIAN AFFAIRS:

Ms. Hankie Ortiz
Deputy Bureau Director
Office of Indian Services

FOR THE BUREAU OF INDIAN EDUCATION:

Mr. Tony Dearman, Director
INDEX

PAGE

PROCEEDINGS................................................. 4

CERTIFICATE OF REPORTER.............................. 50
PROCEEDINGS

(Commencing at 8:45 a.m.)

MS. ORTIZ: Okay. Good morning, everyone.

Welcome to the listening session on reorganization with the Department of the Interior. My name is Hankie Ortiz, and I'm the acting deputy director for field operations for the Bureau of Indian Affairs, and in that capacity I oversee the 12 regions in the bureau and work directly with the director of the Bureau of Indian Affairs.

We are holding these listening sessions with regard to Executive Order 13781, which is a comprehensive plan for reorganizing the executive branch that was issued on March 13, 2017.

And that executive order requires us within 180 days to submit to the director of OMB a proposed plan to reorganize the agency if appropriate in order to improve the efficiency, effectiveness, and accountability of that agency, and it calls for us to solicit input, suggestions, and improvements on the organization, and tribal leader input is critical to the development of any proposed changes to the organization.
So this listening session is being held for the benefit of tribal leaders, and we're going to give you an opportunity to comment. I kind of want to walk you through a little bit about the organization. We have the org charts. There was a packet out there, so please make sure that you have picked up a packet of information that includes the letter, Dear Tribal Leader letter, the executive order information that was issued in the federal register, and the org charts for the Bureau of Indian -- for the Bureau of Indian Affairs, the Bureau of Indian Education, and for the offices that are within the assistant secretary of Indian Affairs office directly.

Before we get started, I want Mr. Dearman to introduce himself.

MR. DEARMAN: Good morning, everyone. First of all, really appreciate the tribal leaders. Thank you for taking the time to come and talk to us today. Really look forward to hearing what you have to say, your comments, and again thank you.

My name is Tony Dearman. I'm the director of the Bureau of Indian Education, six months on the job, member of the Cherokee Nation, and I'm from Oklahoma.

And in the packet that we passed out, we
gave an overview of our proposed organizational chart, our organizational chart currently. The organization chart right now has not been signed off. It is with our administration being reviewed for signatures, but the positions as far as the duties will not change other than maybe possibly the locations depending on what our tribal leaders decide and what the input is that we receive.

But in the organizational chart right now, my office is located in Washington, D.C. We have several offices located in Washington, D.C., and if you'll look at the education resource centers and our associate deputy director, we actually have an associate deputy director in Minneapolis, Minnesota, and that's Rose-Marie Davis, and she's in charge of seven education resource centers located in Albuquerque, New Mexico; Bismarck, North Dakota; Flandreau, South Dakota; Howes, South Dakota; Minnesota, Minneapolis, Minnesota; Nashville, Tennessee; and Seattle, Washington.

And then we have an associate deputy director that's over the BIE operating schools which consists of 22 schools, and we have an ERC located in Phoenix, Arizona; Albuquerque, New Mexico; and Belcourt, North Dakota. And then we also have our
associate deputy director for the Navajo region, and we have offices in Shiprock, Window Rock, Crownpoint, Chinle, and Tuba City.

So this is an overview of our organizational chart, and we really look forward to hearing the comments from our tribal leaders. We're really looking for comments about improved services, distribution of offices throughout the United States, whatever the tribal leaders have to comment today. Thank you.

MS. ORTIZ: Thank you, Tony. I also want to share with you a little bit about what we're doing and how we're going to be doing that so that you understand how the information will be gathered and utilized.

So these meetings are being recorded and transcribed. We have the recorder over here. Comments are also being collected in writing, so if you have anything in writing, you can hand that to us, or you can submit that on the website. Copies of the transcripts are going to be available at www.bia.gov.

And your comments and ideas and suggestions will be used to guide the administration in how Indian Affairs can best meet the needs of Indian Country in the future.
So after these meetings -- We're doing these consultations or these listening sessions across the country. After we complete all the listening sessions and at the end of the comment period, the transcripts and all the written comments will be analyzed, and recommendations will be reported to the Assistant Secretary of Indian Affairs and to the Secretary of the Interior.

The secretary is going to submit a plan to reorganize interior to the Office of Management and Budget by September 9, 2017. OMB will publish a federal register notice inviting public comment, so you will see the results of the listening sessions and what decisions are made, and that will be published, and you'll have an opportunity to comment on that.

Within 180 days of the comment deadline in the federal register, OMB will submit a proposed plan to reorganize the executive branch to the president. So we're looking at all of the executive branch, but right now we're focusing on Indian Affairs.

And Indian Affairs is structured -- the way Indian Affairs is structured, there's -- the assistant secretary oversees several offices directly and then oversees also the Bureau of Indian Affairs and the Bureau of Indian Education, and that's what the
different org charts represent.

Some of the topics that we want to discuss are does the structure of the Department of the Interior and Indian Affairs currently meet the tribes' needs? What changes to the structure, if any, would you recommend, and why would you make those recommendations? What structure would improve efficiency, in other words, would promote efficient delivery of services? What structure would improve effectiveness to better meet the tribes' needs and promote self-determination and self-governance? What structure would make the Department and Indian Affairs more accountable?

So those are the kind of questions that we're asking you to address, and I'm going to -- Tony talked a little bit about the organization of the Indian education, so I'm going to talk a little bit about the Office of the Secretary of Indian Affairs and the Bureau of Indian Affairs.

And if there are any questions about those organization charts, you can ask us questions to clarify, and we're happy to do that and to explain a little bit how the structure is if that's not clear.

But our main purpose here is to listen to you because tribal leader comments are extremely
critical to transitions like this, and what you have
to say is most important, so we want to dedicate time
to that.

After our walkthrough of the charts, we'll open up the microphone, and when you make a comment, please clearly state your name for the record and also spell your name, and that will be helpful I think to the person who is taking notes for us.

Okay. So let's take a look at the Office of the Assistant Secretary of Indian Affairs chart. As you can see, the assistant secretary has a principal deputy assistant secretary, and that deputy oversees several different offices including Federal Acknowledgment, which is the recognition, Office of Congressional and Legislative Affairs, the Office of Regulatory Affairs and Collaborative Action, and the Office of Indian Gaming.

The assistant secretary also has a deputy assistant secretary for policy and economic development, and that deputy oversees the -- is the executive director to the White House Council on Native American Affairs, the Office of Self-Governance, the Office of Indian Energy and Economic Development, and there are several divisions under that office.
The assistant secretary also has a deputy assistant secretary for Indian Affairs, so there are three deputy -- deputies under the assistant secretary. The deputy assistant secretary for Indian Affairs or Management oversees the Administrative and Resources Management Division, the Division of Internal Evaluation and Assessments, and the Office of Human Capital Management, which is our human resources office, Office of Facilities, Property and Safety Management, Office of Information Management Technology, the Office of the Chief Financial Officer in the Office of Budget and Performance Management.

And then underneath all of those offices, there are numerous different divisions, but that's kind of a broad general overview.

And for the Bureau of Indian Affairs, the director of the Bureau of Indian Affairs reports directly to the assistant secretary and oversees directly Land Buy Back and the Acquisition Center.

And then also there are four major offices located in central office for the Bureau of Indian Affairs, that a deputy director for field operations, which is the position I'm acting in now, oversees the 12 regional offices located across the country. On the far left-hand side of the page, you can see all
those.

Also there's a deputy bureau director for justice services, and that deputy oversees the law enforcement and tribal courts as the major portions of that deputy's responsibilities.

There's a deputy director for Indian Services. That's my normal position, and that includes these five divisions: human services, tribal government, transportation, self-determination, workforce development, and then there's a deputy bureau director for trust services, and that deputy oversees real estate services, land title and records, probate services, natural resources, forestry and wildland fire management, water and power, Indian energy service center, and the division of program management and coordination.

So the BIA director has four deputies, and those are the offices that they oversee, and so that's kind of the structure that we have now for Indian Affairs and for the BIA, so this is the current -- these are the two current structures. There's no proposed changes in these two structures.

So do you have any other comments, Tony?

MR. DEARMAN: I do have a couple comments. Secretary Zinke, one of his initiatives is he's really
big about strengthening the front lines, and in
strengthening the front lines, what they're looking at
doing is moving a lot of the offices to the field.

And I think it's important for our tribal
leaders to know that there is no proposal on the
table. This is at the very beginning because in the
past some of the consultations that I've attended when
there's proposals brought in, a lot of the tribal
leaders have said, We'd like to get in at the very
beginning.

Well, that's what's great about this.
You're at the very beginning. There are no proposals
on the table, so that's why we're really looking
forward to the comments that we hear today.

MS. ORTIZ: Okay. And with that said, I
think we're ready to open up the microphone for
comments. So, again, please state your name and spell
it for the recorder.

VICE CHAIRMAN ANDERSON: Hi, good morning.

MS. ORTIZ: Morning.

VICE CHAIRMAN ANDERSON: My name is Keith
Anderson, and that's with an s-o-n. I'm vice chairman
here at Shakopee Mdewakanton Dakota Community.

I thought I would stand up first and
acknowledge all the important leaders and people in
the tribal Indian Country. It's an honor to be here and welcome all of you to the listening sessions, and I look forward to enlightening myself on a lot of the comments that you'll have to make. I think for now I will listen to that and just say good morning. Thank you very much.

MS. ORTIZ: Thank you very much.

VICE CHAIRMAN ANDERSON: They thought I was going to go on longer.

MS. ORTIZ: You're welcome to.

VICE CHAIRMAN ANDERSON: I'm still writing down. I'm still formulating.

MR. CHAPMAN: Good morning. My name is Eric Chapman, C-h-a-p-m-a-n. I'm a tribal council member with the Lac du Flambeau band of Lake Superior Chippewa Indians of Wisconsin. Appreciate you being here, inviting us to come here and speak and also for our brother tribe that has agreed to host this session for us. Thank you.

Some of the concerns that I have is if you look at the 2016 sequestration budget cuts, a lot of the tribal programs were, boom, slashed, you know, and you look at the -- what BIA, BIE within the Department of Interior, they're like, you know, just a few pennies compared to, you know, all of the other
interior departments.

And I went to some of the tenet meetings, and we tried to put together solid funding packages, but for some reason once they get higher up, a lot of times they fall on deaf ears.

My recommendation for reorganization is no reorganization. I think it's important that we keep what we have now because, you know, usually if there's any type of cuts or reductions, usually the minorities are the first ones that feel it, and they feel it the hardest. So with that, thank you.

MS. ORTIZ: Thank you for your comment.

MS. MASON: Boozhoo (Native American greeting).

Tara Mason, White Earth secretary/treasurer. Spell that T-a-r-a M-a-s-o-n. First of all, I would just like to thank Shakopee for hosting this and for you being present and listening to our comments and concerns.

I thought I would go just kind of close to the beginning because there's a lot of things that I have to say, and I haven't had time to prepare because one of the comments that I want to make is that though I really appreciate this opportunity to be able to speak and to be able to have comments and that it's
open to the tribal -- all tribes to be able to present this information, I think one thing that when I was first made aware that the listening sessions were going to happen, my first concern was that the BIA structure just looking at the organizational chart is huge, right?

And as an elected official just knowing the issues and all of the responsibilities that are placed on our shoulders and the work that we do on our reservations and our tribes makes it difficult to completely understand the system that the BIA is functioning, and when I look at this org chart, I have ten questions that come just right off the bat.

But I do appreciate all that you do, and I do appreciate you taking this opportunity to speak and meet with us.

But I think when it comes down to it when asking the tribes how best to serve us, I think one thing is is that we don't have a full understanding of the entire system. Some of the things that I've noticed, I've been an elected official for three years, is just communication in between departments.

So how is your communication working? You know, how are we to advise on a system that treats us as warts of the federal government, right? So the
relationship that is currently, even though we say we have consultation, just like I believe the chairman had just mentioned is that we can do all this work, we can make all of these statements and offer all of this -- these opinions and positions of where we stand, but in the end does that consultation really carry through.

So we haven't had any reorganization in the BIA for over 100 years, right? Okay. So one thing is, is my question is, what is the state of Indian Country? Do we know, what is the evaluation process that's going on at the BIA to say, This is the progress that we've made?

Because if we're really going to make changes, if we're going to do something, not to just react and have something done by September, but if we're going to make significant changes that are going to impact our members' lives, then do we really have evaluations that are done on the BIA on the effectiveness.

One of the reasons, the big reason why I'm not prepared today is because on my way down I got a call from our chief of police. We had a suicide, a young mother. Okay. The thing that hits me so hard is that this is my children's namesake, the grandma.
She has to tell her 6-year-old granddaughter why her mother is dead. But the thing that hits me the hardest, this is the second daughter she's lost to suicide.

Okay. So we have drug epidemics. We have all of these things. As elected officials this is where we're working, you know, so I spent last night and I spent this morning helping make arrangements, right, making sure that we have support out there.

When we turn around and look at our funding, the first thing I thought of was teewahee. We are not a teewahee tribe, right? And they said, Well, teewahee is a light self-governance.

But when I look at this org chart, where is self-governance on this org chart? How is the communication happening? Because when it comes to self-determination and we -- we're funded at 11% in our tribal courts. There's a great disparity because in Minnesota we're a PL280C, and we look at law enforcement. We look at public safety. We look at the drug epidemic. We look at all of these things, and there's a federal trust responsibility that's not being met. Okay.

And so now we're talking about reorganization. We're talking about streamlining. To
me that puts more anxiety on me as a tribal leader because I'm thinking, Oh, they want to reorg, they want to get rid of what's not efficient.

Well, when you look at the state of Indian Country, we -- this is not efficient. Our people are dying because we are not funded at many times 50% of need. You know? I think this is the thing is that there's so much responsibility that's put on us as tribal leaders to take care of our people, and I will never shirk my responsibility as an elected official. I know why I ran. Because our people need help. The tribes need help, you know.

And so when this reorg came up, and yes, I appreciate the listening session, but for me I'm like how are you going to cut us more? What is going to be the easiest way for us to have to swallow additional cuts?

Because my first thought is if they're going to start cutting -- You know, we've already seen that proposed budget, right? If they're going to start cutting, my first knee-jerk reaction is to cut the BIA staff, the ones that are actually working those federal offices. Don't harm us any further in these cuts, you know, because this is life and death. This is what we deal with on a -- this is life and
death.

And then at the same time there are pieces where we have social service programs. We have law enforcement. We have education. We have all of these pieces. But at the same time we're trying to put trust -- or be in trust status. Can we go any slower, you know?

You guys can't afford to be cut as well, but who advocates for us, because you have to stand there and hold that line. The message that comes is that we have to support that budget. We work for the BIA. Who works for us?

Not many of us are gaming tribes, and we appreciate the gaming tribes that do help and do provide support to the smaller tribes, but we have to do everything we can to not lose an inch, and when it comes to restructuring, I only see this as something that's going to be detrimental to our people, to ground level services.

And so my one question is how does self-governance work in this whole organizational chart? Because I think one of the things is if you want to streamline the big pieces is how are the different organizations conversing back and forth, how are they streamlining, how are they working jointly instead of
in silos, you know, and how is it that the communication is coming down directly to the tribes.

So that would be one of my big questions is the communication process and what can we do to really make that more effective and more efficient and so things are done more in a timely manner.

I sent out messages, because I look at the room, and it's kind of sparse in here, so I sent out messages to some tribal leaders, and some weren't really aware, you know, so I'll always do everything I can to get communication out there. So that was one of my big pieces.

The other one, too, is the time frame. So we haven't had a reorganization in 100 years, and now there has to be a plan not just for BIA but for the entire interior by September. That's huge, you know, because if we go back and start looking at our data, what is the overall picture? Is there some place that we have, you know, with all of the statistics.

To me I seem kind of spread out, and if I need something, I have to go, and I have to dig, and I have to find it, and I have to call people, and I have to have other people call people and try to find, but there's no central area because I think that data, our data that we keep reporting every month and keep
reporting and keep reporting, where is that collected, and how is that given back to us. Because if we're really going to talk about a change, we need to know what the problem is, you know. We need to understand what exactly it is that we're trying to achieve.

We can restructure all day. You guys can have a great plan by September, but is it really going to impact the objectives that have been set. And what are those objectives? Do we have something like that from the other tribes and reservations across the country?

Yes, we prioritize, and here's our top ten, and here's what we're going to do, you know. But in the end that's just a laundry list of different issues in Indian Country that are currently being funded and is this really being raised.

And then again I just want to mention, you know, looking at zeroing out teewahee, to me that is a huge concern, and it's not that White Earth is a teewahee tribe, but I think this was the real true opportunity for tribes to make a significant difference and impact for their people for the simple fact is that when I look at teewahee and it says, well, oh, it's a light self-governance. No, self-governance, we're backed into a corner. We're serving
our people on pennies on the actual need, but we're still confined to trying to meet that need.

With teewahee here was a chance to step outside of that and say what would really make a difference, what would really impact our people, you know, and I do advocate. Red Lake is our neighbor, but I also think when we start talking about infrastructure, right, so that was one of the big agenda items was that infrastructure.

I'll tell you right now White Earth is taking our own dollars, and we're investing heavily into our IT systems, right? We've looked through and in the past few years evaluated the inefficiencies on White Earth.

And so I think this is something that if you really want to support tribes, it goes back down to data collection. It goes back down to having efficient ways of collecting data to be able to correlate it to make sure that we are able to stand here and say, Here's where we're at, this is what we need, instead of us even internally running.

So with that I just want to say thank you so much. I really do appreciate the time to speak, and with that I'm done.

MS. ORTIZ: Thank you so much for all your
CHAIRMAN TAYLOR: First of all, I want to thank you for being here. I think, you know, it's time that we reorganize the Indian people tribes, reorganize and look at the BIA.

But before I do that, I want to tell you a little story about the creation -- about the creation of the BIA. When the BIA was originally created, there was a gentleman by the name of Calhoun that became the first director. When he went to his other job, he told his BIA employees, Don't do anything until I get back. And it seems like that's been the story ever since.

You know, to me because of the high technology that we don't need three layers of bureaucracy to get an approval for a simple request either to get a referendum on our reservation to change, you know, the charters and bring up to date a more sophisticated tribal government, and, you know, I think it's long overdue that BIA have an overhaul.

Not only that, but for every dollar that's appropriated from congress, what really trickles down to the tribe is maybe a dime. You know, the bureau is created for us, not for bureaucracies, and today as a tribal leader, you know, I can't participate in social...
security nor can I participate in 401(k), but the BIA employees that are employed through our system that's designed to put the betterment of life on our reservation, look at all the federal benefits they get, and yet when we get a 638 contract, those cannot be extended to our employees. Why? You know, we have the poorest type of a retirement program probably in the nation, and yet we can't participate in the benefit of things.

So I think, you know, for me to sit here and to sit here and be part of this testimony, try to -- you know, try to recreate the BIA, I think we ought to. About time we did. I think it's -- all this is history.

To me, you know, we need to put in place what they call the policy of government to government, not government to bureau into the tribes. To me I think that's all, you know -- there's so many -- there's so many layers that have -- that we have to do to get approval for simple questions.

And to me I think that those layers that absorb our allocations that are created -- that are appropriated by congress, I have no benefit from them. My people are suffering. It's time that we -- you know, that we put in place policies.
And I mean I'm not the only Indian that's going to speak here. I think they should echo across Indian Country that we need to -- you know, we need to, you know -- we need to change the policies and we need to change the direction that the BIA has a trust obligation to the Indian people. You know, some obligation that that's been reaffirmed. I don't see much of it.

But, again, you know, if we realign this and give more direct funding as it should be, I think we'll -- you know, to me I think that Indian life on the reservation will -- we'll have a better life there. Not only that, but a higher standard of living. We can fix these holes that are made of tar paper.

I think we need to really, you know, revamp our reservations and make it more accessible to government to government as stated by law as created by some of these statutes, and yet they don't apply to us. I think, you know, for white folk and everybody else, it goes directly to them.

Look at Trump eliminating food stamps. How many Indian people are going to starve? I mean we're not all rich, you know. You know, thank God for those that are in prime locations to access, you know, a
market for their gaming operations.

We don't. We live in the boonies, you know, and the only time we probably are going to make money is in the summertime when the tourists come to those cabins and fish, and for their entertainment, you know, they might come to the casino.

But again, like I say, location is, you know, part of the success where, you know, in large metropolitan areas they take advantage of it, and I thank them. I stand right with them. But for us that are in the country, I mean, you know, that's where the government should have -- should look to their obligations.

And I think, again, you know, I think for the better life of us that are -- that are living in poverty, let's change that. Let's have a good standard of life, and let's eliminate this bureaucracy because that money belongs to us, not the government employees, and I think, you know, for me that we need to stand together as we try to realign and make a better bureau for what it was created for for us on the reservation.

So I want to thank you for this opportunity to say these few words, and God bless us all if we make this happen. Thank you.
MS. ORTIZ: Thank you. Thank you for your comments. I'm sorry, sir. I don't think we got your name or your tribe. Would you mind putting your name and tribe for the record. Your name and your tribe.

CHAIRMAN TAYLOR: My name is Lewis Taylor. I'm the chairman of St. Croix Wisconsin, and, again, you know, let's hear some voices here. I didn't come here to sit around and listen to myself. We all represent these nations, tribes. Let's realign this, and let's do a good job of trying to get these policies changed, and hopefully Trump doesn't need an executive order to terminate us if we don't say anything and protect ourselves.

MS. ORTIZ: Thank you, Chairman.

MS. BUCK: Hi, I'm Shelley Buck. I'm president of the Prairie Island Indian Community here in Minnesota. Thank you for being here listening to us.

I guess I agree with the chairwoman -- or the councilwoman from White Earth. Communications is a big key. I know for my tribe a lot of turnover within the department throughout the years has really stalled some of the things that we send up to the BIA whether it be contracts all the way up to trust applications.
So the turnover, seems like every time there's a new person in legal or a new person in a different department, we're having to reeducate those people, we're having to wait for them to catch up to speed with what we're doing, so that's a big issue for us.

And then communication, apparently -- We're currently in a secretarial election right now, and before we could actually do this one, we were told we needed to rescind I think one or two previous requests for secretarial elections that none of us had any clue had ever happened. These were back in the '90s.

So the fact that that communication stopped and the BIA never -- whether it was contact the council at the time and find out if they still wanted to do the secretarial election or what the process was, but the fact that that communication stopped somewhere, it's a factor for us, and it holds us up along with the turnover.

I'm not real sure with the reorganization, I don't know how it's going to help or if it's going to help. I'm still really unclear about that. I'm like her. I don't know what a lot of the things are that the BIA, the Department of Interior can do, will
do, need to do. But that's all right now that I have
to say. Thank you.

MS. ORTIZ: Thank you.

MR. CLEVELAND: (Native American greeting)
Say good morning to you and thank you for coming. My
name is Wilfrid Cleveland, president of the Ho-Chunk
Nation.

I guess I'm here out of curiosity to find
out this restructuring that's being talked about is --
how is that going to happen. And there was mention --

Well, first of all, thinking about it in
the restructuring, the way that we do things -- And
I'm from Wisconsin. Back in Wisconsin when we begin a
meeting, usually we make an acknowledgment to the
Creator of what's going to happen, how it's going to
be and thankful to be here, those types of -- I don't
know if that changes once people go to Washington,
D.C., but I was kind of thinking about that, you know,
as the things got going here.

But I appreciate the time that the two of
you, three of you are making for us, and as you're
following direction from Washington, D.C., and there's
a lot -- there's a lot to be talked about, and
according to that short letter that we received saying
that there was going to be this meeting here and Zinke
talking about it's been 100 years since the BIA has been restructured, and I was thinking maybe there's an idea that was going to be brought forth other than what's in place for us to give us some ideas of how the restructuring is going to be and how we can add to what's going to be taking place just like right out of the gates for us to being saying, Okay, this is what we want.

And each one of us, each one of us as tribal leaders, we have needs in our reservations and our trust lands and our communities, similar but maybe different, and so the priorities that we have because of where we're located may be different, and so I was curious as to how this is all going to take place within -- within the -- Back in the years when treaties were made and what was said, what was written in those treaties and responsibility that the federal government was saying that they were going to have for the indigenous people on these lands and --

But where is that? Where is that today? That seems to have gotten -- gotten away from, got watered down to where most of our programs are here because the majority I would guess, I would assume that our trust lands, our reservations that we're below poverty, so they push us into that category, and
most of the programs that we have are because we're poverty indigenous people on these lands, not because the federal government has the trust responsibility for us. So how is this going to change?

I think most of the programs, the education programs, the housing programs, we all have to go by a poverty, poverty level that's out there rather than because we're indigenous people because the federal government has a fiduciary responsibility to us indigenous people here.

And so I think that's where -- one place that we could start is getting -- eliminating this idea that indigenous people are here because they're giving us assistance because we're poverty-stricken. There was a lot that was said in those treaties and what the federal government is going to do for us, but that isn't happening because we're all poverty people.

And so then also the other thing that's going to be happening with the way that we are as indigenous people and what is happening with Mother Earth has a lot of effect on us and our ceremonies. We talk about our water. All these are a very, very important part of us, and being stewards of these lands, these all have to be addressed.

But it isn't because money talks, and
that's where all this destruction, destruction of Mother Earth is happening, and for us to thrive on the creation, we have to take care of her, and this is another area that really needs to be looked at, and how is this -- are all these things going to be done by, what the young lady was saying earlier, by September. Is this all going to be happening?

And with these field offices that are coming in here, are they -- is that just another -- what Chairman Taylor was saying, another layer of bureaucracy where we don't have to -- we don't want the indigenous people in Washington, D.C., so we'll make field offices, so we go over there and talk to those people. What authority do they have to fulfill what we want from the federal government, or do they have to go and talk to another layer in Washington, D.C., to get what we want. And, again, where is that going to end up? Picking up dust someplace.

And so these are the kinds of things that need to be looked at, and efficiency, we all know that the BIA and the -- is very inefficient for Indian Country in what we're doing today, and these -- these streamlining that's going to be taking place, and how is it going to happen if we're having field offices put out here, more field offices, and then they're
going to streamline. It doesn't seem like that's going to work if that's the way that it's going to be.

So I was just kind of curious as to what -- you know, how is this restructuring going to happen. We know that we as indigenous people and tribal leaders, we have to work with whoever is the president of the United States, whether they're a republican or a democrat, and I feel that indigenous people are neither republican or democrat, but we have to work with those people because they have their alignment to be where they're at today.

And with the president being more of an economic development type of a person, is that going to be giving Indian Country opportunities to become more independent with our possibilities, that the president is going to be making it so that we would be able to become more independent of the U.S. government by putting jobs in our communities, making ways for us to become more self-sufficient with opportunities that are out there, or is this just some -- another way for the federal government to again push us further back away from them and so that they can be divisive with Mother Earth and what is happening with her.

So I think that this restructuring is something that could be looked at and could be worked
with I think maybe even a better way than a listening session where we would have to come down to even the different communities and look at us, see how we are, and then see what our needs are and then put that all together, and it ain't going to happen overnight.

I mean it took 100 years to get us -- to get to where we're at today, and then in a few short months we're going to be making a complete overhaul of all this deterioration.

Maybe the intent was good when the BIA was put together to make a relationship with indigenous people, but like I say, to me maybe over time things have become deteriorated, so I think, yeah, that this is probably a good intention, but if it could be -- it would be successful if we could make major accomplishments where we could deal with the president on a face-to-face as tribal leaders, as a nation to nation, I think that would be one good step that we could do. Thank you for listening.

MS. ORTIZ: Thank you very much for your comment.

VICE CHAIRMAN ANDERSON: Hi. I get two times at the microphone. Keith Anderson, vice chairman at Shakopee. On some of the -- based on some of the comments that have been made here today, I'd
like to mention that we recognize and appreciate the BIA's hard work and individual work that you all do and the professionalism that you bring forward, so thank you for that. We've never been lost on that.

One of the thoughts that was presented to me by our individuals who work with the BIA is -- has to do with the -- one of the comments made by the lady from White Earth, and that's communication amongst the departments, and at our level that's what we discuss and spend a lot of time on, and recently for us it would be the trust process, new employees, not enough employees, just legal interpretations of interior operations I would guess.

One of the suggestions that I would have is I think that's probably what your listening sessions here are for would be for suggestions, and the thought was that if there were a tribally elected board of indigenous people selected as a liaison for their region or even an individual navigator for specific parts of the region as each tribe has their individual needs almost separate from the neighboring tribe or different tribe in their region, that would greatly increase that communication.

I looked at the org chart, and it's two pages. It's very large. I mean and I'm sure you're
all aware, but as tribes under the Department of the Interior, these are the original people of the United States, and as mentioned in the constitution, separately and sovereign tribal nations, and we're under the Department of the Interior, Bureau of Indian Affairs. That's a category that we're put into so that you would think that it's the Bureau of Indian Affairs, but sometimes we sometimes think it could be the bureau of state affairs or the bureau of county affairs because of the access that some of our local legislative people have had in Washington to try and influence the BIA. It has worked in the past.

We used to say around here it isn't the bureau of county affairs, it's the Bureau of Indian Affairs, and, you know, that's part of the position that you have, that liaison and that communication with the local.

The paternal part of what you do is hard to take, but then the necessary part of what you need to do in dealing with all of the governments across the country, that's understandable as well. But I would just like to point out that sovereignty is written into the constitution, is also part of that federal responsibility.

I heard gaming mentioned. We are the rare
success story that suggests that gaming has been a win all, a positive for all tribes. It is not. Gaming, tribal gaming works for tribes, providing jobs and income for their infrastructure and their local economy. We just happen to have a higher population.

But we're very cognizant of the fact that it does not supplant that federal responsibility, does not add that copper and relieve that responsibility and then sometimes cuts right to the bottom line in supplementing those tribal coppers and providing jobs for tribal people in their area. It works quite well with a lot of the tribes that we help.

And so part of the responsibility here at Shakopee for our success is to help our tribes, our sister tribes, our friends in the region and across the country with that success, and we do so very openly and very responsibly, so I thank our tribal members for that.

Somebody mentioned that there would be -- The last gentleman mentioned that there would be a decision made by some tribes to be democrat or republican. I think that's a donkey and an elephant, but we're the buffalo party so -- I hope.

MS. ORTIZ: Thank you very much.

MS. MASON: Boozhoo again. I'm going to
take another crack at this, then. So, again, when I first started -- Tara Mason, White Earth, and as I mentioned before, I really -- I haven't prepared for this, so I do apologize for that, but I would like to start with the mission statement of the Bureau of Indian Affairs.

The Bureau of Indian Affairs' mission is to enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of American Indians, Indian tribes, and Alaska natives.

So with that when we start really looking at the reorganization of the BIA is how do we through a bureaucracy build in a system that will hold the tribes harmless when budget cuts like these come and affect the lines, and then moving forward with that is really looking at mandatory funding versus discretionary funding. You know, is that something within your authority or ability to advocate or put in place.

Because when it comes down to a tribal trust responsibility, in March of this year White Earth just celebrated its 200th anniversary of the 1867 treaty that was signed by the White Earth people, the Mississippi Band. Okay.
So I'll tell you right now White Earth did not have a huge celebration celebrating our treaty. Next year we will celebrate -- we will celebrate our 150th year. Next year we will celebrate with our 150th powwow. We will celebrate our people, but we will not celebrate our treaty because we look at all of the unfunded, the unsupported, the unbacked promises that were given to the White Earth people.

And, again, we sit, and we talk about how are these cuts going to affect us, and we're going to restructure. How are we going to support and enhance, promote all of the promises that were made to us.

So with that I just wanted to mention that maybe with the rest of your listening sessions you bring that mission statement of the BIA with your paperwork and your organizational charts so we all have a clear understanding of what is the mission of the BIA because, like I said earlier, I know you guys will probably be cut as well in this reorganization, but it's going to affect us as well.

And so we do appreciate the work that has been done, the work that needs to be done, and we know that we need to do this together, but I do support a lot of everything that's been said here because reorganization does need to happen. With that I shall
say miigwech, and this will be the last time. Thank you.

MS. ORTIZ: Thank you. You can come back if you think of another comment. And just so everyone knows, I think that you may be helping -- hearing other comments helps you think of comments you want to make, and if you want to formulate your comments, you can submit them in writing, and there's some time to do that.

CHAIRMAN TAYLOR: Chairman Taylor again. You know, to me I think the bureau is just overloaded with responsibility that they can't really, you know, process timely for Indian tribes.

We have a pipeline going through our reservation, and this pipeline is a natural gas, but to extend it up to our reservation to our own land, we have to get the bureau's permission. It has been almost two years since we requested right-of-ways, you know, to have that extension of that gas line to our homes, and, you know, it's very expensive for us as -- you know, without that.

When our -- when this pipeline, when this gas line came in, we heated our -- we usually heat our tribal center in our conferences on our campus there with, you know, fuel oil, and fuel oil is very
expensive, and, you know, we cut our costs of heating for our buildings there almost by 70%, and yet we're having some difficulty from the bureau to get it extended.

Hey, it's our land. I think we have the right to agree to a pipeline extension. I think that's a sovereign right of the tribe, and yet the bureau says it's their responsibility. I guess I really need to -- We have to draw a line as to what is the bureau's responsibility versus, you know, the -- that of the tribe, and I mean maybe it's our constitution that prevents us from it, but I think to me that, you know, we've got some problems.

And we recently in our economic development phase of our tribe, we're looking at economic development trying to diversify our reservation economy, and we're doing that. We're doing that. We've got a section 17 economic development component that we want to -- you know, that's recently, you know, approved by the bureau, so that's one of the things that we're currently working on to do.

The other thing is the -- the backbone. I mean there's a maze of regulations that it's just difficult for us to succeed as entrepreneurs, and I think in that phase of economic development I think we
should have the right to determine our destiny, but we've got regulations from the bureau that kind of stifle our efforts. There are so many great nations.

I think for me EPA, that's been there ever since the treaties were acquired, and we never dirtied the land, and yet we have to comply with EPA. There's so many regulations that impede the progress of the tribe, so we're -- maybe we're just a tribe that is burdened down by regulations, and maybe we're -- you know, we're too receptive of that paternalism by the bureau. Maybe if we do it by ourselves and the bureau can ask questions later.

But I think, you know, to me in terms of realigning the bureau, you know, look at some of these regulations, I think as Indian tribes we've got to. I mean, you know, like this paper says, it's been -- there hasn't been a realigning in over 100 years.

Well, 100 years, you know, we've stepped up in terms of technology, communication, and the ability to be educated and to govern ourselves. We don't need the BIA to govern my tribe. I mean 100 years ago nobody spoke English, and that was the, you know -- And I would agree that we had some cause for the bureau to regulate us.

But today with, you know, learning this
English, you know, absolutely, I don't think we need these layers of bureaucracy, and I think as educated tribal leaders, I think we all got to stick together and make something happen good for our people. I mean I'm here to, you know, protect and defend tribal sovereignty and the erosion of any trust obligation or responsibility that may be the result of a future executive order that the president might have on us.

So, again, I think we need to, you know, really -- we really have to defend ourselves even more I think for the -- for the warriors that Indian people have developed over the years protecting us, you know, we need these -- we need people to defend us called attorneys. I think, you know, in terms of where we need to go and what avenues in protecting us, I think we all need to get a good tribal attorney so that we're not bamboozled with some kind of language that we don't understand.

So, again, I think as Indian people this is our chance. We can now realign the bureau because, hey, I speak English, and I can speak it good, and I'm going to defend my people. Again, I think in terms of coupling that allocation that congress gives us and it only trickles down to 10 cents to my people, there's something wrong with that story, and we need to change
that story.

So, again, I want to thank you for the opportunity to comment on a few more words. Hopefully we can do something with it, but again I appreciate this listening session.

MS. ORTIZ: Thank you, Chairman.

MS. JORGENSON: Hi. My name is Donna Jorgenson. I'm a member of the Cheyenne River Sioux tribe, and I came here today not expecting to see all these wonderful people, but thank you for being here, and thank you, Shakopee, for supporting this event.

I'm an end user of what has happened with the BIA. Since my mother died in 1992, this is one month's worth of paperwork that I get from the BIA, the Department of Interior, one month's worth of papers, so you can imagine since 1992 I have had that many papers and more trying to solve fractionalized land interest, probates.

I'm working with five different counties because my grandfather, great-great grandfather owned land from Pierre, South Dakota, all the way out to the Black Hills, and that's five different counties we have to work with to determine what's going on. Some of the information we have currently is in Arlington, Virginia, at this point. We're still working on some
My brother spent over $20,000 trying to get attorneys that will work with us on all of these issues, and we continue to do a lot of the reparation kind of work trying to determine who relatives are.

Probates have not happened. We are now having to do probates for many of the people that we are related to. We started out with over 45 people in the family that we have to work with. We're down to about 20 whatever. I'm not sure of the exact number.

But, again, I just wanted to let you know that these are personal issues for me that I've had to deal with for many, many years. I'm at the point now where -- my brother is getting to a point where he's very ill. I don't know how much longer we can do this. We're working on our wills now. I would like to have these done.

So all these levels of government that we have to deal with get to be very frustrating for us. So thank you for listening.

MS. ORTIZ: Thank you for your comments. Does anyone else have any comments or questions about the organizational charts that were provided?

VICE CHAIRMAN ANDERSON: Just one more thing. I'd like to address the education. Keith
Anderson again, vice chairman of Shakopee. Once again, thank you for listening.

Tony, I saw you up here, and it just reminds me of the number one thing that is hard to justify, and it has been in school districts forever, and that's to put money into education, but we all know that that investment, while hard to measure return, is well spent, and that solves a lot of issues proactively. If that's a way to consider putting more money towards the Indian schools.

And I know, and Minnesota is one of the most -- the most, I don't know, forward thinking both conservative and liberal state, and they like to jump back and forth and test the water on the leadership here. But I almost believe that within the last few years one of Mark Dayton, our governor's, criticisms was that Indian education was ranked last nationally here in Minnesota.

And right now I'm -- I was kind of relieved of a meeting with our education committee on electing new officers, as we have elections every two years for that committee that oversees our education, but nevertheless I asked if they needed me to be there because one of the things I encourage is that it's not a blind allocation of money, but it's an investment in
that system that we have, and I want it to expand beyond our educational guidelines and so forth, so that type of leadership is something that maybe you can think about in the reorganization.

I don't know how to say invest in it, but that's what I'm saying. Invest in that for tribes, especially for the tribes that have issues with their school structures and so forth. I mean it's the whole gamut. That's going to be a great investment I think that would help your overall organization eventually. So thank you very much again.

MS. ORTIZ: Any more comments? Okay. Not hearing any comments, I want to remind you that the transcripts will be available on the BIA website, and that's www.bia.gov, so you can look at those and any comments that you want to emphasize or just for your information. You can also continue to submit comments prior to the deadline. I think --

So the secretary's plan is going to be submitted on September 9, but go to the BIA website for information on how to submit your written comments, and there's information in the federal register also.

So I want to thank you all very much for taking time out of your schedules. I'm sure you're
very busy and have many places that you need to be, but I'm glad that you found it important enough to spend your time here this morning in putting your comments on the record. Thank you very much for welcoming us here and for being here yourself, and with that I think we'll close this comment session.

Comments are due on July 15, and they can be submitted at consultation@bia.gov, consultation@bia.gov by Saturday July 15, 2017.

(Proceedings concluded at 10:02 a.m.)
CERTIFICATE OF REPORTER

I, Jayne M. Carriker, Registered Professional Reporter, do hereby certify that the foregoing proceedings were taken in the above matter on June 6, 2017, that said proceedings were reported by myself, translated and proofread using computer-aided transcription, and the above transcript is a true and accurate transcript of my notes as taken at the time the proceedings occurred.

I further certify that I am neither attorney nor counsel for nor related nor employed by any of the parties to the action in which this record was made; further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto or financially interested in this action.

Dated this 9th day of June, 2017.

Jayne M. Carriker, RPR, CCP
Notary Public, Wright County, Minnesota
My commission expires January 31, 2021