

**SUMMARY**  
**Tribal Listening Session on DOI Reorganization**  
**June 3, 2018**  
**Kansas City, Missouri**  
**(At the National Congress of American Indians (NCAI) Mid-Year Conference)**

Principal Deputy Assistant Secretary – Indian Affairs (PDAS) John Tahsuda opened the session at approximately 1:20 p.m., following an opening blessing. PDAS Tahsuda then presented a Powerpoint explaining the goals of the reorganization, including making sure timely and effective decisions when more than one bureau is involved. The presentation also includes a map showing proposed new unified regions. PDAS Tahsuda noted that the Secretary has stated this should be a flexible map, so if there's a good reason to have certain Tribes go with certain regions, that would be part of an ongoing discussion.

**Jefferson Keel, President, NCAI**

- How the Department will select the new Interior Regional Directors (IRDs)? Specifically will they would be chosen internally from SES's already on board or be pushed out of Central Office into the Regions?
- Are there cost savings and, if so, how they would affect Tribal operations? If you look at the map, you sever the ties, particularly on the East Coast – 5 regions instead of one.
- I'm not opposed if it is truly progress, but I'm not seeing how this will increase the effectiveness for Tribal communities affected here.
- What will the functions of the IRDs be? Will they be doing the functions of AS-IA and if so will that affect the AS-IA position?

**John Tahsuda, PDAS-IA**

- We got a lot of input that the IRD should be career SES people but a political person brings the ability to get attention faster. The Department is looking for people with project management experience who, even though they would be career, would have direct line to the Deputy Secretary to get the attention the issue needs.
- We are not trying to create a superstructure bureaucracy. This comes out of the Secretary's military background, to identify functions that go across bureaus and put more decision-making power in the field.

**Jefferson Keel, President, NCAI**

- I like the idea of removing some of the silos. But a military model doesn't work because there aren't the same command and control.

**John Tahsuda, PDAS-IA**

- Conceptually, this is what the Secretary is aiming at, so that decisions can be pushed back down, rather than up.

**Jefferson Keel, President, NCAI**

- When you push decision-making authorities down, things do happen faster, but there are a lot of questions that come along with this.

**Cheryl Andrews-Maltais, Chairwoman, Aquinnah Gay Head of Wampanoag**

- This listening session was announced in a short period of time, so a lot of people couldn't attend this session.
- Change for the sake of change is not good.
- It's concerning that it does not consider the human condition. The three primary functions – recreation, conservation, and permitting – do not go to the responsibilities of Tribal leaders. It has nothing to do with Tribes, Tribal leadership, cultural responsibilities. These are things that aren't science-based.
- If the single point of contact for each region is not familiar with Indian Affairs, it adds another level of ignorance.
- The new regions take into account State and geographical borders but not linguistic groups.
- How will the new regions affect funding? Who will pay for the administrative costs of splitting the Eastern Region into 5 regions?
- It's a challenge to travel. Washington, DC, has been repeatedly requested for a consultation location. We need more time and accessibility for these consultations and background on the purpose of consultations.
- Our Tribe does not want this, but if we're going to discuss this, we should focus on having Indian Affairs become a Cabinet-level position. It should be predicated and viewed through Indian Country's lens.

**John Tahsuda, PDAS-IA**

- In concept, you would have more resources because you would be in a smaller region.
- Co-location could help Tribes in areas where Tribes end up paying out of pocket (e.g., environmental)
- The decision is ultimately up to the Tribes as to whether to participate in the reorganization. The reorganization is going to happen for the Department, but if Indian Country doesn't want to be part of the reorganization, we'll have to figure out how Indian Affairs fits into reorganization.

**Jefferson Keel, President, NCAI**

- What we say here is either going to be valued or not valued. We haven't had any consultation.
- Indian Country has accepted by default the organization we see today whether we're involved or not. The manner in which reorganization has been undertaken in the past, as now, is that it is going to happen.

**John Tahsuda, PDAS-IA**

- Indian Affairs may not be included in the reorganization depending on the input Tribes provide.
- When we get halfway or two-thirds through the scheduled consultations, we will identify additional consultation locations. We already committed to doing an additional session in Rapid City in a second round. Also, once we get through these consultation sessions, we'll probably do a series of consultation on how Indian Affairs will do our job for you when the rest of the Department is reorganized.

**Aaron Payment, Chairman, Sault Ste. Marie Tribe of Chippewa Indians**

- The Executive Order on consultation still stands.

- We haven't had any conversation at the Department of Health and Human Services (HHS) on changing IHS service areas, so there's a disconnect as to whether the Executive Order requiring reorganization applies to all agencies.
- You do a good job of putting lipstick on this pig, but convey clearly to the Secretary that "no, we didn't request this."
- This doesn't seem to be consistent with the President's request for efficiency because HHS isn't doing it.
- The Midwest restructure would take the majority of the Anishinaabe out of it. We are solidly a group of people that identify with each other.
- How does this affect other Departments like HHS?
- We had to meet with Jim Cason who's in an amorphous position where he hasn't been confirmed. He had asked the Executive Committee of NCAI where we Tribes see Indian Country in the future. There will be no war, poverty, but there will be Indians and there will be a treaty and trust responsibility and we're going to require the Federal Government to uphold.
- I was invited to meet with the President and my advice was yes, let's get rid of the bureaucracy. Indian Country knows how to do that. But none of the three drivers (conservation, recreation, permitting) for this reorganization are treaty and trust responsibilities – we are clearly an afterthought in the reorganization. The boundaries show deference to States but no to the Indian people.
- I want to be moved to the Department of State. The Constitution shows government-to-government concept. That likely won't happen, so Interior needs to see us distinct from trees, etc., that other Interior bureaus address; we should not be an afterthought.
- This restructure is under a military model, but we're not in the Department of War anymore.

**John Tahsuda, PDAS-IA**

- Treaty responsibility is a mission. But the three drivers (recreation, conservation, and permitting) are functions to meet the mission.
- I ask myself where we should be in the next 100 years.

**Aaron Payment, Chairman, Sault Ste. Marie Tribe of Chippewa Indians**

- I recommend "FUBI" as "for us by Indian people." Asking us after a predetermined outcome is paternalistic.

**Regina Gasco-Bentley, Chairperson, Little Traverse Bay Bands of Odawa Indians**

- I am shocked by the lack of concern of the Federal Government from the President's refusal to meet with Indian Country as a group at any NCAI events.
- I understand the motivation for a unified map but not all things fit into the buckets.
- We have a lot at stake with any reorganization, yet we learned of it by an announcement in newspaper in January 2018. Interior didn't directly inform Tribes yet obtained input from States and changed the maps as a result of that input.
- [Associate Deputy Secretary ] Jim Cason characterized his consultation on this as a few phone calls; that is not consultation. He also stated at TIBC that he didn't think it was his responsibility to understand what the needs of Indian Country were.
- This Administration ignores our rights for prior, informed consent. We ceded our land in treaties and, in exchange, we have certain rights. We are sovereign governments and we demand you treat us as such.

**Liana Onnen, Chairwoman, Prairie Band Potawatomi Nation**

- Has anybody key positions analyzed information behind this reorganization? If you have, what is the information?
- By basing the regions on watersheds, Interior is not taking into consideration the relationships, the history, the cultural relationships of Tribes. Tribes have formed strong regional relationships based on where you moved Tribes and put the regions, and now you're dividing us up again.
- We are people. We should not be under DOI.
- It feels like there's no methodology going on here. If you want to do this, you need to be listening and then come back with a more fully developed plan n. Then you can refine the draft. Tribes should be the first people that are part of making the draft, *then* go to States and others.

**John Tahsuda, PDAS-IA**

- Tribes are responsible for their culture and languages.
- In an ideal world it shouldn't matter what region you're in. With some flexibility in the regions, we could work through any issues.

**Jackie Pata, Second Vice-President/Delegate of Tlingit Haida**

- The question has been: what are you trying to get to, what issues are trying to address? For Tribes, watersheds are not the top of our list. We ask that you request Tribes for their issues.
- I see a restructuring that will cost multiple million dollars. If it comes with an initial price tag of \$9M in the budget request, I would want to know more as an appropriator. From a business perspective, I would want to know the cost-benefit analysis and added value, before investing \$9M in this. Appropriation dollars should not go to this.
- We don't know specifically what the reorganization is trying to address, other than the shifting of external boundaries and agencies that don't apply to us. We want to make sure that if Congress invests, the investment will be well spent and there will be a return on the investment. Not just to draw another pretty map.
- I urged the appropriators that that is the information they should get before investing.

**John Tahsuda, PDAS-IA**

- The reorganization would help us make the decisions we have to make on your behalf more quickly and efficiently.
- We do not have a cost-benefit analysis.

**Jackie Pata, Second Vice-President/Delegate of Tlingit Haida**

- The proposal is very broad and, to be realistic, it is not going to happen. It's not likely we're going to move the Forest Service back to Interior, for example. We should be realistic about what we can accomplish and then build upon that. Right now, the proposal is unrealistic with an unrealistic price tag. When are we going to get realistic with Tribes and have real conversations?

**Ron Allen, Chair, Jameston S'Klallam**

- Having 30 years of experience with self-governance, I see that Interior is still dysfunctional. Just to get BIA to do its job is a challenge. When you think of the \$3B in the budget, the resources are not there to meet the needs. Rather than reorganizing regions as it applies to Indian Country, it is a question of adequate resources and empowering the agency to protect Indian Country's interest.

- The movement of staff all over Indian Country and shifting them into other areas... I've heard Zinke give the military speech, and it's a bad speech for Indian Country. We work hard to get our people knowledgeable about the different Tribes and histories, and the notion that you'll take someone and teach him all about Indian country is unrealistic. They need experience and expertise to do their jobs. This is not the military. This is providing the resources and expertise to help Tribes achieve their goals.
- Use the resources you have and keep them in place and do a lot of recruitment. In the next 3-5 years, there will be a serious brain drain. Keep resources in place. Create a game plan to recruit people.
- I know there is a plan to move Public Safety from DC to Albuquerque, but Tribes who come to DC want to meet with the public safety personnel in addition to other programs.
- We need to take a step back and ask if you want Tribes to be involved. Listen and hear. You did that with land into trust, and you backed off.
- Tell the Secretary, as it applies to Indian Affairs, to back off and consider what would be the best course of action to serve Indian Country.

**John Tahsuda, PDAS-IA**

- In 5 years, 40% of DOI's personnel will be eligible for retirement. It's a challenge to get people to move to DC. In another context, we would like to hear how we should recruit.

**Leonard Forsman, Chairman, Suquamish Tribe**

- My main comment is that the three missions (recreation, conservation, permitting) can sometimes conflict with each other. For example, the effects of recreation on conservation can sometimes be negative. We should address those as well. Especially as Tribes have cultural, spiritual, and harvesting areas.
- Regionalization can be difficult in parts of the country where it may dilute the trust responsibility.
- Please schedule an additional consultation session in the Portland area.

**Tina Braithwaite, Chairperson, Benton-Paiute Tribe**

- Since becoming a Tribal leader, I see that States and counties don't understand Tribal sovereignty. I request DOI use some of the dollars to educate States and counties about Tribal sovereignty. It's hard to be a Tribal government when States don't understand Tribal jurisdiction.
- These consultations are happening after the fact. They are with a messenger rather than with a decision-maker. If you bring Tribal leaders to the table, have a decision-maker at the table.

**Loretta Tuell, Counsel**

- Do you envision a workforce number that you will achieve?
- Do you see reducing the number of SES positions? Or reallocating SES slots?
- Do you see closing any agency offices? Particularly Tribal agency offices on reservations?
- At the heart of the three functions are environmental issues, which is guided by EPA. We have roles in that environmental – Section 106 process – how might that change?

**John Tahsuda, PDAS-IA**

- There is no plan to close any agency offices. The plan is to support those better through FTEs and resources.

- I don't know for other bureaus whether workforce number will go up or down, but for IA, the workforce numbers should go up because we have to staff up.
- We have a lot of empty SES slots without enough people right now. We have not done a good job in the past of preparing mid-level to be senior levels.

**Cheryl Andrews-Maltais, Chairwoman, Aquinnah Gay-Head Band of Wampanoag**

- Indian Affairs was grossly understaffed even before the slots were empty.
- If Interior staff are unaware of their responsibility, they are still going to make bad decisions.
- When we are talking about the three core mission statements, treaty responsibilities are obligatory rather than aspirational.
- Because we're self-governance, we don't need the oversight/overlord of Federal Government. When we have to go through the Region instead of directly to Central Office, it's a waste of time and resources and we get an answer of "I don't know."
- None of the reorganization has to do with responsibilities to our communities and the well-being of our communities. We're looking at it through the wrong end of the telescope rather than through Tribal scope. If we start reversing and having people make decisions about Indian Country, then they're making decisions in a vacuum.
- Secretary Jewell made it a point to meet with each of us – we didn't get that in this go-around. She put Tribes' needs as a first and primary focus. Zinke should understand that is where the priority should be. It should be a partnership moving forward not a paternalistic relationship.

**Ron Allen, Chair, Jameston S'Klallam**

- Indian Affairs should join recruitment efforts with HHS.
- The President proposed a budget of a dramatic decrease. Tribes were angry. We are already talking to them about this proposal and not spend money unnecessarily. Rather than go down that adversarial trail, is putting together a small team. You could reach out to the Tribes and put together a workgroup on how to improve the effectiveness of the bureau to help Indian Country carry out its missions, rather than reorganizing. To stop with the perceived criticism. There may be better ways to do business. You need a cross-section since of interest to Alaskans, different from Navajo, East Coast Tribes. Engage with us, rather than treating us as an afterthought. Turn this into something constructive.
- We need you to be our advocate within the Federal system; we would like to be partners.

**Lance Gumbs, Shinnecock Nation**

- What type of timeframe are you looking at? In 2 years when Zinke is out of office, where will we be with this realistically? This is just a disruption without a real reason for it.
- We're not military. A military approach will not work. What I see is a page out of Andrew Jackson's playbook.
- How do you see this moving forward with the opposition you're getting from Indian Country. What is your timeframe?

**John Tahsuda, PDAS-IA**

- A full reorganization will take years. When DoD reorganized before, it took about 30 years. We know there has to be buy-in by external stakeholders and internal stakeholders. Career staff will be implementing long after political leadership has changed. If you didn't want to be part of this,

you could cause enough of a ruckus on the Hill. They're one of the stakeholders. Or you could stubbornly hold on until we're gone. The Secretary recognizes that and at the end of the day knows it's your decision.

- Some Tribes think it may not be a bad idea. Maybe it would apply to only certain parts of the country.
- Our priorities are not the same priorities as the same as other bureaus – they will have bulwark of decision-makers to help them, and we would be on the sidelines. But if that's the decision, Federal government will have to figure out how to move forward with Indian Affairs not part of the reorganization.

#### **George Gholson, Chairman, Timbisha Shoshone**

- Geography is not the issue. When the BIA official doesn't do their job and can't or won't get fired, that's the issue. That's a loss of time and money. Restructuring processes should be done first. It shouldn't be so difficult for Tribes to get things done. We shouldn't have to ask BIA.
- We wanted 12 power poles, and it took 8-9 months to get a survey that BIA required and \$10k. BIA officials should be held accountable for indecision. A decision that could have happened quickly.
- If BIA were a business it would have been out of business a long time ago.

#### **Mike Williams, Akiak Native Community**

- Coming from Alaska, dealing with highest rates of suicide, etc., and issues with the land. When we talk about efficiencies. I recommend meeting with each of the tribes in each region and work from ground up on how you can solve some of the issues of jurisdiction. When we traveled 10 years ago, I heard each region's comments, and that's what you need to do with the EO, to get the recommendation from each region on how to proceed.
- I agree with Tribal leaders here. When we see efficiency as a goal it makes me concerned – is it going toward termination? 570 Tribes are very concerned about their status and whether they will be winning or losing on this one. We are also concerned with my small tribe. It will be costly for my tribe to go to Juneau, from Barrow and Bethel. Maybe make it a more central location. It would be easier to travel to Anchorage or Fairbanks.

#### **John Tahsuda, PDAS-IA**

- A lot of the bureaus have agency offices in the same building so they already share facilities.
- The Department is looking at other benefits that could happen from being in the same location.
- It's not just shared services like HR, but shared relationships. When you can run across the hallway and talk to your counterpart in the other bureau. So Alaska is being looked at as potentially being duplicated in other regions.

#### **Mike Williams, Akiak Native Community**

- We went through the subsistence board on the issue of conserving our King Salmon. Our request was to care for the people and the resource at the same time. The board denied our request for consideration of special action, but the BIA Regional Director voted with us.
- There are other bureaucrats in other agencies that have no idea of how we live. Our people are suffering because of that decision from the board. People that don't live there are making decisions that affect us.

**Gary Burke, Chairman, Confederated Tribes of the Umatilla Indian Reservation**

- Superintendents from my reservation and others likely know nothing about the reorganization.
- How much more time will we have to testify on this reorganization? These are Tribal governments for their people; they are not agencies.

The session closed at approximately 3:15 p.m.