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OFFICE OF THE ASSISTANT SECRETARY

TRIBAL CONSULTATION

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REPORTED BY: MICHELE NELSON
INDEPENDENT COURT REPORTERS
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Los Lunas, New Mexico 87031
ATTENDEES

CONSULTATION PANEL MEMBERS:

John Tahsuda, Principal Deputy Assistant Secretary, IA
Jim James, BIA Deputy Bureau Director

Members of the Audience:

Anthony Laban, Emanuel Medina, Monica Yazzie, Ken
Lucero, Marlinda Clendon, Gilbert Suazo, Amanda
Angell, Darren Estanci, James Bzoz, Steffani A.
Cochran, Dennis Valenaa, Quentin Candelaria, Dwight
Witherspoon, Beverly Coho, Leonard Tsosie, Nancy
Alonzo, Donald Arila, Christopher Pecos, Benny Shendo,
James Baca, David Jose, David Deutsawe, Jared Touchin,
Eric Rodriguez, Ronald Julian, Larry Jackson, Edison
Tutsi, Grant Clawson, Virgil Siow, Russell Begaye,
Josh Sanchez, Jimmy Secatero, Jonathan Fraguan, Faye
Blue Eyes, Erin Chay, Charles England, Seth Damon,
Nathan Garcia, Darnell Maria, Pete Aticitty, Darrick
Franklin, Rick Vigil, Conroy Chino, Tom Chee, Columbus
Nettles, David Smith, Antonio Mondragon, Melissa
Candelaria, Maria Clark, Joe Garcia, Eric Abeita,
Julian Garcia, Eugene Lujan, Scott Paisano, LaRenad
Bates, Seymour Smith, Lionel Haski, Ann Rodgers,
Francine Jaramillo, Delane Aticitty, Margaret
Pooyouma, Rose Graham, John Hawkins, Malinda Andrews,
Glenn Tenorio, John Antonio, Wanda Hweso, Velda
Garcia, Josett Monette, Ethel Abeita, Alice
Kavenoycine, Timothy Menchengo, Leonard Selestewa,
Cedric Kuwaninvaya, Elroy Watson, Peter Magdelene,
Paul Chinana, Gil Vigil, Laura Mike, Alysa Landry,
Chris Cantrell, Leroy Sumatzkuku, Jaime Lorette,
Janet Johnson, Ben Woody, Jr., Andrea Carillo, Kurt
Sandoval, Jeannette Honanie, Sirgil Pablo, Shannon
Holsey, Shawn Duran, Martha Garcia, Steven Begay,
Jonathan Nolan, Luath Nolan, Richard Bernal, Jane
Russell-Winiechi, Lillian Veneno, Rebekah Krispinsky,
Cal Carley, Pinu'u Stout, Daryl Candelaria, Joe
Little, Bruce Garcia, Juan Montoya, Sage
Mountainflowers, Verinda Reval, Jolene Catron, Leroy
Amy, Gloria Hale-Showalter, Colleen Cuthair-Root,
Gilbert Roger, Myron Armijo, Anthony Ortiz
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MR. TAHSUDA: I'd like to kick us off with a prayer.

Governor Siow.

(Prayer offered in Native American.)

MR. TAHSUDA: Good morning. We'll start the consultation off. I'd like to just have a few thoughts on how we can, hopefully, make the morning go well.

We opened it up with a prayer --

Thank you, Governor.

-- and put us in the right frame of mind.

I would like to -- first off, I would like to start with having the tribal leaders in the room introduce themselves and the tribe, and many of their folks here that they would like to introduce as well, and then we can get started.

I would like to take a break usually about eleven o'clock. About halfway through, we're going to take a short break to use the facilities, take a drink of water, whatever you would like.

I would like to -- we have a slide show presentation, and I would like to go through that first. If you have any questions on something that's in the slide show, you don't understand what it's trying to say, I'm happy to answer those, but I do want to be cognizant of allowing the tribal leaders and other folks that want to
make comments, plenty of time to make those. And so, I'll try to get through the slide show as quickly as I can and then, leave plenty of time for your comments.

I, also, would like -- we'll have -- probably most of the consultations we've done so far, we have time for other folks to speak, but we'd like to make sure that the tribal leaders or, if you're here representing as a spokesperson for your tribe, that you get a chance to speak first, and make sure that those are all on the record. And then, once the tribal leaders have spoken, we can open it up to other folks who may have additional comments, or if a tribal leader wants a second round of comments or has questions.

I appreciate -- I really appreciate that.

So my name is John Tahsuda. I'm the Principal Deputy Assistant Secretary for Indian Affairs in the Department of Interior. I have with me, Jim James, who's our Operations Director, and works closely with -- well, oversees our folks who are in the field, in particular the regional directors. And so, this is something that, if it goes forward through the BIA, Jim will have a big role in helping to implement that, and working with our regional directors as well.

So does anybody have any questions or anything before we start?
Okay. So if you don't mind, I would like to start with each of the governors or the tribal leaders, if you could just get up and introduce yourself, so we know who's here as well as you can see your other tribal leaders who are here as well. And if you would like, introduce other folks from your council or people that are here as well; you're welcome to do that.

Governor, why don't you start?

GOVERNOR SIOW: Good morning. My name is Virgil Siow. I'm the governor for the Pueblo of Laguna. I have with me today, Ethel Abeita, who's our government affairs director. There's some other Laguna tribal members with me in the room: Former Governor, John Antonio. It's good to see all of you here today.

GOVERNOR SUAZO: My name is Gilbert Suazo, Sr. I'm governor of Taos Pueblo. I have with me tribal secretary, Antonio Mondragon, and tribal administrator, Shawn Duran.

GOVERNOR TENORIO: Good morning, everyone. (Native American.) I'm Glenn Tenorio, governor for the Pueblo of Santa Ana. And I also, have today with me my lieutenant governor, Mr. Nathan Garcia, and also, some of my traditional leaders here with me. I have Leroy Armijo, Emanuel Medina, Timothy Menchengo and Julian Garcia, who also work for our tribal historic preservation office, and
also, former war chief, Eugene Lujan, and former governor, Myron Armijo with me today. Thank you.

MR. GARCIA: (Native American.) I'm Joe Garcia. I'm the head councilman for Ohkay Owingeh. I'm here to represent Ohkay Owingeh. Thank you.

GOVERNOR CHINANA: Good morning. My name is Paul Chinana. I'm governor for the Pueblo of Jemez. With me this morning is Lieutenant Governor Peter Magdalene and also, tribal employee, Jaime Loretta, and Jonathan. And we will have Mr. Benny Shendo coming by to attend this meeting in a little bit. I don't know if there's any more Jemez employees back there.

If you are here from Jemez, will you please stand up?

But, if not, thank you.

MR. CHINO: My name is Conroy Chino, and I'm from the Pueblo of Acoma. I'm here with our tribal attorney. Thank you.

GOVERNOR VIGIL: Good morning. I'm Governor Rick Vigil with the Pueblo of Tesuque. I also have in the audience, former Governor Gil Vigil, also the executive director. Thank you. Have a good day.

PRESIDENT BEGAYE: Russell Begaye, President, Navajo Nation (Native American.). We have Council Delegate, Stephen Begaye. Council Delegate, Seth Damon,
our speaker, we have Delegate Tom Chee. And then, others
that are here: Dwight Witherspoon, Darrick Franklin,
Jolene Catron, Jared Touchin, Virgil Pablo, Jonathan
Nolan, Luath Nolan, Ben Woody, Jr., Laura Mike, Alysa
Landry, Elroy Watson, Rose Graham, Wanda Hweso, Seymour
Smith, LaRenad Bates, Pete Aticitty.
So we have both Navajo Nation governors with
concerns about BIA and also, BIE. Thank you.
GOVERNOR SUMATZKUKU: Good morning. I'm Leroy
Sumatzkuku, and I am the governor of Moenkopi.
MS. ANDREWS: Good morning. (Native American.)
Malinda Andrews, Hopi Tribe, and I'm here with my
executive advisor, Anthony Laban, and the other delegates,
if you would please stand?
Thank you. (Native American.)
MR. JACKSON: Good morning. I am Larry Jackson,
and I am the Vice Chairman for the Yavapai-Apache Nation
in Camp Verde, Arizona. And I am expecting our Chairwoman
Jane Russell to come and also, represent. I would like to
express, thank you for being here with us, and I'd like to
say good morning to everyone here in the room.
MR. JOSE: Good morning. I'm David Jose, Ramah
Navajo Chapter. And staff employees, I also have under
Ramah Navajo School Board, Darnell Maria and Martha
Garcia, Monica Yazzie, Beverly Coho, Nancy Alonzo, Grant
Clawson. Are there any others? That's about it. Thank you.

Mr. Baca: My name is James Baca. I'm the tribal sheriff for the Pueblo of Santa Clara. With me today is Janet Johnson, who is our self-governance director.

Mr. Julian: Ronald Julian, Jicarilla Apache Nation, council member. And good morning, Mr. James.

Good to see you.

Mr. James: Good morning, sir.

Mr. Julian: And I'm here just to get information and make comments later on.

Ms. Holsey: Good morning. (Native American.) My name is Shannon Holsey. I'm the president of Stockbridge-Munsee Community, and I've come from Wisconsin.

Ms. Cuthair-Root: Good morning. My name is Colleen Cuthair-Root. I am a council representative of the Ute Mountain Tribe. Good morning.

Mr. Bernal: Good morning. (Native American.) I'm Richard Bernal. I'm the Governor of the Pueblo of Sandia. With me is our in-house attorney Stephanie Cochran and our Lieutenant Governor is Scott Paisano.

Ms. Armijo: Good morning. I'm Francine Armijo. I'm general counsel for the Pueblo of Isleta.

Mr. Estanci: Darren Estanci.

Ms. Angell: Good morning. Amanda Angell, here
on behalf of the Mescalero Apache Tribe. I’m one of the tribal attorneys.

MR. SMITH: Good morning. I’m David Smith here on behalf of the Southern Ute Tribe.

MR. TAHSUDA: Okay. Thank you, guys.

So one of the last things, before we get started, we have a microphone up here. So if you want to come up and give an oral statement on the record, please come up and use the microphone. If you would like to kind of stand to the side, you can take it off of there while you’re speaking so you don’t have to have your back to your fellow tribal leaders.

But -- and then, if you -- when you come up, if you would, again, restate your name clearly, your tribe and your position for the record, so we can get that in as well.

All right. So we'll get through the slide show here. So a little background on where this started. When President Trump took office back early last year, he -- one of the first steps he took was to issue an executive order asking for each of the government agencies to put forth a plan to him how they could improve the efficiency, effectiveness, and accountability of the agency.

The Department initiated this, shortly thereafter in May, to all of the different stakeholders for tribal
input. A letter went out on May 16th, and then six
listening sessions were held between May and June of 2017.
Since then, we've held two more additional listening
sessions. And then, we have begun this consultation
session -- these consultations last week -- we held two.

So where are we now? Right now, the plan has not
been finished yet. And October is the deadline for
submitting the plan to the OMB on behalf of the president.
So a large part of Interior's plan involves what we called
"unified regions," which would be to get the different
bureaus within the Department to be organized
geographically in common regions.

So what we're hoping to do is get input from
tribal leaders through consultation, as well as just
public comment. If you want to send in comments, then do
that.

There are other stakeholders who have a very
important role in this and are obviously heavily impacted.
So it's not just the tribes. It's not just states. But
Congress -- part of implementing this will require
reorganization of the Department on a budget level, so
Congress will sign off on that. So they'll either have
input -- obviously, Congress also, has a large role in
setting the priorities for the Department, that we don't
set ourselves, so they play a role in that as well.
Another real big stakeholder, and I want to impress on folks as well, is our employees. This plan is, obviously, to help us work better, more efficiently, more effectively, for who we work. For BIA, BIE. We work for tribes and individual Indian folks.

Some of the other bureaus have -- you know, they cooperate more closely with state governors or local governments, et cetera, depending on what their mission is. Those are, obviously, all incredibly important.

So the people who will implement this is our employees. And so, we have also been trying to take the same level of effort to hear from our employees internally.

Why is it important for us to look at this, not just from sort of a management structure, but a geographic structure? The Department of Interior -- if you look at a map, the Department of Interior stretches across 12 time zones, literally half the globe. We have over 70,000 employees. We actually have over 600,000 people that volunteer to assist the Department in providing services. We have 2,400 operating services of all different kinds, agency offices for us, et cetera, across these 12 time zones.

Just land surface area -- because a large part of what we do is land management, well, what is that? That
is one-fifth of the United States. 20 percent of the United States, in one way or another, is under the management authority of the Department of Interior. In addition to that, 700 million subsurface acres; we have 1.7 million of outer continental shelf acres that we're responsible for; and then, additionally, what is really important for tribes, we are responsible for 25 million acre-feet of water per year.

So not just to make this an exercise in fulfilling the president's directive from an executive order, the secretary also, views this as very important that we reorganize the Department for the next 100 years. And why do we say the next 100 years?

This Department has not been reorganized, really, in 150 years. The history of the Department of Interior is the fourth oldest cabinet agency, and as time has gone by, new responsibilities were handed to the Department, and new bureaus were created to implement those, but there's no thought given into how you would organize that efficiently; and the administrative structure, they just sort of slapped onto the agency, and things went in an ad-hoc basis for about 150 years.

So we have, within the Department, a great deal of redundancy of services, particularly in our regional -- you know, in geographic regions, we have multiple,
different bureaus who are doing similar activities for
different stakeholders, but they do them separately. And
one of the places that this becomes really apparent and
becomes a problem for us and for you and the other
stakeholders is on our decision-making in these areas.
When we have different bureaus all needing to reach one
common decision, but they're coming at it from different
ways.

So the basic concept is to reorganize the
Department geographically into 13 unified regions. Each
of these regions would have a regional director who would
basically be on top of the regional directors for the
bureaus in those areas. And that regional director is
really going to be focused on three primary functions. So
if you think about each of the bureaus has a different
mission.

So ours is to serve tribal government, support
tribal sovereignty; BLM is land management, and with that
goes sort of resource development, et cetera, Fish and
Wildlife, obviously, you know, fish and wildlife. Bureau
of Rec has dams and water systems, et cetera. That's the
mission of our bureaus. But to get our mission
accomplished, we perform functions, right? We have
organizational structures that help us reach that.

Looking across the different bureaus, the
secretary identified three areas that we have similar functions, so that the three -- or those agencies, you know, the bureaus operating in a common region, perform similar functions even though it's in pursuit of their individual goal or their separate mission.

That's recreation, conservation, and permitting. So why are these important? I'm going to go backwards through this. So for permitting purposes, any action, as you know, that happens on federal lands, requires a permit of some kind. There's different laws that get applied with environmental laws, the National Preservation Act, and these impact the different stakeholders in that geographic region differently.

So right now, each of the bureaus, even though the permit is issued by one bureau for one purpose, the other bureaus have to weigh in on that decision. Right now, they come to their own conclusion, and then, at the very end of that process, they try to all come together and reconcile those, rather than working together from the beginning.

So one of the basic concepts that we believe will provide more efficiency and more effective decision-making for the Department is to require that cooperation and coordination among the bureaus, to happen from the beginning. That will be the primary responsibility of
this interior regional director. Focused on these three functions, he will make sure that the different bureaus are working together from the very beginning. Almost like a project manager. He will enforce time lines. He will enforce their working together to develop one common decision coming out of that region.

So permitting, obviously, involves things like, you know, permits to drill a well, or change a waterway, lots of different -- conservation. It includes environmental as well as biological opinions, et cetera.

Recreation is one that we often don't think about. And it's one actually that the secretary views as sort of an open-ended opportunity for tribes. So the Department has a large role, obviously, in administering federal lands, a large role in the recreation industry in the United States. And so, Fish and Wildlife, BLM, all these federal lands that they administer, they have different roles or they have different responsibilities, but they all participate in sort of this recreation opportunity for the American people on public lands.

So, on those public lands, the secretary wants those bureaus to cooperate and coordinate so that both people can exercise recreational opportunities, regardless whether they're in a park, moving into a refuge or even a Bureau of Rec property, sort of seamlessly; in their mind,
it's an economic benefit to the area.

Right now, we have bureaus; like I say, a national park will set up a trail system for people to see the park, but when it hits the refuge next door to them, the trail stops. So the secretary wants these things to be connected.

How does that impact tribes? So, obviously, our lands are not public lands. But if we want to -- and a lot of tribes have a lot of land that would be great for recreational opportunities as an economic development, or even educational opportunities for youth, et cetera. So being able to connect those up with a larger system, that would be on the other public land, is an opportunity that the secretary wants to open up to tribes.

To do that effectively, though, this is part of this common decision-making, so that those decisions, those opportunities are part of the larger plan that's working through that region.

So how confusing is it for us? Well, we have nine bureaus, each of these bureaus have different geographic regions, so we have 61 geographic regions set up through all the land that we administer.

Yes, sir.

GOVERNOR BERNAL: Going back to your previous slide, we have the three primary functions. Are those in
order of priority?

MR. TAHSUDA: No.

So the idea is to unify the 13 regions, instead of having 61 regions spread across the nine bureaus.

So here's the proposal for the 13 different regions. As you can see, the 13th one is Pacific Islands, not really applicable to us. 12 is Alaska, which essentially, is already a unified region. All the bureaus have Alaska as its own individual region within their region structure already.

So, really, what we're talking about is the continental United States. The colors -- I don't know how well it comes out on here -- the different-colored areas are current -- are the BIA's current regional areas.

So where do we get that map? There's been several iterations of it along the way. You can go to the Department of Interior's web page and you can see the map there. But the first attempt at the map, again, so the secretary wanted to take a step back and say, "If we reorganize this department at the top level, where should we start from?"

And he decided that the best place to start from would be sort of science-based. So we have a bureau called USGS, U.S. Geological Survey, which is basically a collection of scientists. And they do a lot of the
scientific work for the Department internally, looking at waterways, animal corridors, et cetera.

And so, he asked them to look at all the responsibilities that the Department has across the board. And, "As a scientist, how would you organize this department with these different bureaus and different responsibilities?"

And so, they took a first crack at it saying, "Well, let's look at watersheds. Those are really important. Animals, people, everything follows water sheds often, and historically, they have. And then, we looked at animal corridors. Obviously, you have like wild -- migratory wild fowl corridors that come into that.

So they then overlaid that with some -- looked at, particularly, again, for the agencies that administer public lands is the current trail systems that are there. How could you do that, to provide better overall management of this, keeping in mind, that we have a lot of eco systems that the Department is responsible for.

Administratively, and where this is intended to go --

Yes, Governor.

GOVERNOR BEGAYE: Yes. I would just like to ask a question on the criteria used. At any point, rather than land, water, state lines, were people considered, in
terms of tribes, tribal nations, over against state lines or conservation, those types of things, forestry, watersheds, those types of things. At any time, was there anything considered where the criteria would be people over, against watersheds?

MR. TAHSUDA: Yes. So, again, the first look was sort of at eco systems: Water, animals, et cetera. And implicit in that, you know, are native peoples because they often followed those. And then, after that initial look was done, and then, there was sort of what you might call other considerations including, political considerations.

So like the BIA, a lot of the other bureaus had their original regional -- or their regional structure currently follows state lines. And so, that, then -- you know, the map was played with after that, to take into the fact these other considerations. There was -- if you followed the Rio Grande River Valley, you know, as originally structured by the scientists, we would cut several of the pueblos off in the different regions. So there were adjustments made along the way to get to the map here.

This is not a final. There's still the opportunity to make some adjustments, but I think that our hope is to have this round of consultation first and kind
GOVERNOR SUAZO: Gilbert Suazo, Governor from Taos Pueblo.

What you're going over is a reorganization of the Department of Interior. And we're here to -- I mean, I'm here to hear about the reorganization applied to tribes.

I don't feel like mixing all these other agencies with what we, the sovereign tribes, want; it just doesn't seem to fit together. You're talking about a number of other agencies at the Department of Interior. And here we have sovereign tribes that are somehow being fitted into this mix.

MR. TAHSUDA: Thank you, Governor.

And I hope that as we look further in here, and we talk some more, I'll be able to explain part of the rationale for that. But it is -- I want to -- I guess it should be clear, we're not talking specifically about reorganizing the BIA. What we're talking about is reorganizing the Department, and how the different bureaus interact with each other.

There is -- believe it or not, there is, actually, a lot of interaction between the different bureaus including the BIA, in the Department. And so, the goal of this is to increase the coordination and the communication, so that decisions that the different
bureaus have to make, that require input from other
bureaus, are done more effectively and more efficiently.

So that's why, conceptionally, the thought
process focused on those three functions, because those
are functions in which we end up having the most need to
interact and communicate with the other bureaus within the
Department.

Right now, because the different bureaus are sort
of siloed in, our priorities are not their priorities. So
if we have a decision that's a priority for us, but it's
not a priority for Fish and Wildlife, we have to wait
around until they get to it, to be able to finish our
decision on your behalf. The same goes for them. They
may have a decision that's a priority for them, but we
think we've got other priorities for you. All right.

So for those -- again, in those functional areas
where there's a lot of cross decision-making required,
this interior regional director will be the one who sits
the bureau down, so there is a project, there's a
decision, whatever it is that has to be made in that
region, then he would say, "Okay. This is a priority for
BIA, Fish and Wildlife. How quickly can you respond to
them?"

Because we have an overall timeframe of, let's
say, one year for BIA to get that decision done on behalf
of the tribe. And so, Fish and Wildlife will have to figure out how they're going to give us their input and be there from the beginning, not weighing in at the end, through the process, so we can get that decision done for the tribe.

That's sort of the concept of why it's important to have this better interaction amongst the bureaus. Again, this is not to reorganize the BIA, itself, internally. And I made a reference further on, but the -- even there would be geographical reorganization to these unified regions, the BIA, itself, will still have all of its staff, all of its agency offices out in the field. There will be no change in that. There will be no change -- I mean, ideally, there will be no change in the level of service, the staffing out in the field.

In fact, the hope is, long term, that this will allow us to have more resources in the field, to have more decision-making in those regions, as opposed to coming to D.C. This is another benefit of having this regional director who will make the bureaus in that region work together.

Right now, when there's any kind of decision conflict between the bureaus, it comes to D.C., and I think most of you guys are pretty aware when things come to D.C., they don't move fast. So one of the primary
functions that this interior regional director would have
would be to keep that decision there, force those agencies
to work it out. Only if there is a policy-level decision
that he can't reconcile, he brings it to D.C.

He doesn't bring it to the bureaus. He actually
brings it to the deputy secretary, who then, tasks the
bureaus with working out this policy decision amongst
them. The assistant secretary, basically, weighs in at
that point. The decision -- the policy decision gets
made, sent back to this regional director, who then
implements it for those different bureau directors in
that region.

Ideally, that policy is set, so if the decision
conflict comes up again, there is no conflict policy-wise.
All right. That's already been made. So those decisions
will stay in the field. It allows us a little more
flexibility, allows for faster decision-making in the
field because they don't have to come to D.C. And so,
that's one of the sort of administrative benefits we see
coming out of this.

GOVERNOR BEGAYE: Are you saying then, that
these -- the way that you have the map drawn up and all
that, that these other departments or other agencies of
that department are going to be regionalized like that,
but the Bureau of Indian Affairs offices would remain as
they are? Is that what you're saying?

MR. TAHSUDA: Yes, if I understand you correctly.

So the unified regions is sort of like the first step in getting this administrative structure in place. There would be benefits down the road, if we did some co-location of offices, et cetera. That would be some, you know, some budget saving, et cetera. The secretary has made the commitment that any extra resources that come out of this, any budget savings stay in the field. They don't get sucked back up in D.C.

But that's sort of secondary. We would have to figure out, as the other bureaus would, you know, how we continue to keep the people in the field who have to be there day-to-day, not interrupt what they're doing and the services that they provide.

And some of these regions, if you look at the Missouri Basin region, which is most of the Dakotas, and the Great Plains, and Montana, that's a pretty big region. So it very well may end up -- we may have sort of, essentially, two regional offices for BIA there, as we would now. And so, the current structure has us with a regional office in Billings and one in Aberdeen. So for the short term, those have to stay there, anyway.

You know, in doing this, we're not going to, you know, cut off business for a year and move people around.
Those have to stay there in the short term. And then, we'll consult with the tribes in that region as to what works best for them. Do we keep, essentially, two regional offices? Is there a location that's convenient to them that we could, you know, co-locate one regional office, maybe like Rapid City? But that'll largely be up to them, and the tribes will have a big input into that. Does that answer your question?

GOVERNOR BEGAYE: There's still more, but --

MR. TAHSUDA: Okay. I'm sure there's more.

So as I was mentioning, the interior regional director will report directly to the deputy secretary, focusing on three primary functions. It's not -- we've had a lot of discussion, as I said earlier, you know, we want a lot of input from our employees, from our staff. And one of the things that the secretary did back in January, was brought in all of our senior management into D.C., from all the different bureaus in the regions.

We had, basically, all of our regional directors, and we asked them a lot of questions, asked for a lot of input from them about the whole concept, the process. One of these was, they had a lot of good input on how we could structure this regional director, this interior regional director. Because sort of --

There's several concepts. One, you could have
somebody who is sort of a political appointee, and he
would have that weight of authority, or we could have
somebody who is a career person. And we thought one way
to do that would be to have the different bureaus in that
region rotate every couple of years, and their regional
director would elevate to this interior regional director
slot.

So I don't think we came to any conclusion --
Did we, Jim, from the -- with RDs about that.
They had good points, I think, on both sides.

There's some weight that comes with having a political
person put there. But there's also, obviously, advantages
if it's rotated among the bureaus, that all the bureau
heads get an opportunity to really kind of see the other
bureaus and how they operate in that region, et cetera.
So there's not been a decision made on that yet.

There is -- one thing that the secretary did want
to avoid, he doesn't want to create a whole new
bureaucratic layer. And so, this RID will have a pretty
lean operation. And, obviously, we have a rotating
regional director, that would be one way to not institute
a new level of bureaucracy.

As I mentioned, their function would be to
oversee any shared services in the region, really
facilitating the interagency conflict and promoting
problem-solving before issues have to come to D.C.

So that's it. I told you it would be short, I guess. You can -- obviously, your statements today, oral statements will be on the record. You can also give us, if you have any written statements that you want to present today. But you can also submit written comments to this e-mail, consultation@bia.gov.

Now, it says, "by August 15" we have to -- for purposes of our regulations, et cetera, we have to put a date there. That's not a hard date in this process, but I'm sure we'll go on well past that. So I recommend, if you don't feel time pressured to get written comments in by that day, just submit them whenever you have them ready.

Yes.

GOVERNOR BEGAYE: The rationale for rotating the regional directors, what was the rationale? Mainly, we're looking like we educate a person, the specifics to Navajo; the mines, the park plants are -- not many tribes have those. In fact, I think two or three tribes have those, but not everybody has those particulars. And so, in rotating, each time one comes into our region, let's say, you go with this. We have to reeducate that person. The person will have no idea, not -- maybe even the meaning of Bonaire, our watersheds, our big river, all of those. So
we end up having to re-educate that individual. I just want to know what the rationale is for rotating the directors.

MR. TAHSUDA: So the rationale, you know, is sort of twofold. One is to let the regional directors get a feel for the other bureaus in the region. They get to interact more with them than they do now. It gives an opportunity to not create a new level of bureaucracy.

So I think that -- again, the bureaus will each keep, basically, their regional staff there. So the subject matter expertise that's created in those bureaus for each of them is not going to be moved out of there. And, really, whether it's a rotating basis or whether there's an appointee at some time that comes in to fill that spot, obviously, it's nice when they have some history and some understanding.

But their role is really not to be the subject-matter expert. Their role is to facilitate decision-making. So facilitating the -- you know, the conflicts in thought and conflicts in decision-making between the bureaus and with the goal, and they are supposed to -- they will be the one who will kind of crack the whip, right?

They will establish and maintain time lines for this decision to be made. They will make sure that the
two bureaus or the different bureaus are coordinating with each other from the very beginning. That's their role. Not really to have a deep subject-matter expertise, you know, each of the bureaus in that region. They may over time.

But I mean, right now, you know, part of the management concepts for all the bureaus, and one of the reasons that all of the regional directors across the bureaus are SCS certified is that, they're supposed to be management experts, not subject-matter experts. And so, conceptionally, you know, you can move them to a different spot where there is a management need. That was the reason for creating the SCS was that they would be management experts who could kind of go to trouble spots where there was a management problem, not necessarily any kind of expertise problem.

And so, this kind of follows that same trend even at a higher level, I think. So, again, the idea is to keep, for all the bureaus including BIA, is to keep in that region, the resources, the expertise, that there. We're not moving staff out. We're not moving offices. That would all stay there. It would just be at this very top level, a guy who will facilitate this communication, coordination, and, ultimately, decision-making, amongst the bureaus.
But, again, that's why it's really focused on those three primary functions. Again, those are the ones where we have a lot of crossover in decision-making. Ones that don't fall into that, the regional director for us in that region, will still be coordinating that decision, as they are now.

MR. TAHSUDA: So, again, we can consider written comments.

Here is the list of the consultations that we have set up now. Obviously, we're here today. We go to Jackson Rancheria in Jackson, California. Last week, we had one in Michigan, and one in Billings. And after this week, we'll take a few weeks' break, and hit it back again at the end of July.

So our intention with this is that this not be the consultations. We want this to be sort of introductory consultations. Getting the ideas out there. I know that it's been a while for us to kind of get through this map process, and get our own answers internally how we think it could work potentially.

So I know that there's been a lot of questions, and it's often a difficult decision for us, you know, when to come out for consultation. If we come out too early, we're kind of wasting your time because we don't have enough information to impart to you.
Obviously, if we get way down the road and we come out, and you feel like there's been too many decisions made without your input. So we're trying to find that sweet spot. That's why I want to highlight a couple of things. Really, we're very early in the process. And so, getting your input into this is essential.

We get through these -- actually, we get into -- starting up later in July, we'll give some thought to additional consultation locations, et cetera, and probably starting in September, we'll start a new round of consultations in some different areas.

I know some tribes -- some of these locations are a distance for tribes, even in their current region. So there's more coming on that. We'd like to have more discussion.

I, also, want to make clear that the secretary has made this commitment to Indian Country. He's made it publicly. He's met with individual tribal leaders, that the ultimate decision as to whether the BIA will participate in this new unified regional structure will be the tribal leaders' decision. That will be your decision.

So if any Indian Country of ours doesn't want the BIA to participate in this, we'll keep the BIA out. If any region -- we've had a lot of good discussion with the
Great Plains tribes. We may have a region like that in which they do want to participate in this unified region. So we'll figure a way to work through that where the other BIA regions are impacted by it.

Now, the rest of the bureaus are going to do this. So there's no question for those bureaus, and for the governors and other folks that they interact with. This is happening for them. They will be in unified regions.

So if we get to the end of our consultations, and the sort of consensus of Indian Country is you don't want to participate in it, then we'll have to have additional discussion about how we will continue to have some effective coordination from the BIA to the other bureaus who are now going to be coordinating more closely in these unified regions themselves, which won't include the BIA as part of that. So we'll have to have that discussion, if that's the decision by Indian Country down the road.

I think that's it.

So, Governor, did you have a quick question?


General question. But you must have anticipated my question, John.

The general question for all people that are
involved, especially the tribes, is has the Bureau bought into this, the BIA? Have they bought into it? And just by virtue of the number of things that are coming from the original DOI approach are being consulted. And so, if you've bought into it, then that's what you're selling. If you haven't brought into it, you somewhat answered it, that if the tribe decides they do not want to go this route, then it's another level of go-round of improvement for what services are provided for the tribes.

And so, you somewhat answered my question before I asked it, so thank you.

MR. TAHSUDA: Thanks, Governor.

That also brings me to another point before I turn it over to you guys is, as I mentioned at the beginning, there's a lot of stakeholders affected by this. And so, the Department has, you know, solicited input from all the stakeholders that the Department interacts with.

At the end of the day, we have to have -- we have to have a buy-in by the external stakeholders, in particularly, folks like state governors, et cetera, tribal leaders; Congress is a part of that. We also have to have buy-in internally, and you're absolutely right; our employees have to be committed to this as well. They have to understand that it's a good idea, it's something that's good for the future of the Department.
And I say that because we understand that this doesn't happen quickly. Even just doing these unified regions and sort of laying over this unified command structure over the top of the regional bureaus and the bureaus' different regions is probably going to take five years to have to get it implemented. And that's just that.

If the reorganization went further, and the bureaus wanted to look at sharing services, co-locating some offices, which is working really well. We have a couple of places that it's working really well. We have California, Sacramento, our regional office is in the same building, literally, as, I believe it's Fish and Wildlife and Rec.

And so, even without this formalized process and having this regional director that will force communication, they have great communication there because when it's a priority for our regional director out there, and she's not getting -- and her folks aren't getting any answers from the Fish and Wildlife staff that they're trying to work with, she just runs across the hallway to the Fish and Wildlife regional director and says, "Hey, I need some help with this. Can you get your guys?"

And they do it. So this kind of co-locations in the future could also, you know, contribute a lot to
better coordination and better decision-making across the bureau. So that's down the road. That, could take years to implement as well. And we have GSA leases that, you know, we can't get out of. I mean, there's a whole host of other things that come with that.

So what I'm say is this is a long-term process. The secretary understands that. That's why we're trying to get buy-ins from all of the major stakeholders involved, because if our employees haven't bought into it, it'll be hard to get it implemented, frankly, right?

I mean, we have to have their commitment to it as well. So we're working hard to try to get that information. As I go around the country, took the opportunity when we were in Billings last week to meet with our regional staff, and tried to answer all their questions about: how this impacts them or doesn't impact them, you know, questions that they have as well.

And I have to be honest with you; I don't think we've done as good a job as we could talking to our staff, our employees. And so, we're trying -- I'm committed to stepping up and trying to get more information out to our employees to answer their questions as well.

Do -- I'm sorry. Let me ask this: Do you want to -- I'm done with the slide show presentation. Do we want to kind of go down the list of tribal leaders, so all
the tribes can get a chance to get their comments on the record, or do you want to just kind of go -- whoever raises their hand?

MR. JAMES: Well, John, before we do that, there's still a number of people out there that want to come in. We're kind of maxed out here. We can slide that wall open.

MR. TAHSUDA: Okay. If you don't mind, why don't we do that? We'll let more folks come and participate. And we'll take about a 10-minute break, get that wall open, and allow more folks to come in and participate as well. Thank you. All right. We'll take a 10-minute break.

(A break was taken from 10:12 AM to 10:20 AM, and the consultation continued as follows:)

MR. TAHSUDA: Thank you. I'd like to proceed with letting tribal leadership get up and make their formal comments on the record.

GOVERNOR CANDELARIA: I'd like to take this time to acknowledge some of my staff. They walked in early. Bruce Garcia, tribal administrator; another tribal administrator right next to him; and two of our interns that are tribal interns, and another one sitting back there.

MR. TAHSUDA: Thank you, Governor Candelaria.
So I'd like to start off with Governor of the Pueblo of Laguna.

GOVERNOR SIOW: Again, good morning to everyone, Mr. Tahsuda, Mr. James. Thank you for providing the information you did this morning. Good morning to everyone. I'm Virgil Siow, I'm Governor of the Pueblo of Laguna. Our pueblo is very concerned about the proposed reorganization of the Department of Interior and the impact it could have on our pueblo.

In May of 2017, the Pueblo of Laguna submitted comments to Secretary Zinke after receiving notice that it was his intention to reorganize the Interior. We ask simply that the secretary do no harm as we did then and we're doing today. We respectfully ask that the secretary carry out any reorganization, keeping at the forefront of such an effort of the federal government's trust responsibility to Indian tribes and Indian people.

Previous administrations have initiated multiple reorganization efforts at the Bureau of Indian Affairs. Without exception, our experience with these efforts have been loss of services and funds to carry out the functions of BIA and, particularly, loss of resources and services to tribes.

It is clear that, once again, the primary focus of the reorganization drops Indian tribes and Indian
individuals below other concerns. Interior's focus on improved service to the American people in recreation, conservation, and permitting, demonstrates that addressing continuous obligations, the tribes are entirely absent. Focusing on recreation, conservation, and permitting, detracts from Interior's mission of respecting and supporting tribal sovereignty. There is no mention of fulfilling the United States federal trust responsibilities to Indian tribes and Indian individuals on how the Interior's reorganization improves or upholds its responsibilities. Interior proposes to bring nine bureaus under 13 unified regions, each with an interior regional director who will focus on three indicated functions. There is no mention of the federal trust responsibility, and how that will be carried out. Even more concerning is the fact that the only mention of Indians in this plan is to support tribal businesses on or near other public land, and what does that really mean? Some of our more specific concerns include, number one, the defined primary functions of Interior do not adequately address how the decentralization of nine agencies will consistently uphold the trust responsibility to tribes. In particular, the BIA covers a much broader range of trust responsibilities than land. From the
health and welfare of our people, to educating our children, how are those responsibilities to be covered by this reorganization?

Number two, BIA currently has its Southwest regional office in Albuquerque. This location is important to the 20 pueblos and other tribes located in this current region. More importantly, moving this office out of Albuquerque will severely impact our pueblo's interaction with BIA's regional staff, particularly with respect to our water rights.

We are in active negotiations and litigation, and rely on the BIA Southwest's office staff to meet and assist us on almost a weekly basis. Our experts live locally as well. The cost to fly everyone to the outside office of New Mexico will be prohibitive. There is also concern that the BIA staff we rely on will not have the funds available to travel to assist us. This water rights lawsuit could continue for the next 10 to 20 years, and even if settlement occurs, it will take just as long to finalize any settlement.

Number three, consolidating Interior, bureau and agency staff in faraway sites, will hinder the relationships tribes have developed with the local offices that currently serve them. Expanding the regions so far and wide would impact the level of service a regional
office would be able to provide. The needs of Wyoming and Colorado are not the same as the needs of New Mexico. How will these needs be prioritized?

Number four, even outside of the BIA, the practicality of sharing resources across vast areas is unworkable even within the Bureau of Land Management. The focus is very different. For example, the Casper field office is largely focused on coal, methane, and oil production. And Utah is focused on raising issues.

Water availability in the upper Colorado basin proposed region is significantly different than in the south of that region, and currently, very different here in New Mexico. These complexities don't fit the one-size-fits-all service delivery system, and most importantly, will result, as before, in reduction of services to Laguna and the other pueblos and tribes.

Number five, because a proposed reorganization of this magnitude will take place over more than one administration, we anticipate increasing this functionality as subsequent changes to the initial reorganization plan are made. Interior programs and services that implement federal trust responsibilities will be adversely impacted because of continued lack of consideration.

This does not take into account the disruption to
other federal and state agencies as they try to figure out where and with whom they should be interacting to address issues. This will disrupt the operational efficiency across all levels of government.

Number six, how will funding be allocated among the regions? Will it be equal, or what is the proposed criteria for allocating the funding? How will funds for tribes be impacted, including the funding for 638 programs?

We predict that, as with previous reorganization plans, tribes and Indian individuals will suffer yet again. The shopworn adage that BIA will do more with less has never benefited Laguna or any other tribe.

Number seven, our pueblo believes that if Interior proceeds with this plan, all BLM lands should be ceded back to the tribes where BLM lands are located within a tribe's exterior boundaries or adjacent to such lands to avoid direct impact from Interior's primary focus of permitting. This would also avoid some of the operational issues for that particular agency.

Number eight, we are concerned that tribal preference for staffing within the BIA will be negatively affected. The current location of the Southwest BIA Regional office allows for tribal preference to work as it was originally intended because of the availability and
capability of the Indian workforce near this office.

What will happen if BIA is focused -- forced to move to a different state where these Indian individuals have no culture or family ties? Has tribal preference been taken into consideration, and what was the result of this consideration?

The Pueblo of Laguna has more questions and comments to provide, but in order to allow our sister pueblos and tribes to speak, we will be providing those comments in writing to Interior Secretary Zinke including, these comments by the August 15th deadline.

I want to know what Interior's plan is for viewing comments and input from your various listening sessions, and whether our comments will be seriously considered. How will the tribes receive feedback? Will there be actual consultation after input has been received from the tribes?

I thank you again for listening to the Pueblo of Laguna comments.

MR. TAHSUDA: Thank you, Governor.

President Begaye, I think I have you on next.

PRESIDENT BEGAYE: Thank you, Mr. Tahsuda and also, Jim James. Thank you.

The -- I just want to say thank you for the opportunity to speak here at this listening session, and I
hope that my words and words of the other tribal leaders will have an influence on the reorganization.

As you know, the BIA was born in the war department and has been around much longer than the Department of Interior. The BIA has a very different purpose and mission than the rest of the DOI, and tribes must be included in any plans to reorganize the agency.

Because this has such an impact on the Navajo Nation, I reiterate my written request, to hold a listening session on Navajo Nation. I sent a letter on June 8, 2018, requesting a listening session on the Nation within our four sacred mounds, so that our people could participate. Since the letter has not been -- has not received a response, I'm here to make sure our voices are on record, once again.

It has been just more than one year since I first spoke at a listening session on this topic. On June 1, 2017, I spoke at the BIA listening session on reorganization in Phoenix, Arizona. After that listening session, I made many recommendations. Some I will make again here today, since there has been little change.

Last year, I thought this was an opportunity to modernize the BIA and better serve our Navajo people. A year ago, I was optimistic. I said we could use this opportunity to modernize the way BIA handles these issues.
One, energy policy, giving tribes more authority over our natural resources. Today it's still driven by state interests and large corporations.

Technology utilization and modernize the technology in the BIA, so we can communicate with less paper and faster. Workforce development, where we train our people at the BIA for the jobs of the 21st century: scholarships, BIE, teachers, and facilities are still needed, and the scholarships should not be cut out of the BIA budget, period.

Modernize funding and move past the old Tribal Interior Budget Council model, national priority does not work because each tribe is unique and different -- right-aways -- and allow tribal nations to manage and approve our own right-aways, instead of waiting for others and especially the process that we have to go through at BOR and oftentimes, at BLM.

Consolidate functions of other bureaus, transfer Bureau of Reclamation and Bureau of Land Management authority and budget to Navajo Nation, as we are doing with the Navajo Nation Bureau of Indian Affairs. As to transfer road construction from BIA to the Navajo Nation, getting direct funding from the federal highways. And we're saying the same thing: Transfer all authority and budget from BOR and BLM to the Navajo Nation, because we
can do this ourselves. If we transferred it into our Division of Natural Resources, would be a start.

Unfortunately, the recommendations I made back a year ago, were not included as the DOI put forth a map without any tribal consultation. Nowhere in my comments did I recommend breaking up the Navajo Nation region. I'm extremely disappointed in the current map that tries to break up the Navajo Nation region.

The proposal to break up the Navajo region is backwards, and instead of streamlining operations, it will create bottlenecks for operations. These bottlenecks will not only negatively impact Navajo Nation, but the proposal will create more bottlenecks for other tribes who are forced into our region. Simply put, the proposed map is going backwards, and does not move us into the future.

And we also oppose the take-it-or-leave-it approach. Secretary Zinke has said before Congress that it will be up to the tribes if they want to participate in the reorganization. Deputy Secretary Bernhardt said the same thing two weeks ago when we met with him. I'm here to say that the take-it-or-leave-it approach is wrong, and is anti-tribal sovereignty and anti-tribal self-determination.

The current map not only splits the Navajo Nation region, but the BLM and BOR regions we work with. We see
the decision-making that usually is made differently in these regions during the Gold King Mine spill, and we know by that experience, that splitting the region harms our ability to respond to urgent problems. We also know that the Navajo area is unique, complicated and larger than some regions already proposed.

As you know, we have our own court system. We have our own police force. We have our own health system. We have our own education systems that are quite extensive. And so, the solution to splitting up the Navajo region is anti-Naabo capability to do -- or to determine our own future.

If the DOI simply adjusts these boundaries for the Bureau to keep Navajo operations intact, this will streamline our federal tribal operation. Therefore, I oppose the take-it-or-leave-it approach. I know we can do better.

Executive Order 13175 25 USC Section 2011 and 15-12DM2 all require meaningful consultation with Indian tribes before implementing agency action with tribal implications. This includes both, reorganizing geographic regions and reassigning agency leaders. These consultations must be respectful of tribal sovereignty, incorporate tribal concerns, and involve DOI officials who are knowledgeable and authorized for these actions.
DOI must not transfer BIA leaders, modify BIA regions or budgets or otherwise implement reorganization or these reassignments pending meaningful tribal consultation. In our treaty of 1868, we celebrated June 1. 150 years ago, we signed this treaty that explicitly requires a federal representative located in the Navajo region. On June 1, 1868, the Navajo Nation held a remembrance for the 150th anniversary of our treaty with the United States signed -- excuse me -- June 1, 1868. This treaty specifically requires our federal government to appoint an agent for the Navajo Nation. Article 4 of the treaty requires the federal government to keep an office open within the reservation at all times.

The treaty says, "The United States agrees that an agent for the Navajo shall make his home at the agency building, that he shall reside among them and shall keep an office at all times for the purpose of prompt and diligent inquiry."

If the map moves forward as proposed, they will split the Navajo region and force our government to work with multiple regions, multiple bureaucracies and even multiple tribes. This is a step backwards from what was promised in our treaty.

Also, the Bureau of Indian Education was recently reorganized based on whether schools are managed by the
federal government or Indian tribes that serve the Navajo people. The Navajo Nation Department of Education oversees one of the largest, federally-operated school programs with one-third of the BIE schools operating on our nation.

Services from the Department of Interior, Bureau of Indian Affairs, are provided to our schools. We need a functional analysis of the other services provided by the BIA. These areas are the five functional areas: School facilities and maintenance, which is intended to ensure our schools are in good condition; school construction, which the 2018 budget proposed 80.2 million for education construction; 52.8 million below the 2017 budget.

Funding focuses on facility improvement and repair just in schools. Available funding will continue completion of replacing mid schools on the 2004 school replacement list, and designed for the ten schools on the 2016 school replacement list.

The 2018 budget temporarily suspends funding for replacement schools and replacement facility construction programs, while the program focuses on effective management of the 2016 school replacement list.

School procurement is handled by the folks in contracting that work under the Bureau of Indian Affairs. They do 80 percent of work that is specifically for our
BIE-funded schools, from buying pencils to buses.

Roads impact school transportation.

Transportation is a great problem to our schools. A majority of our students travel long distance to come to the BIE schools, and roads are critical for their transportation. School IT funding is also within the hands of the Bureau of Indian Affairs. Many of our schools are still in the process of acquiring bandwidth that meets the demand of testing, and these are critical for students' learning.

In light of these concerns, there are questions being asked by our school boards and the BIE grant schools: How does this new organization of BIA interact with BIE reorganization? Who is in charge of BIE? All other questions, we know that the reorganization under the BIE changed the IT; so how does this impact our schools' access to IT? What happens to our procurement under the DOI reorganization? What happens to our facilities and maintenance of our schools? How does this impact the crumbling schools on the Navajo Nation? How does this affect the assurances of clean water of the EPA settlement? How will this impact the maintenance in roads for our schools on the Navajo Nation? And simply put, our school boards are asking, where do they go for help today?

The DOI reorganization, BIA leadership,
assignment must only advance Indian interests. Any DOI reorganization or leadership reassignment must advance, rather than impair DOI's core trust responsibility mission, but these actions will not improve DOI work to address tribal needs, manage Indian trust assets, and increase economic opportunities.

These agency actions require cost benefit analysis relevant to Indian tribes. Experienced agency leaders are vital to management success. Also, any cost savings must be dedicated to improve fulfillment of trust responsibilities. These agency actions must advance Indian sovereignty, and not impair Nation 638 contracts, or their agreements and relationships with other relevant DOI bureaus, like the BLM, BOR, the Fish and Wildlife, NPS, ONNR, OST, and the Geological Service.

Secretary Zinke should appoint an undersecretary for Indian Affairs per 25 USC Section 5633, to supervise and coordinate interagency activities and policies regarding Indian affairs.

My closing remarks: This organization could be a great opportunity to bring the old BIA into the 21st century. This could be an opportunity to not only streamline our work with BIA, but also, our work with BLM and the BOR. Unfortunately, by not listening to tribes, our federal government is missing an opportunity. The
federal government has already proven it will listen to
states when it redrew the latest maps.

We, as tribes, should be afforded the same
courtesy. And I just want to reiterate that by saying,
states do not have the best interests of the tribes in
their policy-making decisions. States do not have the
best interests of your tribal governments. Furthermore,
this should not be a take-it-or-leave-it deal. This
should be a deal to work together, to improve and
streamline the DOI.

Now, in the 150th anniversary of our treaty, I
urge you, do not break our treaty and do not split the
Navajo region.

Thank you, sir.

MR. TAHSUDA: Thank you, President.

President Holsey.

PRESIDENT HOLSEY: Good morning, everybody. My
name is Shannon Holsey. I'm the tribal president of the
Stockbridge Munsee Community. I traveled a really long
way. I traveled about 1,500 miles to be here, and I thank
you all, the southeastern Native brothers and sisters for
indulging me this morning.

Obviously, my words are not intended to be
adversarial, but more constructive. And I appreciate the
fact that you've said that there will be a continuation of
dialogue and ongoing transparency as we navigate this process. And, obviously, I appreciate the fact that the words that I have to offer today are through a lens of tribal sovereignty and those things that are interconnected.

The federal fee-to-trust process is of critical importance to the Stockbridge Munsee Community. It provides a means to regain a land base that can sustain the tribe. The Stockbridge Munsee Community could support changes to the fee-to-trust process that would speed and streamline the process, but does not feel the current rule-making process facilitates the process. The tribe, therefore, does not support this proposal.

The Indian Reorganization Act recognizes that tribes need land to be successful; and, therefore, authorized additional lands to be taken into trust status. While the tribe can accept that there needs to be an organized process in place to ensure that trust acquisitions are handled appropriately, the system should not be overly burdensome on tribes and disvalue tribal interests in favor of local governments.

There is no reason to add waiting periods for trust acquisitions, new requirements for historical connections to the land as a part of off-resident acquisitions and consideration of the economic benefits to
parties who are not tribal.

   The process needs simplification as well as funding to ensure that the federal government staffs can pay necessary attention to it, since it takes years to put land into trust. For example, the Stockbridge Munsee Tribe has had two applications complete on the fee-to-trust process in 2017. One application took 9.5 years, another application took 8.5 years.

   Prior to those applications, the tribe had not had land taken into trust since 2011, and that application took 11 years to process. The tribe currently has five applications at various stages of the appeal process. These applications have been pending for about six years so far, and some are still waiting for a decision from the regional office decision before opposing local governments would have an opportunity to file an appeal with the Interior Board of Indian Appeals.

   Instead of the current proposal amending the fee-to-trust regulations by placing more obstacles in the way of trust acquisitions, the Stockbridge Munsee Tribe feels the process should be streamlined and appeals processed more quickly. For example, appeals could be limited to one level of administration as compared to some tribes having to go through two layers of administration appeals before the issues appealed into federal courts.
This would help to protect tribes when local governments frivolously appeal as a way to game the system simply to delay trust acquisitions.

Similarly, the tribe supports the expansion of a categorical exclusions, CATEX, that is currently being discussed. Including the addition of a CATEX that would allow tribes to undertake conservation improvements while lands are a part of the fee to trust application.

Delays in the fee-to-trust process have real consequences for the tribes and its members. Tribal members who live and work on the reservation are not required to pay state income taxes. However, until the land is taken into trust, these same tribal members are being taxed. Similarly, a tribe may be providing local services like policing, fire protection, social services, and road maintenance prior to the land into trust, but it still has us pay property taxes as well.

Delays also increase the time period when there is more potential for jurisdictional conflict. These issues with the fee-to-trust process are not addressed by the administration's current proposal, nor are Indian Country's concerns being taken into consideration with the proposed BIA reorganization. The administration has yet to present any information substantiating the efficiencies to be gained or the greater protections of treaty rights.
or the furthering of federal government's trust
responsibility that will be accomplished by the proposed
restructuring.

Quite the opposite has occurred thus far.
Tremendous resources are earmarked for this exercise while
the continual reshuffling of dedicated federal employees
have resulted in costly delays and inaction of the BIA on
fee to trust applications -- contract review and approval,
ordinance review and approval among many other core
governmental functions.

The one thing that is clear from this
administration's action is that Indian Country has been
returned to being viewed as a problem for local and
federal government operations. This administration's
approach toward this problem appears to be one of
undercutting tribes. It proposes diminishing the role of
tribes by building in local government roadblocks to the
fee-to-trust process, and by proposing drastic cuts to the
DOI Indian Affairs budget by 20 percent, all while
scattering dedicated civil servants throughout the various
regions where there are no relationship knowledge base by
which to efficiently operate.

This may be an interesting management regiment
change exercise for the administration to undergo while it
chases its goals of reducing the size of the federal
government. However, tribes are left paying the price for this experiment while the needs of their memberships go unmet. There are very few details of the reorganization plan, but it is clear that the BIA functions are far from the focus.

The three primary functions stated in the DOI presentation on reorganization prepared for consultations are: Recreation, conservation, and permitting. It is clear how these primary functions fit into the administration's overall goals of opening federal lands to hunting and energy production through the elimination of bureaucracy. But there is no clear correlation to Interior's mission of respecting and supporting tribal sovereignty.

Quite the opposite is true. The organization and the administration's actions do not support tribal sovereignty by supporting tribal self-governance. Furthermore, moving ahead with this consultation when there are no details to comment, does not respect tribal sovereignty, the government-to-government relationship, or the federal government's trust responsibility.

Finally, all this is happening without the confirmed Secretary of Indian Affairs despite rapidly approaching the mid-term elections for this administration. Indian Country deserves to have this key
position filled before such changes are contemplated, much
less implemented.

I implore you to pull back this reorganization
plan, and once the assistant secretary is confirmed,
meaningful consultation with Indian Country, to learn what
efficiencies can actually further DOI's mission of
respecting and supporting tribal sovereignty.

The era of telling the Indians what is best for
them instead of asking them how to support their self-
determination is an era best left in the past.

Thank you.

MR. TAHSUDA: Thank you, President Holsey.
Governor Chinana.

GOVERNOR CHINANA: Good morning. My name is Paul
Chinana, governor for the Pueblo of Jemez. We, as a
tribe, a sovereign tribe, we have a right to go to
Washington D.C., and speak to the Department of Interior
or any of their federal agencies, maybe in housing,
transportation, any one of the other programs we are
challenged with in the Pueblo of Jemez. And with this new
reorganization that we're talking about, or that we're
proposing, do we have that same right with that, or do we
need to first go to the Interior regional director, and
where are they going to be?

And then, you were stating a while ago that after
we talk to the regional director, we state our comments, needs, and then, we go to the deputy director. So does that mean after all this -- all these meetings with the proposal that we're having now, do we have that same right to go to any one of the departments in D.C.?

And those are my comments right now. I had a written comment that I wanted to submit, but I don't have it with me now, so we still are working on that. So that's all I need to say for the time being.

Thank you.

MR. TAHSUDA: Thank you, Governor. And I can answer your question real easily. You have an absolute right to exercise your government-to-government relationship and come to speak to any government official in D.C. or anywhere.

MR. TAHSUDA: Governor Vigil.

GOVERNOR VIGIL: Good morning, again.

First, I'd like to say, you know, this information should have been provided early on for my review. And I would echo the leaders that have come forth. You know, from the Pueblo of Tesuque, we've got many different projects. One is our water infrastructure through the Aamodt Water Rights Settlement, and our relationship between the Bureau of Reclamation and the tribes have been so disconnected that, I know for many
years we, as Aamodt tribes, have been in conversation.

Now, with the change of this administration, now we're having to teach all of these new staff members that are on board, and it's taking us to the same direction we started. And, again, the evaluation of the appropriation picture for our water rights. And the administration really don't see that perspective. We've been in interaction with Mr. Mikkelsen, his staff at the Denver office, encouraging Secretary Zinke to understand the relationship with working with tribes. Bureau of Reclamation is just one agency that we'll be facing.

The next agency is the Bureau of Land Management. Again, having to be kind of on the safe side, as tribes, to where the dialogue is not being understood for, again, the trust responsibility of these entities are very critical.

On to the land base of my community: we have 17,000 acres: Pinon, Juniper, and then, of course, forest properties. Our Department of Natural Resources have been heavily involved in the RTL process. And just to kind of showcase our relationship with other federal state agencies, we entered into a Memorandum of Understanding with Santa Fe National Forest, the understanding that these are aboriginal lands of our people, that we want to showcase to those agencies that we are effective in our
forestry management perspective.

In this relationship with Santa Fe National Forest, now we've engaged with what they call the Chica Project which is adjacent to the exterior boundaries of our reservation, to where, again, just naming a few of these bureaus. The mindset in D.C., how can we transform having to work with people here at the Southwest Regional Office, to where, again, they're homegrown. They know our communities. They come from our respective tribal communities. And I hope there's not that distortion with our employment with our people. Because they set careers here, and all of a sudden, we're going to assume that we're going to put out the magic wand and get rid of these people, that we're going to bring other people maybe into the area.

And the uncertainty is the transformation. What if Southwest Regional area gets closed? Now, we, as tribal nations here in the state of New Mexico, have to travel to other areas to have a dialogue with the regional administrator. And I think in the framework of what you're detailing, you should provide an overview of the current bureaus, its capacity in working with Indian Country more specifically here in the Southwest Regional Office. That would tailor the pros and cons of how that bureau is truly working with Indian tribes.
And, again, the bigger picture: How do we look at appropriation working with this Congress, working with this administration? We've already seen the negative impacts by this administration, cuts in all areas of Indian programs. So truly, do you call that trust responsibility of the federal government?

And, for me, it's a disconnect because if we're going to be having these consultation meetings, we, as tribal leaders, should be engaged with decision makers here within the Southwest Regional Office. Because normally, what's going to happen is, they've made the decision without our input, that we're now, we're going to be told, "You're going to have to address these matters in this type of fashion." Yet, we, as tribes, we're necessitated in how we deliver our services locally.

And as a tribal leader, when you're looking at the Bureau of Indian Affairs, BIE, any other federal agencies, look at its budget framework. What's the best budget framework that we can work with? You know, for Tesuque being a very small tribe with almost 550 members, 17,000 acres, our need is as great as anybody else. And that's where it puts the Pueblo of Tesuque in a disposition because we have to work with pennies, and that's why it ain't for us and the Pueblo of Tesuque.

We went out to create partnerships, to look at
the allocation of funding, to where things are progressing because of our collaboration with other federal state agencies. But you're looking at the primary concerns about public lands. We, the Tesuque Tribal Council, have always been in the forefront here at the State Roundhouse, because legislatures are introducing bills that will likely develop public lands into state lands. The impact is culture properties.

Recently, we had an interaction with the Rio Grande Commission. They shared that we're not going to no reservation, but realize we were the first people that inhabited this land. So all our local communities, we shared this land since time in immemorial. And for somebody just to say, "Well, this trail's not going to affect your reservation." It is, because of the aboriginal perspective as Native people. And that's the mindset for a lot of people.

And that's where in conclusion, in this presentation, hopefully, you'll give us that framework of understanding these bureaus. And truly, as for the Pueblo of Tesuque, we validate that, to where how effective have these bureaus been to the Pueblo of Tesuque, likewise, my sister communities? Because as Governor Siow mentioned, this fit doesn't fit one tribe only. We're diverse. Our priorities are different.
So with that understanding, hopefully, you can get to talk to Secretary Zinke, that he be more proactive in working with us, tribes. Because remember, having realized that we were the first inhabitants of this nation, to where a visit out to Bluff, Utah, a gentleman from the Ute Mountain made a comment: How many of our Native American men and women served the country? They stand right before the United States flag for their honor of serving the United States. Yet now, as tribal nations, the giving of their lives are now still being suppressed. So that's another insight that leadership in D.C. better understand, that many of our men and women have been involved in armed forces, and many of them are now tribal leaders in our respective communities.

So with that, thank you for allowing me some time to share my thoughts, and we'll follow up with a written document. Thank you for your time. I appreciate it.

MR. TAHSUDA: Thank you, Governor.

Governor Ortiz.

GOVERNOR ORTIZ: (Native American.) Thank you very much, and good morning, again, Assistant Secretary Tahsuda and James. Thank you for giving us this opportunity here today, that you made your trip down here to New Mexico.

And a lot of concerns that we have as tribal
leaders of the reorganization of what we've been -- already this morning, and I have concerns about that, as a tribal leader, too, as well as what was already spoken before me.

The Department of Interior must meet all considerations with legal and moral obligations as the federal government has to tribes. As presented, tribes seem to be an afterthought in the reorganization. The current administration has shown by their actions at Standing Rock, and through the budget cuts, that they did not understand or respect the political relationship the federal government has to Indian nations.

From the limited information available, Department of Interior reorganization does not take into account the 562 federally-recognized tribes, but red lines are being drawn to benefit industry.

Combining Navajo Nation, Ute pueblos into one region will not benefit or better serve any of these populations, as the structure, capacity, government operations and priorities are different. The functions of the Department of Interior directly affect tribes and the lives of individual tribal members.

Education, religious practice, and values -- ancestral tribal land, protection of water, people and NAPPR -- while improvements are needed to allocate how
Department of Interior agencies uphold their trust responsibilities and provide services to tribes, cutting funding, instead of redrawing lines with no consideration to the tribes within the regions. And further, opening public land, which is ancestral Indian land, industry will not improve the lives therefore of Native Americans, and therefore, will not meet the stated goal of improving services for the American people.

With that, Assistant Secretary Tahsuda, as I said earlier, I have a lot of concerns about reorganization. And I know and I understand and I've seen the document talking about, long overdue, that needs to be reorganized, 150 years. And then, the whole purpose, I would think, is the way I perceive this, is cutting down on staff, not spending that money from the federal government.

But what does that do to us? 150 years, and where are we at right now? Our population is growing, and why do you have to reduce staff? And then, as I spoke earlier about combining the Navajo Nation, the pueblo Indians, we have almost similar concerns, but there's ways of us handling those matters in a respective way, in a different way.

So -- and then, with all the experience here, and I hope that nobody in here takes anything of my statement here in any defensive way, but we're experiencing a lot of
negative challenges faced with that from the BIA. Talking about law enforcement. San Felipe's one of the traditional pueblos, which we have not gone into 638 law enforcement.

   And I spoke earlier about switching people or sending people around or detailing them, that's the experience that we're facing with BIA law enforcement. Once the tribe is comfortable with one of the head staff or the Department of Law Enforcement, then they get detailed out, then we have to educate them again, whoever comes in new. We have to go start from the bottom and educate them about our concerns. Because there's a lot of places and a lot of things that, you know, within our respective tribes, that are areas that were -- which some of the people should not be, and the BIA are aware of that.

   And I know I spoke earlier about reconnection. We're faced with that, a lot of challenges. And it's sad to say that -- you know, that it's happening. And everything that's having to do with reorganizing, changing ordinance, policies, amending -- the way I perceive this is it leads to breaking of Mother Earth, having to do with drilling for oil and gas. I understand the need to bring in revenues, but should you have to take the frac on mother earth?
Because what I have learned in Dallas when there was an EPA gathering there, one of the tribal leaders from Oklahoma, himself, gave us information about what all initiates earthquakes. And he spoke of that, and they've experiencing a high volume of earthquakes recently. So he had asked us tribal leaders if they had came to us or brought to our attention about any of the events, to not accept that.

So with that, we are very fortunate, I would say within the New Mexico area. We are still able to survive in a way where our people are protected. And looking at all those disasters around us, our neighboring states, you know, they've been impacted negatively with all those disasters.

And talking about reorganization or amending or changing policies, my other concern is the U.S. waters. Same thing, that policy, that ordinance, is working for us the way it is. I don't see why it should be changed or amended. If it's working for us, why change it?

So thank you very much for giving me this time, and then we will be forwarding to you in writing our comments from San Felipe. Thank you.

MR. TAHSUDA: Thank you, Governor.

Governor Garcia.

GOVERNOR GARCIA: (Native American.) Good
morning, everyone. Joe Garcia, Head Councilman of Ohkay Owingeh.

I want to start off with a preliminary thought, and it goes all the way back to 2017. Executive Order 13781 -- President Trump signed Executive Order 13781 calling on federal agencies to examine ways they could reorganize to improve efficiency, effectiveness, and accountability.

Now, in my mind, if you're going to improve, you need to know you've got to have two assessments of what the organizations are doing. I see nothing like that available to the tribes, not from DOI, not from BIA. Now, what's sad about the BIA part is that BIA has been working on a strategic plan for five years, for four or five years. And in this strategic plan, it didn't say we're going to reorganize.

So the effort -- this effort is a blind effort, if you will, and it also says in the response to this executive order, Secretary of Interior, Ryan Zinke, announced his vision to divide the United States into 13 regions. Now what's true is that he is promoting division. He's promoting division between the states and Indian Country, and that's uncalled for.

But it also says, "his vision." Never mind the vision of the Indian people, never mind the vision of
Indian Country. We are all part of this. We are part of the United States. And those are actually right from the very get-go of the executive order, so it's an odd place to start. And so, we need to put that on record for Ohkay Owingeh, anyway.

The consultation sessions are in order, but it began this year. There was a lot of input provided from tribes from last year, but the official consultation sessions started this year, so that's what we're doing now.

Now, details, are there any proposed reorganization plans? Are there details to the plan? If there are, it would be nice for the tribes to see them. What we're seeing is a piece-meal approach that doesn't include all the assessments, doesn't include what are the weak areas, what needs to be improved, what needs to be changed. Instead, we're seeing a message just to reorg, with the reorg as the defining guideline, and that, I think is wrong.

Most of the things that we've heard are mostly ill defined, and does not have clear goals. And on the goals, you said those three items that were presented on the presentation. And in that presentation, tribes are not even mentioned.

The trust responsibility of the United States
government via the Department of Interior via the BIA. There's not a mention in there. We should be talking about health, education, welfare, water rights.

And, John, you said that water rights were not a priority. Well, we've been fighting water rights for as long as the United States exist, and why it would not be a priority is beyond me. It should be a priority. There are a number of cases still, and a number of tribes have already mentioned that.

The proposal does not include information regarding regional hub locations, where the regions will be, the location, how the potential to dilute tribal input, impact on how tribes access and influence the tribal government could create all kinds of imbalances of the tribal representation.

The proposal also does not include how each of the bureaus will be reorganized as for personnel and positions that impact tribes. It's not grayed out anywhere. And how will the reorganization affect the prioritization of skills and accountability for tribal programs?

And from what we've seen, the plan does not appear to address issues relating to interbureau conflict of interest. And so, we're talking about the number of how many bureaus in the Department of Interior. There's
potential conflicts, and there are continued conflicts. And that ought to be in the weakness side of the assessment had you done the assessment.

How will the Department address intertribal departmental challenges? There's always a challenge as it is, but how to improve those challenges should be in the assessment as well. It does not have how the Department will manage overlapping organizational structures within DOI or within other departments like Department of Ag, IHS, and others.

How will the suggested reorganization specifically enhance the mission of each bureau? And for Indian Country, the BIA mission, is the one we're probably interested, but when it leads to other lands, like Bureau of Reclamation, other bureaus within the Department are just as important.

The impact to Indian Country of this proposal, the Department currently has 2,400 operating locations, and about 70,000 employees. I think you said that. But, in addition, the shifting from regional and state boundaries to a system based on eco systems and watersheds, it will result in thousands of positions being relocated, and the elimination of potentially 4,000 or more full-time employees. And not to mention the number of federally-recognized American Indians and Alaska...
natives that will be impacted, and that's over three million.

In our assessment as well, the reorganization plan is experimental and lacks review. The changes proposed by Secretary Zinke are untested and may not work, and who is to know if they'll work or not, if you don't have a plan to follow, if there is no real assessment that is done. You need to match the plan for moving forward with the assessment, and that's not in place, that I know of. And to rush to implement denies the public, and in our case, the tribal governments, the opportunity to adequately assess the proposal.

So what I've already heard this morning is that we're suggesting improvements in specific areas, and in a reorganization all those areas should be included in how the plan is to address all of those areas, but as we move forward, it's not happening.

One thing that hasn't been mentioned -- maybe to some extent it has -- is cost. The proposal will be very, very expensive. And I have a comment or a statement from Lynn Scarlett. She used to serve as a deputy secretary of Interior under George W. Bush. Political costs, practical costs, and people costs accompany reorganization as envisioned by Secretary Zinke have ranged as high as $1 billion dollars. So somebody's going to foot that bill if
this reorganization takes place. Where will it come from?

Tribe needs to protest that it ain't coming from BIA.

Although lacking Congress approval, here's the
funny part -- that there's supposed to be Congressional
approval when reorganizations of the functions and
initiatives that are in place especially for the
reorganization have to really be -- permission has to be
granted. And with permission not granted, they're moving
forward with it, then that's another problem, and may lead
to a lawsuit, so we don't want to go there. And despite
tribes repeated requests for materials, data, facts,
plans, and insight regarding the administration's plan to
reorganize the DOI, the secretary chose to ignore tribal
appeals and proceed without benefit of tribal
consultation.

We started that now, but this is talking about
the lack of tribal consultation. But that was -- you
know, the whole effort dated 2017, that was last year,
over a year ago. And so, here we are, another year ahead
and gone by, and so, we need to worry about what we're
-going to do next. And I think the information flow to the
tribes regarding the plans have to be a lot more specific
than what they are. And so, that's a suggestion and
recommendation that we make at Ohkay Owingeh. They need
to be available either on a website or through information
flow to the tribes and to tribal leaders.

So with that, I thank you, and also want to relay that yesterday we had our annual feast day at Ohkay Owingeh. And so, many blessings to go out to you, John. Jim, you were there.

But also, blessings to all of the people here today from Ohkay Owingeh. (Native American.) Thank you.

MR. TAHSUDA: Thank you, Governor.

I think I have Speaker Bates. Are you ready to speak?

SPEAKER BATES: Good morning, gentlemen. Good morning, other Indian nations. Welcome each and every one of you here this morning to a very important item that impacts us as nations moving forward.

First of all, I'm Lorenzo Bates, Speaker of the 23rd Navajo Nation Council, the governing body of the Navajo Nation. I have before me, a resolution that was approved by the Navajo Nation Council, CAP-40-18.

And I'll leave this with you. It reads as follows: Relating to the emergency for the Navajo Nation objecting to the reorganization of the Bureau of Indian Affairs, as planned by the United States Department of Interior, particularly as it affects the Navajo Nation, and objecting to the failure to observe the government-to-government obligations required of Bureau of
Affairs, in particular, and the Department of Interior at large. So I'll leave that with you.

But at the end of that resolution, the position of the Navajo Nation, as it stands now is we are against the reorganization as presented. And until something, other than the way it is, the Navajo Nation Council will continue to be against the reorganization as it is now.

So let me start off with several questions. I understand that the reorganization is due to the overlapping and inefficient National Environmental Policy Act. And if that's the case, then why not revamp only the DOI and EPA process, instead of the entire DOI reorganization?

Second question: What is the projected cost? Leadership from before spoke to one point, $1.7 billion and to the Indian Affairs for the planned reorganization. If it is such the amount that was put out there in excess of 1.3 million, I can envision that as having a ripple effect down to Indian Country. Dollars are already competitive enough as it is. And with that added cost of 1.3, that ripple effect, in terms of dollars that would otherwise go to Indian Country, is going to be reduced. It is already been reduced, as we speak.

Next is treaty tribes. There are 370 treaty tribes out of 573 recognized tribes across the United

States and into Canada. Treaty tribes have a special, if you may, for lack of a better word, association with the U.S. government. With what has been presented thus far, how do those 370 treaty tribes -- how are they going to be affected?

Now, let me speak to the Navajo Nation. All of what you have presented, the Nation has gained its own authority through having its own region for land leasing, business site leases, plus, we don't need the federal and EPA. And how will the federal trust responsibility to tribes remain a priority under the reorganization with the way it's been described?

Dividing the Navajo Nation as represented through the maps clearly -- clearly, leads to inefficiency and does not represent streamlining. You have the Nation in region eight and region nine, and the way it is set up, as we speak today, all of what as you've described, recreation, conservation, permitting, is housed in one building as one region. That's efficiency, in terms of how the nation is able to work government to government. When you have two different regions, eight and nine, that efficiency, unless you're able to prove to the Navajo Nation that it improves that efficiency, it becomes more effective; as it is now, I don't see it because you're dealing with two regions.
And when you have to deal with two regions, and all the moving pieces within those two regions, you deal with jurisdictional issues that may not exist in one region versus another region. The U.S. Department of Ag, BLM, all those other moving pieces, you're dealing with two regions that may have a different policy, in terms of moving forward on their initiative by a nation.

So what does that mean to the Nation -- to the Navajo Nation as the way we are structured now, and how you're proposing in the future? Next is, many of our own tribal members are employed with the BIA. With this reorganization, how will their Indian preference employment priority continue under the reorganization?

When you talk of no changes, no changes in services, as it exists today, does that apply to the reorganization? And, again, going back to my example of two different regions having different policies and procedures, how are those services going to remain the same? What is Congress's position on this, in moving forward? It would be very interesting to see what Congress speaks to this.

You indicated it'll take up to five years to get through the process. I'd be interested on what Congress's position is on this. Give all of the comments that you have heard, not only in previous weeks, but from this body
here, and the next meetings that you're going to have.
It's obvious to me, as we speak, as you hear today, that
Indian Country opposes this, as it exists, as you're
presenting it.

Is there some middle ground? I don't know. But
for now, the Navajo Nation's position is we oppose it.
And until that resolution -- that resolution speaks from
the governing body from the Navajo Nation, that resolution
will continue to stand, of the Navajo Nation, until at
such time the Navajo Nation Council decides to change its
position. You need to pay very close attention, a lot of
attention to that position of the Navajo Nation Council.
Thank you very much.

MR. TAHSUDA: Thank you, Speaker.
I have the Apache Chairwoman.
CHAIRWOMAN RUSSELL-WINIECHI: (Native American.)
Good morning, Assistant Secretary Tahsuda and Deputy
Director James.
I want to also recognize all the distinguished
Indian leaders and staff in the room. Thank you very much
for this opportunity to speak.
My name is Jane Russell-Winiechi. I'm the
chairwoman of the Yavapai Apache Nation of the Camp Verde
Reservation in Camp Verde, Arizona.
We chose Albuquerque to come and speak and be
part of this listening session because we align ourselves
with the Southwestern tribes as opposed to the coastal
tribes. And as we viewed the map that was presented to
us, as so many people here today, and I've heard objected,
we, also, are not in support of the way that the 13
districts have been assigned.

We have general concerns. First of all, the
Nation appreciates the desire on the part of the
Department of Interior for greater organizational
efficiency. We support organizational changes that result
in improved delivery of quality services to the various
Indian nations across the country.

We do not support a reorganization that results
in a diminishment of the kind and quality of services
essential to maintenance of the United States trust
responsibility to Indian people. The trust responsibility
to Indian nations should not be compromised by the
Department of Interior efforts to streamline and make more
efficient the delivery of services by the various DOI
non-Indian bureaus whose focus is on non-trust
responsibilities, such as land management, recreation, and
federal permitting.

So there's several areas of general concern that
the proposed reorganization we must consider. First, DOI
must focus on ensuring that a new decentralized,
region-based organization is geared to effectively honor the federal trust responsibility to tribes, first and foremost. How will they achieve this?

As you can consider this question, keep in mind, that the federal trust responsibility to tribes is overriding within the scope of the DOI's daily mission, not only with the BIA, but also, within all other DOI bureaus, each of which holds a share of the federal trust responsibility to tribes.

Secondly, because it is not entirely clear yet how the DOI proposes to restructure its organization and operations, both the Department of Interior and the Bureau of Indian Affairs, in particular, should provide the tribes with detailed proposals to review and to respond to. It's difficult to comment on a proposal that remains largely abstract.

In addition, it would be helpful to tribal consideration of the proposed reorganization if BIA would provide a detailed summary of findings from all the listening sessions held last year and to date on this topic. It's always helpful to understand what others are thinking on the issues.

Third, in managing land, water and natural resources, protecting cultural properties, planning for economic development, providing for law enforcement, and
in carrying out the entire range of tribal government responsibilities, the tribes regularly work with other DOI bureaus and agencies that will be affected by any general reorganization. Because of these long-standing intergovernmental relationships, the tribes should be involved in the DOI's reorganization plan, generally, and not just with respect to the BIA.

Tribal consultation should occur in every BIA region and should include the local DOI sister bureaus that tribes work with in these areas as well. Overall, the consultation should include all bureaus and offices outside the BIA that tribes routinely engage with.

The fact that you mentioned that this morning in presentation was appreciated because when we got the general information, those comments were not provided. The reorganization should not be aimed at cutting costs or budgets at the expense of services to the tribes. Obviously, you've heard that already this morning. It's very important to all of us. Any cost savings realized from reorganization must be redirected back to the BIA programs and services.

Current BIA funding allocations must not be reduced by reorganization. It is our view that this administration, in addition to reorganization and efficiency would also cut into the allocations.
So possible approaches to reorganization. First, organizational changes that increase efficiency and simplify cumbersome processes may be welcomed by tribes, us included. However, changes must be developed and implemented in consultation with tribes, and must not undercut the Department of Interior's ability to, one: satisfy its trust responsibility. Secondly, honor treaty rights; and third, strengthen tribal sovereignty.

Secondly, if reorganization is to succeed, it must be fully compatible with the Department of Interior's strictest adherence to the federal trust responsibility, and it must produce net gains for tribal sovereignty and self-determination, as well as producing greater economic opportunities.

Achieving these objectives will require dedicated leadership to orchestrate the many moving parts, both within the BIA and the overall structure by the Department of Interior and its agencies.

The need for such leadership argues strongly, so strongly, that the secretary designate an undersecretary of Indian Affairs as authorized by Section 303 of the Indian Trust Asset Reform Act. In our view, the undersecretary would be responsible for first, reporting directly to the secretary at a higher organizational level than the assistant secretary of Affairs, and other
Department of Interior non-Indian land management agencies, such as Reclamation, the National Park Service, and the BLM.

Secondly, that individual would supervise, coordinate and manage the activities of the BIA with activities and policies of the Department of Interior non-BIA agencies and bureaus. And thirdly, to establish clear lines of authority and ensure accountability among the non-Indian agencies within the DOI.

The appointment of an undersecretary for Indian Affairs is critical, a critical requirement, since without such a position, it's unclear whether or how the current assistant secretary structure will fit into the proposed reorganization, and how the Interior regional directors will effectively function. Interagency functionality will be a key to any successful reorganization.

Fourth, historically, the tribes working with career staff at USGS, NPS, FWS, BLM, and Reclamation have developed agreements and key relationships which routinely require face-to-face planning and implementation meetings. These agreements and relationships between tribes and the non-Indian Department of Interior bureaus should remain in place and be considered as necessary within the framework of any overall DOI reorganization.

The Department of Interior reorganization should
consider how best to reorganize non-Indian bureaus to help facilitate home management of resources with Indian tribes and with respect to conservation and recreation priorities.

Decisions concerning the location of regional service hubs as part of reorganization should consider where most current federal workers reside, and the closeness to isolated Indian communities that depend on the resources.

Finally, as part of our possible approaches, each Indian tribe and their reservations and lands must be in only one BIA region, and any reorganization must not impact or eliminate local offices that are tied to specific Indian tribes.

We also have a concern about personnel changes. Any Department of Interior regional reorganization of BIA leadership reassignment should support, not undercut realization of the Department of Interior's trust responsibility to effectively address tribal needs, manage assets, and increase economic opportunities.

Also, under personnel changes, the tribes believe that recent personnel transfers from the central office to field offices and reshuffling of regional directors are resulting in negative programmatic effects. Such personnel changes are disruptive and serve no productive
purpose.

Also, in your comments of today, according to the management decisions that would be able to be made in each of these regions, a question here: And that is, how are those decisions going to be made especially with a rotation of management, if they're unaware of our culture, of our complicated governments? Because as it's also been mentioned this morning, each tribe is different. We each are different from each other. We have different governments. And it was even mentioned this morning that it could be considered a conflict of interest. I agree.

Tribes are also concerned by reports of tribes receiving notices that they are no longer you under their long-time BIA offices, and are now being transferred to other BIA offices and agencies. Such disruptive changes are unacceptable and should not be made without prior consultation with the tribes and their prior consent to such transfers.

Tribes are anxious to learn how the reorganization will affect the budgets for their department-wide programs and services that tribes benefit from as well as identifying proposed leadership changes that will have a direct effect on how the trust relationship is administered.

A clear statement of the Department of Interior's
reorganization proposal is essential to this understanding. As stated above, any cost savings from reorganization should be used to augment tribal programs and services provided by the BIA as well as other Department of Interior agencies.

In summary, the tribes need to clearly understand the proposed reorganization. We urge the Department of Interior to clearly set out its proposal as a prerequisite of further development of any proposed reorganization.

The development of any reorganization plan must be done through careful and in-depth consultation with the tribes, since any miscalculations in restructuring will have a negative impact on all of the tribes.

Any reorganization must fully respect and honor the United States' trust responsibility to the tribes, and must strengthen tribal sovereignty and economic opportunity. The Yavapai Apache Nation urges the Department of Interior to proceed cautiously and with the utmost consideration of the views of all the tribes.

Thank you very much.

MR. TAHSUDA: Thank you, Chairwoman.

Governor Bernal.

GOVERNOR BERNAL: Good morning. I didn't come prepared with a written statement, so I will try to keep my comments to just under an hour, seeing how it's getting
close to lunch.

Mr. Tahsuda, Mr. James, the Pueblo of Sandia is not opposed to changes, but supports changes that increase efficiency, and streamlines the administration of the trust responsibility to Indian tribes. However, such changes must occur in coordination and with meaningful consultation and input from the tribes, and that's all the tribes.

This includes a detailed summary of the findings from the listening sessions held last year and being held now on this topic, as well as a detailed proposal and proposals to review and respond to. DOI has not engaged tribes at all on this issue even while two versions of the overall DOI reorg plan have been floated to the public. This creates the perception that DOI is moving forward to address non-Indian affairs bureaus, and waiting to speak to tribes when changes to the remainder of DOI are already more or less determined.

Some tribes report receiving notices that they are no longer under their long-time BIA offices and are now being transferred to other BIA offices and agencies. This is unacceptable without prior consultation and efforts to seek consent for such transfers.

The comment period needs to be extended until such time as a proposed plan is presented, and tribal
consultation sessions occur. With regard to elevation and streamlining, do not reorganize only for the sake of reorganizing. We have a long-established relationship with our regional office. It is chronically understaffed and mired in bureaucratic processes, but it is here and works for us and our sister pueblos.

There needs to be elevation of the Indian Affairs within DOI. Establish the position of an undersecretary for Indian Affairs as authorized by Section 303 of the Indian Trust Asset Reform Act to report directly to the secretary at a higher level than the ASAI and other non-Indian land management agencies such as Reclamation, NPS and BLM to supervise and coordinate activities of the BIA with activities and policies of non-BIA agencies and bureaus within DOI, and to create clear lines of authority and ensure accountability by the non-Indian agencies within DOI.

Any cost savings must be redirected back to BIA programs and services so that any reorganization does not take $1 from current BIA funding allocations.

Each tribe and their lands must be in only one BIA region rather than divide and separate tribes that have common interests; look at how tribes have reorganized themselves geographically. Streamline delivery of services by looking at inherent federal functions to
expand ability of tribes to directly perform more federal functions if desired.

Personnel changes, any regional reorganization or BIA leadership reassignments must advance, rather than impair, fulfillment of DOI trust responsibilities to more efficiently and effectively address tribal needs, manage Indian trust assets and increase economic opportunities.

Potential personnel transfers from central office to field offices suggest that DOI is already taking steps to implement a DOI reorganization they have not shared with or communicated to tribes.

As I stated, I did not have a prepared statement, so these are just some points that I made, and with the help of our tribal in-house counsel. But I think the points that were made earlier by the other leaders that presented, I think all of us need to take to heart that we need to include in our -- in our written comments that will be submitted. And I think DOI should recite daily the Interior's own mission statement: Respect and support tribal sovereignty. Thank you.

MR. TAHSUDA: Thank you, Governor.

I have Myron Armijo; is that right? Santa Ana -- are you here representing Santa Ana?

GOVERNOR TENORIO: The Pueblo of Santa Ana -- we will submit our comments before the deadline date of
August 15th.

MR. TAHSUDA: Okay. What's your name, real quick, sir?

GOVERNOR TENORIO: Governor Tenorio from the Pueblo of Santa Ana.

MR. TAHSUDA: Okay.

Governor of Taos.

Sorry, Governor. I didn't -- I had you on my list, but I'm not seeing it, so thank you.

GOVERNOR SUAZO: Mr. Tahsuda and Mr. James, you are here representing the administration and the difficult job that you have representing this administration here. You know, I see both of you as Indian people and, hopefully, you'll understand where we're coming from as Indian people to Indian people.

You know, it's good that from time to time there's a revisit or review of operations to make necessary changes, improvements, and this kind of thing. You know, I understand that. Not for the sake of political viewpoints, but to make changes that are truly needed and necessary, and that is understood.

My interest here today is the operation of the Bureau of Indian Affairs, the BIE, and the most efficient way to serve Indian tribes, just as you've been hearing here today. The reorganization of tribes for tribes, BIA,
BIE, it should be done on its own, not a part of this other departmental agency reorganization.

To me, it doesn't feel right, that we're being lumped into this reorganization when we're sovereign tribal governments. We need to be doing this on a government-to-government basis based on our relationship with the federal government. That's what we should be doing.

And other agencies, how they're reorganized, all these other agencies are under the Department of Interior, you know, that's something that maybe it's necessary for it to be done the way you're talking about. But when we're lumped into that group, it just doesn't sit right, doesn't feel right.

So, you know, the tribe's -- my observation has been that for a long time we've been kind of like in the wrong bureau, you know, lumped in with all these other agencies. We're sovereign tribes. We're people. We have governments. We have communities that we're taking care of. But yet, we're part of a bureau that includes Fish and Wildlife, BLM, BOR. You know, these are agencies that have particular responsibilities. And these responsibilities, you know, that they -- us, tribes, we all -- we work these agencies, not just the ones that are in the Department of Interior, but we work with other
federal agencies. And as sovereign tribes, we have a right to do that. And that's how we should be set up is to work in that way. And I just can't help but feel that rather than being lumped into an organization like that with agencies that have different responsibilities, while we have governmental and people responsibilities, it's about time that we have a Department of Indian Affairs just as an important as all the other governmental offices, if not more, there in Washington D.C., a government-to-government office that we would have to maintain our relationship with the federal government, rather than just being part of an organization that has all of these other agencies that have different kinds of responsibilities.

So I know that it's a difficult job that you have, trying to sell this reorganization. But with all the comments that you've heard today, you're going to have to reconsider how you're approaching this, particularly with the working with the tribes, and how this kind of reorganization -- how it's going to impact the tribes.

So you need to set up meetings that are particularly, specifically, for how the federal government is going to work with Indian tribes in the most efficient way that it can work, and not how it's going to relate to these other agencies that we're talking about. Like I
said, we work with these agencies, and as tribes we work with all of these agencies. We don't have to be in the Department of Interior to work with any of these agencies. We already work with them. So we need to have a special, stronger relationship with the federal government with an office that is there for Indian tribes, for sovereign governments, not going through all the different channels that we have to go through, but a direct relationship with a federal government like we need to have.

It's our land that we're talking about here, our people that we're talking about. The governmental responsibilities that we have, that's what we're talking about, and that's how you need to look at this. And like I said, as Indian people, I'm sure in your heart, you're going to understand what we're talking about.

And as Indian people, that's what you should be working towards, educating the people in Washington that don't seem to have an understanding of how we tribes are in our relationship with the federal government. And I hope that's that what you're going to work towards is educating these people over there.

And, again, I just want to say that we are here representing our people, our governments, our communities. We have people back home that rely on us. They depend on us with the different things, different needs, that we
have out there. And with the State of New Mexico
government, you know, we have the Department of Indian
Affairs. Why not the same kind of an office in Washington
D.C. for tribes, sovereign tribes, that we can work
directly with the federal government or some office that
is there for government-to-government relations.

So with that, we will submit written comments
when we get them prepared. Thank you very much.

MR. TAHSUDA: Thank you, Governor.

Are there any other governors?

Governor Chino.

MR. CHINO: Good morning, Mr. Assistant Secretary
and Mr. James.

My name is Conroy Chino, and I'm here on the
behalf of Governor Riley and the Pueblo of Acoma. And I'm
going to share with you some of our comments, concerns,
and response to the proposed plan for the Department of
Interior this morning, not only for the record, but also
to share them with the tribal leadership here present.

The Department's proposing a reorganization of
the Department of Interior, an effort that is expected to
take several years and will most certainly cost tens of
millions of dollars. I believe the figure we've heard is
around 17.5 million in fiscal year 2019, money that is
desperately needed by the various subdivisions of the
Department, BIA, BIE included, as well as BLM and others for basic services.

There is an axiom in Indian Country that every BIA reorganization ends up taking more money from the very programs that actually provide services to Indian tribes and to Indian people. So when the pueblo was asked to comment on a proposed Department of Interior reorganization, the key question became whether this rearrangement or reorganization will produce a better, more responsive Department of the Interior.

However, based on the information that we've been provided, the Pueblo of Acoma, regretfully, concludes that it will not accomplish that, and it's based on several reasons, which I'd like to share with you this morning. Number one, the Department has stated in several documents that it will consult with Indian tribes on the proposed reorganization. Yet, all that is planned, as far as we know, are single three-hour meetings in eight locations across the country, and an invitation to submit written comments.

This does not meet the minimum requirements for meaningful consultation with an Indian tribe. Ideally, the consultation on this proposed reorganization, which is of major magnitude would have started last year with meetings at the agency and regional levels of the BIA and
other subdivisions of the Department, and culminating with larger meetings. The approach that has been used, for lack of a better word, is an insult to every Indian tribe in the country.

Number two, quite simply, the Bureau of Indian Affairs and BIE deal with people and governments, not natural resources. Indian tribes are not natural resources, even though we have a connection with the land and the water. Indian tribes are political entities. They are sovereign governments. We do not exist in isolation from each other, but long-standing relationships developed through diplomacy with other Indian tribes, with states and local governments. Many predate the existence of the United States government, predating, obviously, the arrival of Christopher Columbus and others.

For instance, the All Pueblo Council of Governors is the successor to organizations that have been in existence for at least 500 years or more. Through these relationships we create and protect our own interests. The present BIA and BIA agencies and regions reflect and give weight to our approaches to governance. The proposed 13 unified regions do not do that. There is absolutely nothing unified about the new proposed regions.

In theory, there is some sense of reorganizing the Department of Interior along divisions that deal with
natural resources, such as river basins, eco systems, et cetera. That was an idea that was proposed a hundred years ago. It wasn't acceptable then, and we don't believe is acceptable now to the people in other territories, so it's understandable that it would not be acceptable to Indian tribes for a lot of similar reasons that were shared a hundred years ago.

The map of the proposed 13 unified regions only shows one instance where there is any similarity between river basins and the proposed regions. Others do not. What the map does show is the proposed regions are based on state boundaries with little or no relation to the river basins or Indian tribe territories and intergovernmental relationships. This speaks volumes to what the Department does and sees as important, and that is the political boundaries that matter to the Department or federal tribal relations are not tribal or basin related, but based along state boundaries.

The primary and overriding component of the federal trust responsibility to Indian tribes since the early days of the United States government has been the protection of Indian tribes from overreaching state assertions of control. The federal relationship with Indian tribes is not to be dictated by state entities. The proposed regions when combined with the new regional
director positions that are clearly expected to accommodate such gatekeepers, are much more likely to pander to state interests at the great expense of tribal interests.

And number three, the new regional director positions do not increase efficiency. They create a new level of political appointees, a new level of bureaucracies to further insulate actual decision makers. That is totally unacceptable.

It is often said that the BIA and BIE are the physical manifestations of the unique relationship between the U.S. government and Indian tribes, and grounded in the federal trust responsibility as we talked about this morning. Without the BIA and the BIE, the federal trust responsibility would be a mere idea. Through these new DOI regional directors, what is being done is accomplishing the same thing by undercutting the ability of Indian tribes to deal directly with the federal trustees through the BIA and BIE.

If there is a political decision to be made, it is the duty and the responsibility of the secretary to make it so, not using some political appointee system such as the regional directorships.

And number four, while the actual cost of the reorganization of the agencies are being minimized, no one
is speaking about the cost to the stakeholders, particularly, to the Indian tribes.

Government-to-government consultation is not accomplished through telephone conference calls and video conferences, yet it's being done that way, will be done that way, yet it should be face-to-face, in-person communications and consultation.

For example, in your proposed region eight, the distance that would have to be traveled to actually have government-to-government discussions with the regional office of BIA would be more outrageous even if more centrally located in Denver. The cost of a plane ticket from Albuquerque to Denver is not that much less than one from Albuquerque to Washington D.C.

Thus, the proposed reorganization promises Acoma not more efficiency, but less efficiency and more expense. Acoma is having to deal with a great number of issues, including lease approvals, water rights settlement negotiations, as well as a transfer of educational facilities. This plan does not promise a better Department of the Interior, but one that is less responsive. What it does promise is significant funding being funneled away from the actual service to pay for the organization.

So in conclusion, the proposed reorganization
does not help Indian tribes, but undercuts the federal
trust responsibility in different ways. Acoma is not
against changes that truly do provide greater efficiency
and cost savings. However, sadly, this reorganization
plan does not do that. Thank you very much.

MR. TAHSUDA: Thank you.

Are there any other spokesmen or governors?

Okay. I know President Begaye, you have a number
of folks from your Education Department. Can we get like
one spokesperson maybe from the Education Department?

PRESIDENT BEGAYE: We already submitted our
statement. Thank you.

MR. TAHSUDA: Okay. I want to make sure -- is
there anybody here that's representing a tribe that hasn't
had a chance to speak?

Yes, sir.

PRESIDENT JOSE: Good afternoon. (Native
American.) I'm David Jose, President of Ramah Navajo
Chapter, also known as the Ramah Band of the Navajo tribe.

I have a statement, then I also, have a Chapter
Resolution that was passed in May of 2018. To understand
the concerns of the Ramah Navajo people, it is important
to first understand our history. Ramah Navajo Chapter has
approximately 3,500 members, and is located in
northwestern New Mexico, east of Zuni Pueblo, and about
100 miles from the main Navajo Nation Reservation.

The Ramah Band of the Navajo Indians established this area as our homeland hundreds of years ago. The Ramah Band has been recognized as a part of the Navajo Nation since BIA first dealt with Navajos. The Ramah Band of Navajos along with other Navajo were rounded up and forced to march across New Mexico, and incarcerated at Bosque Redondo in the 1860s. The treaty that followed that incarceration and established a main Navajo Reservation, however, tragically, did not include Ramah Band's homeland and its description of Navajo Reservation land.

Nevertheless, we returned to our homeland and established a life there as ranchers and farmers. However, our Mormon settlers eventually arrived and pushed us off the best farming and ranching lands. These and other Anglo settlers have continued to push for our extinction as a community, going so far as to lobby Congress for our forceful removal. Nevertheless, we have survived, and over time, we have acquired title to some of our original homelands and maintain a community there today.

Due to our remote location and great distance from the Navajo Nation, we were neglected for many years. We had dirt trails for roads, very poor educational
opportunities, substandard housing, no healthcare facilities, and 99 percent unemployment. In 1972, however, the Bureau of Indian Affairs established an independent Ramah Navajo Agency and placed that agency not within the Navajo regional office, but within the regional office now known at the Southwest Regional Office, serving other tribal communities in our area.

Ever since the Ramah Agency was established, the Ramah Navajos have worked with federal representatives in the Southwest Regional Office on a government-to-government basis. Our community credits this unique relationship with survival as a distinct community separate from the main Navajo Reservation.

Since 1986, the Ramah Chapter and the Ramah Navajo School of Work Incorporated have a contract directly with the federal government through the Southwest Regional Office to provide programs to the community. This long and steady relationship has been endorsed and supported by the Navajo Nation and has established the Ramah Chapter's unique status as an independently-governed community.

Indeed, in 1991, the Albuquerque area director, Sidney Mills, sent a letter to the BIA central office stating that the Ramah Band of Navajo Indians must be considered a quasi tribe.
In submitting these statements here today, we want to ensure that any reorganization does not threaten Ramah Navajo Band's status as an independent community or negatively impact its established relationship with the Southwest Regional Office and other tribal communities and partners within the area. The Ramah Navajo Chapter vehemently opposes any plan that would eliminate or reduce funding for the Ramah Navajo Agency, consolidate the Ramah Navajo Agency with any other local agency, or that would move the Ramah Navajo Nation from the oversight of the BIA Southwest Regional Office.

First, history of drastic cuts. The Ramah Navajo Chapter is deeply concerned about the potential effect of reorganization of the Bureau of Indian Affairs. The 2013 restructure of the Bureau of Indian Affairs to achieve administrative cost savings caused great damage to the Ramah Navajo Chapter. First, the Ramah Navajo Agency suffered deep funding cuts especially when compared to other agencies within the Southwest region.

The Ramah Navajo Agency is now operating on approximately 40 percent of its pre 2013 funding levels. This is not enough to operate the agency, and further cuts would require closure. Second, the local BIA road maintenance was transferred to another area office, which caused significant delay in provision road maintenance,
services to our remote community. On account of high
elevations and severe weather conditions, it is essential
that the Chapter retains a local road maintenance program
to provide access to scattered and rural residences
through the community for purposes of health, social and
community services, and to provide open and safe roads for
school buses.

The Chapter has, through its own 638 contract, to
directly perform such services, to ensure year-round road
access and maintenance for our community members. This
contract and the Chapter's other contracts are already
woefully underfunded. Ramah Navajo Chapter's strong
opposition to these actions was not accorded due to
consideration in making the final determinations.

Secondly, need to maintain separate Ramah
agencies. As it did in 2013, the Ramah Navajo Chapter,
once again, opposes any restrictions that will move,
consolidate, eliminate or reduce funding to the Ramah
Navajo Agency of the Bureau of Indian Affairs.

The BIA Ramah Navajo Agency's staff may be small,
but the work is tremendous. Ramah Agency oversees,
monitors, and has signature authority for all PL 93-638
contracts with the Ramah Chapter and the Ramah Navajo
School Board Inc. The Ramah Navajo Chapter has three
mature contracts, seven projects, specific contracts with
the Bureau consisting of 15 programs, with a total of 56
regular full-time employees and 28 temporary employees.

    Ramah Navajo School Board Inc., has two mature
contracts, consisting of several programs, with 226
regular full-time employees, and 24 temporary employees.
Both entities together have 334 full-time employees. The
programs provided under these contracts are entirely
separate from the Navajo Nation programs.

    Ramah Chapter is remote and is geographically
separate from the primary Navajo Nation, and for this
reason, among others, the Ramah people have different
needs than those residing on the Navajo Nation's primary
reservation.

    Consolidation or elimination of the BIA Ramah
Navajo Agency will seriously damage our ability to survive
as a vital Navajo community. Losing our own agency will
mean submersion in an indifferent sea of bureaucratic
streamlining that will erode Ramah Navajo Chapter's
independent relationship with the federal government.

    For these reasons, the Ramah Navajo Chapter needs
a separate and independent agency to address its needs.
Three, need to maintain placement within the Southwest
region. Ramah Navajo Chapter opposes any proposal that
will move the Ramah Agency from the Southwest region to
the Navajo region. As recognized for many years, and as
confirmed by historical and current organizational
structure, Ramah Chapter is geographically closer to, and
its interests are more aligned with other tribal entities
of the Southwest region than the Navajo Nation as a whole.

Ramah has established relationships,
partnerships, and contracts with the BIA Southwest
Regional Office and other tribal entities within that
region. Ramah Navajo wants to continue its established
relationship with the BIA Southwest Regional Office. In
the Southwest region, the Ramah Band has established
government-to-government relationships with a strong
voice. The Ramah Band's identity and survival as a
distinct community hinges on retaining its vital
connection.

Four, need to maintain distinct community. While
the Ramah Navajos are true Navajos and always will be, we
live under unique historical and geographic circumstances.
The present relationship with the Interior and HHS foster
our survival as a distinct community with its own
traditions, bonds, and issues. Therefore, the Ramah
Navajo Chapter continues to stand by the initial stated
position to maintain a BIA Ramah Navajo Agency in its
established present location within the Ramah Navajo
community and within the BIA Southwest region.

Five, consistency of Ramah's positions with the
goals of efficiency affecting the accountability. Most of
the direct services to tribes and tribal members occurs at
the agency level. Because the local agency has direct
contact and relationships with community members, it can
more efficiently and effectively serve their needs when
compared to a central or a regional office. The central
and regional office do more bureaucratic and
administrative work that, in our experience, can take
weeks or months to complete.

Accordingly, maintaining local agencies is
essential to meeting the goals of efficiency,
effectiveness and accountability as set forth in the
executive order. Again, the Ramah Navajo Chapter
vehemently opposes any plan that would eliminate or reduce
funding for the Ramah Agency, consolidate the Ramah Navajo
Agency with any other local agency or that would move the
Ramah Navajo Agency from the BIA's Southwest region.

Thank you for your consideration of the Ramah
Navajo Chapter's important concerns. Thank you very much.

MR. TAHSUDA: Thank you.

MR. TSOSI: Thank you. My name is Leonard Tsosi.
I'm a council delegate with the Navajo Nation Council, and
elected from eastern agency.

I want to mention a few things, but I want to
thank our colleagues and our tribal leaders, presidents,
governors, and others for their eloquent statements. And I do agree with many of the points made by them.

But the one thing, though, is one, as stated by Speaker Bates: We were never consulted on this one. Today, I still see this as no consultation. There is the absence of a detailed plan of how it's going to affect Indian nations. And, in fact, by trying to do it, based on an eco system, it is disruptive. I know that for Navajo Nation, it will end up being disruptive.

We have already felt the effects of this, by a decision made from Washington D.C., to remove the BIA area director somewhere. And, you know, we were never consulted on that. And so, the plan appears to be, to put into place chaotic measures so that Indian Country will become chaotic, and then it is easier to conquer and divide. Those are age-old scenarios that have been played upon by the president, who's portrayed in the oval office, you know, Andrew Jackson. And I hope that this policy does not come from his thoughts or through his thoughts.

But the better thing to do is to support tribal responsibility and trust responsibility. I would even say that, you know, for the treaty tribes, I think, you know -- the U.S. government needs to consult with the treaty tribes on that treaty on those treaty provisions. And we like to think that our treaty was approved by the
U.S. Senate and it is housed where other foreign treaties are at. You know, and it's one of the -- it is the supreme law of the land, and that needs to be abided by, and right up there with the Constitution. All you have to do is read the Constitution to say that the treaty entered pursuant thereto is the supreme law of the land. And so, we respectfully ask for that.

The other one, too, is -- I was looking at your presentation, and I find it to have hidden messages. The word "trust responsibility" is not in there. I think the Department of Interior -- you know, it does say "for Bureau of Indian Affairs respecting."

But if you look at the primary, it says, "the functions," nothing in there about the functions should be honoring tribe trust responsibility. Instead, it descends into recreation, conservation, and permitting. Then as a footnote, then down below is a message, "Stays the same." But the primary function should be enhancing tribal sovereignty. And we ask for that from Navajo Nation, as speaker indicated in the council resolution that was passed.

We ask -- for myself, I'd like to call upon the Bureau of Indian Affairs to discard this plan and truly come back with a different plan based on tribal consultation as stated by other tribal leaders here, that
supports self-determination and economic opportunity and
enhances tribal sovereignty and trust responsibility. And
thank you very much.

MR. TAHSUDA: Thank you, Councilman.

Okay. So we've got about half an hour left. I
wanted to make sure to have some time to try to give a few
responses to things that have been discussed today, and
maybe have, you know, some give and take there.

And then, we can -- if you want some wrap-up
comments as well -- I think I've gone through the list of
all the tribal leaders. Let me just make sure we haven't
missed any.

Are you a tribal leader, ma'am?

MS. ALONZO: No, but I represent the Albuquerque
Area Indian Health Boards that serve for 27 tribes.

MR. TAHSUDA: I'm sorry. You said the health
board?

MS. ALONZO: Yeah. Albuquerque Area Indian
Health Board.

MR. TAHSUDA: Okay.

MS. ALONZO: So I have a question that I think is
relevant.

MR. TAHSUDA: Okay. Can you come up to the mic
and ask your question?

Understand, that we don't do a whole lot with
healthcare.

MS. ALONZO: Good morning and good afternoon. I'm not sure where the time is at. My name is Nancy Martin Alonzo. I'm the executive director for the Albuquerque Area Indian Health Board. And our organization was established since 1980, and we serve the 27 tribes that are in the Southwest region. And our health services are maintained under the Albuquerque area.

And so, my question is, just listening to this discussion about the regionalization of the services under the federal government for Indian tribes, some of the -- some of our communities also have health services that are situated in similarly, like how it is on the Navajo Nation or under the Southwest region. And so, I'm just wondering to what extent that would impact if one portion of our tribal governments are served in another region, how will the other component of the services for health be addressed? Would they be separated out? Because the health funding and services come under the health and human services side.

And so, that was just, you know, a question that I'm sure at some point in time when you look at the overall services and programs, our Indian reservations and lands, we like to keep things pretty comprehensive and streamlined. And when you move these pieces like puzzles
around different locations, to me, it would cause more funding to be able to interact and travel to different parts of the nations for the kind of services that has been given to us through the trust services.

So I'm just wondering, you know, outside all of this, how that would impact. Our organization serves the Ute Mountain tribes up in Colorado, Southern Ute, and all the way down to El Paso with Isleta Del Sur. And, of course, the 19 pueblos, and the chapters of Alamo, To'hajilee and Ramah. So that's, you know, a big constituent that we work with in the areas of health. And I just wanted to note that I think it's relevant to the issues that you're talking about.

So thank you very much for allowing me to say that.

MR. TAHSUDA: Thank you. Thank you, ma'am.

So I'm not sure if I understand exactly what you're asking. But even now under the current regional structure, we have different regions than IHS does. So there had been a discussion both as part of this larger reorganization, and then, separately, as to whether or not it would be helpful for the BIA and IHS to have similar regions, but at this point in time, it doesn't appear that IHS has that much interest in doing that. So -- but the -- so I don't know how that would fit in. That's sort
of just BIA, IHS specific. It's not at all part of the larger department reorganization ideas.

So if you want to talk to them, I'm happy to take it up and talk with them some more, but at this point they're not -- I think they've moved on past it. I don't know -- all of the agencies, including HHS, are supposed to be doing a reorganization plan for their department. But I don't know what HHS is. I haven't heard anything from IHS about anything they have planned, so I don't know where that lies with them.

So I wanted to touch on a couple of things, and then, like I said, maybe, you know, have some more questions. We have a couple of minutes left.

So there was, I think, a question about how this -- or would there be reorganization of BIE. And I think the answer to that is no. We're still implementing this BIE reorganization that started a few years ago anyway. So -- and I think that -- I think we're reasonably happy, and we have to see -- and I think in a few years, maybe more, we'll be told how that reorganization is playing out, but there's no plan to interrupt that now. We'd like to get that finished, implemented, and rolling along.

The one thing that we probably -- we will have to work on to make sure would be that there's no interruption
for administration or facilities' work that BIA does for
the BIE locations' facilities. So we would just have to
work hard and make sure that doesn't happen.

So I appreciate all the comments asking about why
there's not more detailed plans for this. And I guess my
initial response would be, if I came here with detailed
plans, I think you ask me why I haven't consulted with you
on those detailed plans. And so, this is part of, again,
our effort to start. Once we had enough of an idea
fleshed out, not just on the map and the regions, but,
really, what is the concept with this new regional
director, this unified regional director, and how he would
interact with the regions of the bureaus in that
geographic region, and then, how that relates to the
central office.

I think that's also -- I know there were a couple
of comments raised about having an undersecretary. So I
guess, my comment to that one -- well, one, I think
there's no plans for that at this time. I don't think
that the leadership department feels like it's necessary
at this point. And that's sort of a notion, I think, in
many ways, is superseded by this unified region interior
regional director because that regional director is
ultimately tasked with doing what the concept of the
undersecretary was supposed to be, which was to make sure
that all the different bureaus were provided adequate
consideration to the Indian Affairs component of that
decision.

Well, that's now the responsibility in that
region of this new regional director, and his direct line
is to the deputy secretary, which is above the
undersecretary or where the undersecretary would be, if
there was one. So I guess, at least conceptionally, I
think that idea would be superseded by this new
reorganization structure.

I also want to touch on the idea of budgets, and
I kind of hear two questions. And so, one is about what
is the budget? What does it cost for this reorganization?
The other sounds, to me, and I've heard it at the other
consultations -- I understand, you know, sort of the
historical, you know, understanding or fear of past
reorganizations, which have been styled as sort of getting
rid of inefficient officers or inefficient offices, et

cetera, which resulted, ultimately, in a shrinking of the
budget.

That is not the goal of this reorganization.
This reorganization is aimed at better decision-making
across the bureaus, and there's -- the goal is not trying
to achieve, you know, process efficiencies. It's to
achieve efficiencies, I guess. I don't know. So there is
no plan -- it's not intended to shrink any budget. It's not intended to, you know, move -- in fact, the secretary's ultimate goal is to, as he says it, "Put more resources to the front line," which means in the field, in the agency office with the staff that are there. As was said, you know, the folks who are actually performing the services.

So I think he's had the chance -- he really loves -- for those of you who don't know him, the secretary's from Montana, and he grew up around the Blackfeet folks and the Salish folks. He's from the western part of Montana there on Glacier Park, so he's very comfortable with tribes, with tribal sovereignty. In fact, that's one of the planks. We have a list of missions for the Department at large that we developed last year, and that's one of the primary missions of the Department, in his view, not just BIA, but Interior.

So his goal in coming out of this is that tribal sovereignty be respected, that the decisions that tribes need done by us -- and again, so this idea is not to reorganize the Department for outside purposes, but, really, so we can serve you better. And so, these decisions that require input or decisions from other bureaus, you know, are the ones that take us a long time, ultimately. And I know it costs us time, which also costs
money, but it also costs you that.

And so, we have a lot of -- the chairwoman from Stockbridge Munsee was talking about some of her fee-to-trust decisions. All right. Those take a long time, in large part, because depending on what's around, the tribe, or who else the land involves, but those environmental decisions take a long time. And many of you foot the bill, really, for that. You hire your own consultants for that.

And so, the way that process works for us is if there is, let's say, a bridge that needs to be repaired or replaced, every bureau in our department that has something to do with that stream or river that that bridge is going over, has to have input into that decision. Even if we're paying for it, giving you the money for it, whatever, right? So fish that are in that, Fish and Wildlife. If there's any kind of Bureau of Rec project, they get input into it. Sometimes USGS is involved with maintenance of the water quality, et cetera. There's all these other bureaus. And, right now, to get that environmental decision, we do ours, they do theirs. And like I said, at the end of the day, they try to reconcile these. And it would be so much faster and more efficient to have those bureaus working together on an environmental decision or a biological opinion from the very beginning.
Cheaper for you, ultimately, cheaper for us.

And when it's done that way, it's also for this regional director, and, again, you can think of him as sort a like a project manager. This is a project or this is a decision that he's going to shepherd through. And he's got time lines that he's going to follow.

We have already -- and Jim's dealing with this, as I am -- we already have new direction on trying to be more efficient and effective with these types of decisions. The deputy secretary has given us some page limitations, some time limitations to get these decisions done, so it doesn't take us seven or eight years to get an environmental opinion done. So that -- you know, we're working those pieces already, but this regional director will be the guy who will be responsible for the discipline of that, ensuring that's done in those time frames, and those decisions, you know, are done in that region.

With that in place, you know, the concept is that there will be fewer decisions that have to come to D.C., for confirmation. You won't have interbureau conflict. Right now, every one of these that has any kind of interbureau conflict comes to D.C., and it sits for a while until we get around to it, right?

So that can all stay in the region. If there is something -- if he can't get an agency to act as he wants,
this regional director, again, has the direct line to the
deputy secretary who can crack the whip and make it
happen. So that's the idea behind it, is to get that
decision-making efficiency, if you want, not budget
efficiency or things like that.

Cost of implementing this. The cost is -- we've
had deliberations, and our budget folks have worked on
them. The costs are not that great because we're really
talking about, you know, just this sort of top-level
command structure, right, pointing -- instead of coming to
D.C., from the different regional bureaus, we're going to
go to this guy. So, recently, there were recent
implementation costs -- I think somebody noted -- they
looked at it, it's about 14 million or something over the
next year or two that is set aside out of the secretary's
budget to implement this.

There are some pieces -- we have like 900,000 out
of our budget in --

It's the '19 budget, right, Jim?

-- to look at Alaska, specifically. And look at
sort of like it's a pilot project, how they can work with
the other bureaus to share services, since they're
essentially in a unified region already. Things like HR
functions are a prime one, and I can't -- I'm trying not
to space -- there's other functions on the top of my mind.
So now, I did hear that raises -- I know that raise questions in people's minds about how it will impact the bureau's employees, how it will impact Indian preference, et cetera, and it doesn't. I mean, we have Indian preference. It's part of our law and regulation. If there is a shared HR office, they have to deal with that. That's just part of their job, and I don't know of any other way to put it. But I mean, as it stands now, not everybody in our HR offices around the country are Indian people, they're not tribal members. We have a lot of non-Indian people. They have to abide by the law, so it would be the same thing. It would be an office. They would have to apply for positions that have Indian preference. They would have to apply the rules. So I don't foresee any real issue there.

Let's see. The other one, I've been kind of curious about this, unless Jim's been telling you something different, I don't know of any agency offices that are being moved, even now.

Was that -- are we moving any yet?

Nothing's come up to me. So, and at some point, I think it would come up to me. So as part of the reorganization, there's no plan to move any agency offices. And as I said at the beginning, there's not even a plan, really, to move sort of regional offices or
anything like that. You know, we would have to look at that on a going-forward basis. Obviously, we would be consulting with the tribes in that region. But we have office space that we have leased. We have this beautiful building in Billings that I just got to go to last week. I had never been there. It was only built five years ago. So we have all this space here. We have these beautiful buildings here. I mean, we can't just abandon them and go somewhere else. That would be irresponsible as well, right?

So the -- again, the reorganization is not intended to move resources some other place or move staff other places. And, in particular, the staff that are here to meet your needs and to facilitate our work for you will stay there. So that's been the secretary's commitment. He's also committed that, you know, if -- again, it's not a primary purpose of this reorganization, but if there were cost savings in the future, if there were some more resources made available, those are to stay in the region. And in his mind, with this kind of a command structure, it would actually be -- he'd be able to push those resources further down to the agency level, to the "front line," as he calls it.

So the only -- and this is not related to this regional restructuring or reorganization; the secretary
does want to get more resources out of D.C., and out into
the country, into the field. So we have -- we have part
of that -- again, this is part of -- if you want to think
of it as a minor reorganization internally for BIA, we're
looking at doing that, looking at moving even BIE, moving
more of those folks. It seems less necessary that they
have the level of staff they have in D.C., move it out
maybe here to Albuquerque or somewhere out west where it's
closer to the focus and the schools that we have.

Law enforcement, so, again, I think that to our
mind, there's less need for a large, you know, bureaucracy
in D.C., for law enforcement. We should have those guys
out in the field as well. So there's some of that going
on now, moving folks out. Obviously, you know, we have to
find a way with our own employees to do that in a way
that's least impactful for them, et cetera.

Yes, ma'am.

MS. CONE: Maxine Cone, Ramah Navajo School
Board. Thank you. I have a question. You showed this
region. Are you just on the 13 regions; so if you're not
going to move people, and if you're going to leave offices
as is, are you just moving regional directors or
appointing direct regional directors to the 13 regions?
Is that --

MR. TAHSUDA: Yes, if I understand you correctly.
MS. CONE: -- how you're doing it?

MR. TAHSUDA: Right.

MS. CONE: So --

MR. TAHSUDA: So, in the short term, yes. So, again, in the future, if we're able to do it in a way that helps us continue or do better, we would look at co-locating offices from other bureaus. But they're in same office situation as us, right? They have office spaces, leases. They can't just abandon those, you know. So that would be something that would happen in the future. But the idea is to get this command structure, this, you know, organizational decision-making structure in place. That's the idea.

Yes.

GOVERNOR SIOW: so real briefly, you know, it's really hard to imagine how this whole thing is going to come together without even seeing a draft of a plan that you're talking about, so that's why, kind of -- why all of these questions are out there.

MR. TAHSUDA: So I understand, Governor. That's a good comment. I think that -- I mean, our thought was to do this initial round of consultations, get you this information, and you can chew on it, and you can have additional questions. I'm getting good feedback and comments. You know, it gives us a chance to pull together
information. It sounds like it would be helpful for further discussion. And, again, this is all at this initial level for, really, for tribal leadership to think about; is this something that you even want to continue the discussion on? Because if you don't, I don't know that we want to waste a whole ton of our time or yours. You know, not to -- or going through, you know, discussing it further.

If there is an interest, we can keep working, and getting you more information. And, you know, this is also, you know, kind of work-in-progress internally. You know, as we have more discussion, as Jim has more discussion with his counterparts and the other bureaus, you know, we'll have a better idea as well on how we think it could work internally, and then we can communicate with you. Because I mean, we have to -- it's kind of a tight-rope to walk, but, you know, we have sort of the internal considerations of how our guys see it could or could not work, and then, we also have to have -- because the ultimate goals is to serve you better, all right. So how do you see that working? If we have an internal solution of how we think it might work, then to get your comments and how you think that would impact your end of the services.

So, yes, Chairwoman.
MS. WINIECHI: Jane Russell-Winiechi, Yavapai Apache.

A comment kind of question: The deputy director, I assume, has a job description, and that individual is working and busy right now. I want you to try to imagine that deputy director, in addition to what his -- their responsibility is right now, fielding calls from 13 regional directors.

As a leader over a small nation in comparison to Navajo, there's -- I can't even imagine how that individual would be able to coordinate, personally, because you're telling us the line is directly to the deputy director.

MR. TAHSUDA: Deputy secretary.

MS. WINIECHI: Deputy secretary. I apologize. So it's more than a comment. Try to imagine in your mind how that individual would be able to respond to those 13 regional directors. I mean, the devil's in the details, really. And the capability of any individual being able to work directly, that isn't possible.

As a leader of a nation, I know how it works. I have divisions, and all kinds of different organizations underneath me. And as you step up the ladder, and you must realize that, too, it doesn't -- it will not eliminate a form of bureaucracy or a part of bureaucracy.
because that individual will not be able to personally field calls from 13 directors.

And because of what they're going to be dealing with on a regular basis from all of these tribes, he could easily -- they -- I don't know why I say, "He." Here I am standing here as a female leader. That person, I could never even imagine in my mind that they'd be able to field that kind of bureaucracy. There would have to be people under him. So in a way it sounds good, but realistically, again, just to comment -- and I -- as you -- as the devil starts going down -- walking down the road into the details, that you consider this, because it's not possible.

MR. TAHSUDA: Well, so I have a couple of thoughts on that. One is the deputy secretary already deals with nine bureaus and about six other offices already. And they -- those people report directly to him, like I do, right? I report directly to him. So it's not a one-man shop, right?

MS. WINIECHI: No.

MR. TAHSUDA: I mean, he has four -- I think four attorneys that work for him. He's got two associate deputy secretaries, right. So he's already geared up to handle the multiplicity of decisions that come to him. But, again, so --
MS. WINIECHI: So you're going to add another 30 percent to that?

MR. TAHSUDA: Well, I don't think so. I think that actually, this can cut down on that. Because, again, if you think about it, this is supposed to take care of -- this is supposed to push decision-making to that unified region. And it only gets elevated if there is conflict that that regional director cannot resolve. He's supposed to be a problem solver, conflict resolution, amongst the bureaus around these decisions that are in that region. So it's only if there is a problem he can't take care of, or if there is -- so, again, the different bureaus, we have a different mission than Fish and Wildlife does. So sometimes there will be a mission conflict or call it a "policy" conflict, right, that he can't really resolve. So that's what gets elevated to the deputy secretary. And the deputy secretary, then would, basically, convene the assistant secretaries who are policy heads of those bureaus and say, "What's the answer to this?" Right?

MS. WINIECHI: Right.

MR. TAHSUDA: And then he sends that back down.

MS. WINIECHI: So early on, I heard you mention that, if I heard you correctly, that policy would be made with those regional directors. And so, the first thing I think of is: Does that mean with the ability that they're
given at that regional level, the policies could differ from one region to another because we're all different, because we all have different cultures and different needs. So there's another caveat to that. And I heard you say that they would be creating policies for their areas, for their regions. So another devil there.

MR. TAHSUDA: So, agreed. The -- we are working internally. I think this is not even any kind of reorganization or anything. This is, to my mind, responsible leadership and management of the organization. We are already have, you know, sort of at a second level of policy making, we already have flexibility in the regions when they have come up, and some of these things differ wildly from region to region, and sometimes that's good, and sometimes it's not. And we're trying to work through that. So that is -- and, again, you have to remember, so most of the work that will go on in that bureau, in that region, will be within that bureau. It will only be when they need the input or decisional interaction with another bureau that really triggers this, right?

So they still get, you know, 99 percent of their policy direction from their assistant secretary; they do their stuff. Different, other bureaus have -- allow more or less flexibility. Like, you know, BLM has a fair
amount of flexibility in their regions. I don't know about Fish and Wildlife so much, but -- or Park Service, they have a lot of flexibility park to park. So each of these bureaus has their own kind of way of dealing with that.

The -- I would say, you know, as I understand the secretary's concept and his mindset -- you know, it kind of comes from a military background. He's a career military man. And his observations through his career he's been, you know, part of and, you know, involved as a leader through the Department of Defense effort to figure out joint commands, joint bases, right? You have different services with different missions, but one goal in a geographic region, right? How do you work through those so that each of them can use some of the same functions to reach each of their different missions, which accomplish one ultimate goal, right? So that's kind of his mindset, and it's the same thing.

So one of the effective leadership tools, if you want to call it that, that he brings from his military background, he wants to bring to us, is this notion if you give clear direction and authority to the field, then they can make the decisions, and they make better decisions than somebody way up the chain makes, right? They understand the situation on the ground. So as long as
they have -- in our situation, as long as they have clear policy direction, and then, they can have the authority to make those decisions, you know, and you have to -- I mean, you have to have some boundary, right? There is the policy. They can't just go way off, right?

But, you know -- so the idea is that you can keep all that in the field, there's less reason for decisions to come to D.C. More can happen in the field, and it can happen fast. That's the concept. And so, that does envision some amount of flexibility there region to region.

MS. WINIECHI: Well, and that sounds logical and that it would be more efficient. But, historically, I'm hoping that Mr. Zinke understands how Native people are, and we've never stepped or marched to the same drum. If so, you know, we would still have control of this country. So --

MR. TAHSUDA: Thank you.

I'm sorry, guys. I've got about 10 more minutes. I'm going to have to -- I've got a plane to catch.

PRESIDENT BEGAYE: All right. Thank you.

Referring to the last page 12, not page -- the before -- well, page 12, where it says, "Next steps, review tribal input." The second line on that pilot project of shared services' approach in Alaska, I believe
it's last year, Alaska natives won a court case in turning land into trust, and there's a lot of discussion. Land status in Alaska, there's a lot of authority that the state exerts over traditional Alaskan native land in terms of taxation; the policies of the state of Alaska is controlled -- is controlling a lot of the villages. The policing that takes place and Public Law 280 is what is being used to say the state police can arrest people, enforce laws on tribal land, trust land in Alaska.

In New Mexico, Navajo Nation is that the state troopers cannot come on trust land in the state of New Mexico and Arizona unless Navajo Nation agrees to that. In Alaska, Public Law 280 is being used to say state troopers can enforce laws on trust land, lands being turned into trust. Trust land, up there, we're talking about not 72 million acres or even more. They're talking about one acre here, two acres here, and the discussion on removing taxation from that, and the control of the feds over a lot of the land where traditional hunting ground of Alaska natives are.

And so, I hope that by the last word, "Pilot Project of Shared Services approach in Alaska," does not mean redefining trust land, putting more jurisdiction over trust land, giving those jurisdictional authority to states and local government, like counties, like they do
up in Alaska, that if the same things happen, as far as
jurisdiction of the state and county in Alaska is used in
the lower 48, then we're talking about a completely
different concept of what trust land is and fee land that
say it's not Indian Country up there. Here, fee land is
Indian Country, lower 48, but in Alaska it's not.

And so, it's easier for the bureaus, the state,
the counties, to deliver services in Alaska, these shared
projects or these shared services, because they control
it. Because the states, the county, the feds, do control
policies and jurisdiction over much of Alaska native land,
extcept those that are being turned from fee to trust land,
even that trust land is being redefined. And I hope that
definition of trust land and jurisdiction of state of
Alaska over those trust land is not transferred here to
the lower 48 where we lose a lot of jurisdiction over our
own trust land, as it is up in Alaska.

So, to say that shared services' approach in
Alaska is a huge concern for the Navajo Nation. Thank
you.

MR. TAHSUDA: So I'll put that to rest. The
shared services means something like HR services, IT
services, among the Interior bureaus. That's all that
refers to.

GOVERNOR SUAZO: We're talking about -- you're
talking about Secretary Zinke's vision. And I was just wondering what sort of input did you as Native Americans and the staff, what input did you have in drawing up the map that regionalizes like the tribes. What sort of input did you have? And hearing what you've heard here today, what might you recommend to Secretary Zinke to change what is there, that is according to his vision, just hearing what you've heard today?

MR. TAHSUDA: I'm sorry, sir. What was your second question?

GOVERNOR SUAZO: What recommendation might you make to the secretary, based on what you've heard today in contrast with what his vision was, the way that it's regionalized?

MR. TAHSUDA: Thank you. So we had -- it's not just me. You know, our staff had, again, one of -- some input into moving the lines around a bit. So the original -- so using New Mexico as an example. The original -- basically, the Rio Grande River Basin, the way the lines were drawn originally would have cut some of the pueblos off from each other, and our suggestion was to take a look at, you know, our region here, how the lines -- it accomplishes keeping those together. So that happened.

The -- I don't know -- I think the California
Great Basin, that big, northern chunk of California and Nevada, I think that got rearranged some, too -- comments that we gave in. Yeah, we have a lot of comments from the Kansas tribes who interact very closely with the Oklahoma tribes. So there's been some discussion about whether Kansas -- and I'm not sure how much the other bureaus with regions, you know, that include Kansas, how much that affects them. We haven't gone that far on that. That's another discussion we're having.

So this is a good segue maybe at this point as well; the secretary also wanted us to express to you and the other bureaus we have talked to -- so this applies to all the bureaus, not just us -- that this structure can also be very flexible. So, and a prime example is number six, the Big Missouri Basin, which includes Montana. But it lumps Wyoming into the Upper Colorado Basin number eight, which New Mexico would be in. Wyoming only has two tribes. A really big reservation, and two tribes share that reservation, as you probably know. They have historically interacted -- they're in the Rocky Mountain region now, which includes Montana, and I think their preference would be to stay because of their similarities with the Montana tribes, the Great Plains tribes.

So one of the things he's suggested is we could continue to have them sort of virtually in the other
region. And so, basically, the IRD for region eight would sort of turn them over to region six, and they would interact with that region because they -- would have common issues, et cetera.

And so, again, some of the other bureaus have some similar things. And so, he wanted to kind of keep it flexible, and it will be up to us to talk to the tribes, to see how we can make that work.

I think, President, you know, Navajo is a good example of that, you know, how we could work that to keep the Nation together, you know, either virtually in your own region or virtually in one region, whichever. So, I think, if we get a little further down the road, and you want to keep the discussion going, we can start flushing that out, and talking that out. We'd want to have a discussion with the other bureaus that you interact with and see how we can facilitate that as well, so that's one way we would look to do that.

So, you know, what would I take back? That's a really good question. I have made notes. I have questions. I think that one of the things that I have -- I do think that, again, this will be something to look at more closely as we go forward, but I'm cognizant of the cost -- the potential cost to tribes.

And so, the secretary has made this sort of
30,000 foot level commitment that we're going to hold the
tribes harmless. We're not going to affect budgets,
cetera. But practically, we're going to have to, you
know, very quickly figure out how that would work because
our budget's really unique. You guys have seen the BIA
budget, et cetera, it's kind of crazy. There's like
200-some budget lines. I don't know. It's ridiculous.

The other bureaus, by the way, they have like 30
budget lines. Ours is like really -- I didn't realize
this until I got -- you know, came into the Department.
So -- and ours is not only chopped up so much into budget
lines, which reduces our flexibility, you know,
budget-wise, you know, sort of in a year, but, you know,
we also, we have now developed this -- historically
developed the tribal shares that are related to a region
and et cetera. So that would be a big task ahead of us,
to work with you, to figure out how we can, you know,
figure it out in a way that keeps, you know, at the end of
the day, your budgets, either that you contract from us or
that we provide a direct service with, but there's not an
impact to you. That would be -- that's something that we
have to figure out, that will take some work on our part
in particular in working with you to figure that out.

Yes, ma'am. Did you have a question?

MS. GARCIA: Yatahey. My name is Martha Garcia.
I'm with the Ramah Navajo -- Band of the Ramah Navajo, and a member of the Navajo tribe, also.

Talking about, you know, what is the solution, where do we go, what do we do as Indian tribes. And I have been taught to think outside the box, if we're going to move forward. The federal government has relationships in a lot of areas. They have departments that have relationships with different things. You have Department of States that has a relationship with foreign nations. We are a nation of many within the Department of Interior, but also, within that, we have governments, and we have a unique relationship with the federal government.

Why not elevate the Bureau of Indian Affairs to a department level, so you have a relationship with over 500 tribes, just like you do that with Department of -- the State Department where you have relationships with governments that are outside of the United States. But this would be a unique relationship with a department of only the Native people that are within the state of United States.

And that would set that relationship apart where you would be dealing with them on a government -- a true government-to-government relationship. And then, you don't have to put them in boxes where you don't have a government-to-government relationship with the Fish and
Wildlife or with the Land Department or whatever. But you're dealing with humans here, and I'm throwing that out there because I think then, that by doing that, you would really be setting your relationship, as a federal government, with the indigenous people, that has had their own government long before the -- before, you know, the United States was found. And that's food for thought. I think we would be taking a big, major step in the direction that would finally really recognize the people, the indigenous people, for -- and recognize their government. And I think we would be able to sit at a table by ourselves saying, "This is who we are. This is what we want," and our relationship would be a lot stronger.

And, you know, I see where the current administration is thinking not of the indigenous people and their government as a sovereign government, but would like to see them as races. That's not the way to go. Instead, I think you, as a representative for the Bureau of Indian Affairs, as a deputy secretary, you need to advocate for us, that we can't go in a different direction; that would truly establish a relationship, that would be based on a government-to-government with the various tribes and pueblos and people that are of this land. I just wanted to express that. Thank you.
MR. TAHSUDA: Thank you.

All right. I think I'll close this out.

Any other last comments? If not, thank you, guys. Thank you for sharing all this time with me and with us. We'll take your comments back, of course.

And, again, you can -- if you're interested, there's -- a schedule is laid out so far, and those of you who want to submit additional written comments, consultation @bia.gov, and submit them as soon as you have them compiled.

Don't worry about the August 15th date. We'll probably be continuing this discussion well beyond that. So, thank you.

(The consultation concluded at 1:20 PM.)
CERTIFICATE

STATE OF NEW MEXICO   
COUNTY OF BERNALILLO  

I, MICHELE NELSON, New Mexico Provisional Reporter, working under the direction and direct supervision of Yvonne Gonzales, New Mexico CCR License Number 62, hereby certify that I reported the attached proceedings; that pages 1-141, inclusive, are a true and correct transcript of my stenographic notes.

Dated at Albuquerque, New Mexico, this 6th day of July, 2018.

Michele Nelson

YVONNE GONZALES
Certified Court Reporter #62
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