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LISTENING SESSION
ON THE EXECUTIVE ORDER ON REORGANIZATION
OF THE EXECUTIVE BOARD

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Taken at
CIVIC CENTER
LaCroix Room
Rapid City, South Dakota
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P R O C E E D I N G S

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3 MR. ANTHONY MORGAN RODMAN: Good morning,
4 everyone. My name is Morgan Rodman, and I'm
5 representing the Office of the Assistant Secretary
6 for Indian Affairs today. It's good to see some
7 familiar faces, but before we get too far into the
8 listening session, I'd like to invite the chairman
9 from the Yankton Sioux Tribe, Chairman Flying Hawk,
10 to open us up with some good words in prayer.

11 (Prayer)

12 MR. ANTHONY MORGAN RODMAN: Thank you, sir.

13 Again, this is the listening session for the
14 Executive Order on Government-Wide Reform, and this
15 is a listening session that is going to tribal
16 leader input, and it will be part of the record.

17 And I'd like to also introduce two of my
18 colleagues here on the panel here with me today to
19 listen to the comments and also answer some
20 questions.

21 MS. HANKIE ORTIZ: Good morning, everyone, and
22 welcome. My name is Hankie Ortiz, and I am the
23 Acting Deputy Bureau Director for Field Operations,
24 which means that I supervise all of their regional
25 directors across the country. And I am a member of

1 the Kiowa Tribe from Oklahoma.

2 Thank you all for taking time out to be here
3 with us. We really appreciate it.

4 MR. TONY DEARMAN: Good morning, everyone.
5 First of all, I really want to thank our tribal
6 leaders for taking the time to be here today. We
7 really look forward to hearing the comments that you
8 have for us.

9 My name is Tony Dearman. I'm the Director of
10 the Bureau of Indian Education, six months on the
11 job, and I'm a member of the Cherokee Nation and I'm
12 from Oklahoma.

13 MR. ANTHONY MORGAN RODMAN: Thank you, Tony,
14 and, Hankie.

15 Again, I'm Morgan Rodman. I'm Cherokee
16 (unintelligible) from Oklahoma. And we're here to
17 really listen today and work with you on the
18 questions that are being presented by this executive
19 order. And I'm going to provide an overview of the
20 listening session, and then we will kick it off from
21 there.

22 So the executive order, and it should be in
23 your packet, it's Executive Order 13781 and it's the
24 comprehensive plan for reorganizing the executive
25 branch. And it instructs the Department of Interior

1 to take certain actions. And it's critical that we
2 get your insight. And it doesn't just apply to
3 Interior; it's across the board to the Executive.

4 And this is not the only listening session.
5 There's going to be a total of seven. This is, I
6 think, the fourth or fifth one. There will be
7 another one in Connecticut, another one in Tulsa and
8 one in Alaska.

9 And these listening sessions are being
10 recorded. They're being transcribed, and they're
11 going to be available at www.BIA.gov.

12 The transcripts and the written comments are
13 going to be analyzed, and the recommendations will
14 be reported to the Assistant Secretary for Indian
15 Affairs and to the Secretary of the Interior. We
16 will then make recommendations to OMB and the White
17 House.

18 And the first executive order again is -- or
19 the executive order today is 13781, and it was
20 issued in March of 2017 and it directs agency heads
21 to send proposals to the OMB director for the
22 reorganization of their agencies, if appropriate, in
23 order to improve the efficiency, effectiveness and
24 accountability of that agency.

25 And in the handouts that you have, there are a

1 couple of dates that are important. The Federal
2 Register Notice, that's where the public in general
3 has a comment deadline of June 12th.

4 And for tribal leaders, there is a tribal
5 leader letter that's in a packet and tribal leaders
6 can send comments until July 13th, and that's to
7 Consultation@BIA.gov.

8 So some of the questions that may be helpful in
9 today's discussion are: Do the structures of the
10 Department of Interior and Indian Affairs currently
11 meet tribal needs? What changes, if any, do you
12 recommend and why? And what structure would improve
13 the efficiency of services? What structure would
14 improve effectiveness? And what structure would
15 make DOI and Indian Affairs more accountable?

16 I'd like to quickly point out in the executive
17 order itself there are certain criteria that are
18 supposed to be considered, and that is in
19 Section 2(d), so that's -- those are the factors
20 that are being considered for this executive order.

21 And to kind of help with the overview of Indian
22 Affairs, I'll just give a quick snapshot the offices
23 within the Assistant Secretary of Indian Affairs
24 Office, and then we'll transition to Hankie and Tony
25 and they'll go over BIA and BIE.

1 So for the Assistant Secretary of Indian
2 Affairs, of course it's led by the Assistant
3 Secretary of Indian Affairs, and he or she provides
4 overall leadership and direction for all
5 organizational components of Indian affairs
6 nationwide.

7 And the Office of Indian Affairs deals with
8 policy issues, communicates policy and oversees the
9 programs of BIA and BIE and really provides
10 leadership and consultation with tribes and serves
11 as the department official for intra-departmental
12 coordination.

13 And the Principal Deputy Assistant Secretary
14 supports the Assistant Secretary, and that person is
15 the first assistant and principal advisor to the
16 Assistant Secretary and that person has full
17 authority to act on behalf of the Assistant
18 Secretary in the Assistant Secretary's absence. The
19 BIA and BIE directors, as well as the Chief of Staff
20 and the Deputy Assistant Secretary for Policy &
21 Economic Development and the Deputy Assistant
22 Secretary for Management report to that person.

23 We have two other offices, the Deputy Assistant
24 Secretary for Management. That person oversees
25 really the mechanics, the Office of the Chief

1 Financial Officer; the Office of Facilities,
2 Property & Safety Management; the Office of Budget &
3 Performance Management; Human Capital, and the
4 Assistant Director for Information Services. So
5 that person provides oversight of the budget,
6 acquisition, property, accounting, business
7 services, et cetera.

8 And lastly we have the Deputy Assistant
9 Secretary for Policy & Economic Development. So
10 this office oversees the Office of Indian Energy &
11 Economic Development, the Office of Self Governance,
12 and administrative programs pertaining to economic
13 development, energy and mineral development, capital
14 investment and self-government activities.

15 MS. HANKIE ORTIZ: Thank you, Morgan.

16 So I think in your package you got an
17 organizational chart. And I think one thing that's
18 important to mention before I talk about the Bureau
19 of Indian Affairs is that the Assistant Secretary
20 basically oversees kind of three branches, and one
21 of them is the Bureau of Indian Affairs; one of them
22 is the Bureau of Indian Education, and there's the
23 one that's directly under his office that Morgan was
24 just talking about.

25 And so with regard to just the Bureau of Indian

1 Affairs, there is, in the central office there are
2 four deputies directly under the BIA director. And
3 one of those positions is the one I'm currently
4 acting in, the Deputy Bureau Director for Field
5 Operations. That position oversees 12 regional
6 offices across the country. Those are all listed
7 here. This, of course, is the Great Plains Region,
8 but there are 11 other regions across the country.

9 There's a Deputy Bureau Director for Indian
10 Services, and that's my normal position. That's the
11 position that I'm permanently in. And that position
12 oversees several divisions, including Human Services
13 which oversees Indian child welfare, child
14 protection, Social Services, those kinds of things;
15 the Division of Tribal Government Services; the
16 Division of Transportation, which is building and
17 repairing roads and bridges primarily; the Division
18 of Self-Determination where we do title and
19 contracting and contract support cause; the Division
20 of Workforce Development, which includes the job
21 placement and training program.

22 There's also a Deputy Bureau Director for Trust
23 Services, and there are eight divisions under Trust
24 including real estate services; probate services;
25 forestry and wildland fire management; Indian Energy

1 Service Center; land titles and records; natural
2 resources; water and power; and the program of --
3 Program Management & Coordination.

4 And the fourth deputy that's under the BIA
5 Director is the Deputy Bureau Director for Justice
6 Services. And that deputy bureau director oversees
7 all law enforcement activities and directly
8 supervises the law enforcement officers across the
9 country and also oversees the tribal court program
10 and works with all the tribal courts to help meet
11 the needs of those courts.

12 So there are those four deputies under the BIA
13 Director. And then there are a few people in the
14 Indian Office of the Director, just the Chief of
15 Staff and an assistant. So that's kind of general
16 overview of the Bureau of Indian Affairs.

17 Some of the things I wanted to mention that we
18 wanted to talk about are: Is the structure that
19 we're talking about currently meeting the needs of
20 the tribes? You should let us know that. And if
21 not, what changes to the structure do you recommend
22 and why would you recommend those changes? What
23 would improve efficiency? What would improve
24 effectiveness? What would make the Department and
25 Indian Affairs overall more accountable? So be

1 thinking about those questions as we talk a little
2 bit about the structure.

3 And I'm going to turn it over to Mr. Dearman.

4 MR. TONY DEARMAN: Thank you.

5 I think it's important before we kind of review
6 the Bureau of Indian Education organizational chart
7 to know that as a school superintendent I've
8 attended some consultations, and one of the things
9 that some of the tribal leaders would comment on is,
10 "There's already a proposal. Your mind is already
11 made up." Well, today you're going to find out that
12 there is no proposal. This is at the very beginning
13 phase. So I think that's what's exciting because
14 before anything is put in place we're getting the
15 comments from our tribal leaders.

16 In your packet you do have the Bureau of Indian
17 Education Organizational chart. And what we've
18 done, we've actually put the locations on there.
19 I'm not going to go through every location or every
20 position, but I think it is important to note that
21 Secretary Zinke has given us the message that he
22 wants to strengthen the front lines. And by doing
23 that he wants to push things out into the field.

24 So if you look down at the bottom where we have
25 our Associate Deputy Directors, for tribally

1 controlled we have seven ERCs and it has the
2 locations listed.

3 For the Bureau operated we have three education
4 resource centers. We have three education resource
5 centers.

6 And then for the Navajo Region we have five
7 education resource centers. And on the
8 organizational chart that you have in your packet,
9 like I said, it has the locations and the states
10 that they reside in.

11 I look forward to hearing your comments.

12 MR. ANTHONY MORGAN RODMAN: So we have a mic, a
13 mic stand in the center here. And please state your
14 name and spell it so our colleague here can help
15 capture that for the record, please. So state your
16 name and spell it, if possible. But please just
17 come to the mic. We look forward to hearing your
18 questions.

19 MR. SCOTT WESTON: Good morning. First of all,
20 before I speak to you, the Government, my name is
21 Scott Weston, S-C-O-T-T, W-E-S-T-O-N. I am the
22 president of the Oglala Sioux Tribe.

23 And to my elders, I apologize for speaking in
24 front of you.

25 Today is another struggle that we have here.

1 We as tribal leaders look at and seen what has
2 happened. And I do know that there's something --
3 there's an ulterior motive here. We as tribal
4 leaders understand that there needs to be change,
5 but I need to -- if you don't know, because one of
6 our tribal leaders was not aware of this, is that if
7 you want to be accountable, go back to my treaties,
8 our treaties, the Fort Laramie Treaties of 1851 and
9 1868 treaties. Those are the only treaties that are
10 verbiaged in Article VI of the Constitution of the
11 United States of America. Follow them treaties and
12 we would not be in this position that we are right
13 now.

14 We are where we are because you've built these
15 walls. You've built policies to not do your jobs.
16 You've built policies to hinder your progress. And
17 the only reason why it's there is to protect
18 yourselves from hearing us every day, from getting
19 your ears beat off.

20 I've told this to IHS. I'm telling it to the
21 BIA today. I've only been in this position for six
22 months.

23 Just like you, Mr. Dearman.

24 But I've been in politics. I've been in the
25 government. And it doesn't work because as a

1 government employee you're only bound to be able to
2 say what they allow you to say.

3 As a tribal leader it's my job to say what I
4 need to say, and it's to take care of my people, our
5 people. And it's not just of our tribes, it's for
6 all Indian nations across the United States and
7 Canada and Mexico and the world.

8 We fight these struggles every day because of
9 the way the United States Government in Washington
10 gets to decide how we're going to reorganize. If
11 you come to our reservation, my reservation, the
12 Oglala Sioux Tribe, you come to my tribe and you see
13 what our education programs have to deal with, our
14 land departments have to deal with, the BIA system,
15 the OST, the question needs to be, if you're going
16 to reorganize this, Why did we start that process in
17 the beginning? Why did we split that up? Because
18 it worked.

19 I can attest because I see our education
20 programs failing our children. I can see what the
21 BIA has to deal with. I see what the BIE has to
22 deal with within our tribally contracted schools and
23 it's 48 percent. Give us the money back. Quit
24 citing the CRs. Do your job. Tell Congress to do
25 their job. Tell Trump to do his job, if he's still

1 the President by the end of today. You know, former
2 director Comey, if he has anything to say, things
3 are going to start happening.

4 But that's what we need to start dealing with.
5 We (sic) need to look at yourselves as the
6 government and say, What did we do wrong so that we
7 got here, rather than tell us we need to make --
8 that we need to get ready because this is going to
9 happen.

10 I'm glad this is here because you're going to
11 hear a lot of, many, many messages saying that the
12 BIA, the BIE, OST, whomever, are not doing their job
13 because you put your roadblocks up. And it's not
14 your fault and it's very unprofessional, but that's
15 how the government works, they send out people.

16 I've had people on these panels sitting there
17 crying because they're tired of getting chewed up.
18 And I don't want that because you're tribal nations.
19 You are a tribal member before you're a government
20 employee. You belong to somebody's family, your
21 tiospaye, your tiwahe, you belong to them, and you
22 need to understand that. Somebody cares for you,
23 and that care that they have is not only for you but
24 for those that are coming in the new generations.
25 That's where we need to start listening to our

1 people and saying, What did we do wrong in giving us
2 the recommendations to make us feel better because
3 we have treaty obligations.

4 I can stand up here all day, but I know there's
5 many others that feel the same way that I do. But
6 we will -- I will have all the committees in my
7 council draft up our concerns, our requests. We
8 will make them written, but at the same time they
9 will voice their opinion. They will have their
10 voice today.

11 Thank you.

12 MR. ANTHONY MORGAN RODMAN: Thank you,
13 President Weston.

14 MR. ROBERT FLYING HAWK: Good morning. My name
15 is Robert Flying Hawk. I'm the chairman for the
16 Yankton Tribe.

17 I'd asked Ms. Kingman yesterday before I came
18 into the city, "Do we have any influence on the
19 setup of the meeting?" And she said that we didn't.
20 But, just, it is uncomfortable for me personally.
21 We as a people -- you know, I'm facing you. I need
22 to address you, and I'm going to do that, but yet
23 then I'm turning my back on the rest of our nations
24 here.

25 So traditionally, historically we, our leaders,

1 our ancestors, our relatives have been going to that
2 city on the East Coast and, in turn, there have been
3 some delegations that came out here also to humor us
4 and to resolve some of these vague areas, these gray
5 areas, and we're meeting today on that.

6 History or -- historically we are a people, a
7 strong people. We've been here a long time. And
8 America is also strong but yet still very young, an
9 infant in some terms in trying to be this nation and
10 live with this, I guess as I was growing up they
11 said it was a melting pot. And we were always here,
12 but that melting pot seemed to bring in other
13 nations. And there's a concern there also today
14 with some of the leadership's concerns.

15 We do have our areas where we look back on our
16 first representatives from Washington. I think they
17 were called an agent, who came down and said, "Well,
18 yes, do this and do that and we'll give you this if
19 you give us this."

20 And so we as a people are strong, resilient,
21 sincere, honest, as most people are, but in the
22 building of this nation we began to say "me". And
23 when we say "me" we aren't, obviously aren't saying
24 "us". And thinking about all of us as a people, as
25 a country, and we -- you know, I was thinking about

1 that this morning before I came over here, we are
2 nations, and each us as tribal leaders are addressed
3 as presidents of countries, and it's hard to believe
4 that. The Oglala, the Rosebud, that land area is
5 probably as big as some of the countries that are
6 over in Europe and some of the states here along, in
7 the USA. But that seems to have gone away.

8 We as leaders have that responsibility for our
9 people. And as we come together, as I said
10 historically or through history as we met here on
11 our, on the land, we met with the interest of all of
12 our people, and the government said, "Well, oh, yes,
13 I see that, that land there. How can I get that?"

14 As I grew up, most of us in our homes have some
15 stories. (Unintelligible) was hungry. So he said,
16 "Those ducks over there, how can I get them to come
17 over?" He said, "Come over here. I'm going to have
18 a dance." So they were lured by him because he's a
19 trickster. But this is how we grew up. And as we
20 view the government, sometimes that applies. We are
21 maybe enticed or lured.

22 And we have no doubt about the sincerity of the
23 relationships that we are faced with. We take it
24 for face value and say, "Yes, I believe you," but
25 the agenda of that other person may be completely

1 different and the manifest destiny, I guess would be
2 a word, that I'm going to get all that I can and not
3 worry about anybody else and not grow as nations.

4 I look at it as some of our children, I had a
5 son who grew quickly and was very tall, but that was
6 good. I think we all look at basketball. But the
7 coordination wasn't there. So the height was there;
8 the limbs were there, but there was no coordination.
9 And so that's how I see us in some of our cases is
10 we're growing too fast and we're not growing at an
11 even pace.

12 And so we want to keep all of these agencies
13 that are there. It seems as though we have these
14 agencies that came from, started from this agent and
15 then with the intentions of saying, Well, I want
16 this land or, I really believe in you and I'm going
17 to help you, and there wasn't a balance there. It
18 all became one sided, a teeter totter. If you get
19 too many people on one side, the other side is going
20 up in the air and you're going to be lower. But I
21 guess that's expressed also in our government, the
22 left and the right.

23 And we as a people always use that word
24 balance. We know -- there's always somebody saying,
25 "Come over here; it's better," and the other one is

1 saying, "No, don't do that." And so that's where we
2 have our balance. That teaches us to walk in that
3 balance. And it's simple. As we're driving down
4 the road, we're not going to go too far over to the
5 left or the right or we're going to hit an oncoming
6 car and we're going to wreck in the ditch. But we
7 say balance.

8 And as our President has asked these questions,
9 effective, efficiency, they're there and we have
10 them. We ask, or ask for us as the Yankton and I
11 believe for most of our nations is that look at us.
12 We need these things, the education, the health.
13 There are social ills that are plaguing us. But
14 there's that force, that energy that's out there
15 that says, "I want this," and that's that dollar.

16 And so we struggle with a drug that plagues our
17 homes, our families. We struggle with an education
18 system that we can't have teachers in there because
19 of the areas where we're located. And that dollar
20 is short so we get a lesser quality of a teacher.
21 And then we as children learn what we can, but it is
22 a challenge for us.

23 And then within that our self-esteem or our
24 ego, where is that history? I was told my history
25 by my parents, my dad, my mom, my grandparents a

1 long time ago, "This is what had happened." As I
2 got to school, then I didn't hear anything about
3 that, didn't read anything about that. There may
4 have been a paragraph or a page about all of us as
5 nations, maybe a sentence about the (Native
6 language), the Yankton. But those are the things
7 that we live with and continue to overcome. And we
8 are here and we're growing.

9 I'm happy today. I have a granddaughter who is
10 about 2 weeks old now and that is so good, but that
11 also says that we are growing as a people. And it's
12 their life that we come to these things to share our
13 thoughts, our opinions, our feelings because of
14 them. We are going to live. We say we want to live
15 and we are going to live and we say that it is with
16 our children, our grandchildren, our great
17 grandchildren.

18 And so those reorganizations, we need to have a
19 more direct service for us that's localized. There
20 seems to be a disconnect as we get that East Coast
21 memo and then it filters out to us and then all the
22 interpretations that it goes through, it loses its
23 meaning; it loses the focus, the directive as it
24 gets to us.

25 But I am so thankful to be able to share these

1 comments, these thoughts, and I thank you for being
2 here to listen to us. Thank you.

3 MR. ANTHONY MORGAN RODMAN: Thank you,
4 Chairman.

5 MR. BRANDON SAZUE, SR.: Good morning. Good
6 morning, everybody. My name is Brandon Sazue,
7 Senior. I'm Chairman of the Crow Creek Sioux Tribe.
8 I didn't have anything prepared or written down to
9 give you. I just want to stand here and speak from
10 my heart and tell you like it is.

11 Remember where we come from. I'm sure you
12 remember where you come from. And take this message
13 back to the President of the United States or
14 wherever you're taking it to. And if you're cutting
15 the budget already and we weren't operating at a
16 hundred percent in the first place, then why are we
17 cutting the budget again and hurting us even more
18 because of reorganization, or because we say we want
19 to have a comment period, come here and comment when
20 they had their minds made up anyway? I mean, this
21 has been going on since the beginning of time and as
22 I hear throughout this morning, probably this
23 afternoon.

24 So I want to touch on a few subjects. Let's
25 talk about the Bureau of Indian Education. Let's

1 talk about education of our youth. When we're not
2 operating at a hundred percent anyway and we're
3 being cut again, how are we supposed to compete with
4 the State of South Dakota, with the public schools?
5 How are we supposed to compete with that when
6 they're moving up to 48,000 and I think they're
7 moving up another few thousand, how can we give our
8 teachers raises when we don't have anything anyway?

9 And grants aren't the solution either. Because
10 here you have a lot of tribes that were once one
11 tribe. Divide and conquer; throw a dog a bone and
12 let them fight over it. The best tribe, the
13 healthiest tribe wins, leaving everybody outside.

14 You remember those times growing up eating
15 comaches, your grandma making fry bread, soup out of
16 whatever was there, we're still that same people.
17 We're still that same people. We'll always be that
18 same people. This is for the future of our
19 children. Do we want them to go through what we
20 went through? I don't think so. We want them to
21 have better opportunities, better job opportunities,
22 better education. How do we do that by cutting a
23 budget, by reorganizing? Are you kidding me? We
24 need to take this back to the President of the
25 United States and tell him that we need more

1 funding. That's it. We need more funding.

2 We know how to fix the system. We know what's
3 broken, but how are we supposed to fix it when we
4 don't have the money in the first place? We're
5 hurting our education system. We're hurting the
6 people. We're not honoring the treaties. And like
7 President Weston said, it's in the Constitution of
8 the United States. How can you not follow that?

9 Let's talk about law enforcement. Crow Creek
10 and Lower Brule, Lower Brule has two officers over
11 there. We're helping Lower Brule and Lower Brule is
12 helping us. We're helping each other. We're
13 sending officers over there back and forth about
14 12 miles in between covering both reservations.

15 Let's talk about children running away. The
16 BIA cannot hold them anymore, thus violating our law
17 and order codes and our tribes, violating our
18 sovereignty. We don't have any juvenile systems
19 anymore. We gotta send them out of state. We're
20 sending our little kids out of state through the
21 system. We're not helping our children anymore.
22 What is happening to them? So we had to go around
23 it, work around it.

24 Last week Crow Creek put up a curfew. When you
25 have a couple officers on, one officer on during the

1 week and covering both sides, Lower Brule and Crow
2 Creek, how are they supposed to catch those kids and
3 tell them, You can't be out late at night? How are
4 you supposed to stop the drugging and the drinking
5 with one or two officers chasing these kids? These
6 kids are fast. They're faster than us older guys.
7 How are we supposed to do something about it?

8 Crow Creek wants to buy a drug dog to help stop
9 the drugs on our reservation, \$13,500 for a drug dog
10 and the training, but we can't use it. You know
11 why? Because the regulations prevent it. You got
12 the tribe wanting to buy a drug dog but the
13 regulations say that we can't. We want to stop the
14 drugs in our community but we can't without the
15 proper police officers, without the proper funding,
16 without fully supporting our police officers. Look
17 at Pine Ridge and Rosebud, they needed more officers
18 years ago and we want to cut the BIA? We want to
19 cut funding?

20 Grants aren't going to accomplish anything. If
21 they say, "Well, write a grant," anybody can write a
22 grant, but then we're competing against each other
23 because there again you have tribes competing
24 against each other. The best one wins and the
25 others are left out.

1 You've got the Sioux Nation standing here.
2 We've been the Sioux Nation since the beginning of
3 time. Divide and conquer and now we're
4 reservations; we're different bands, but we come
5 from the same place.

6 I can't even speak my own language. We are
7 different people. We are not the United States of
8 America. We never have been. We think differently;
9 we feel differently. We don't think like the United
10 States. We think as Natives of who we are back
11 then, now and in the future, for our children's
12 future.

13 My child, 14 years old, tested positive for
14 meth and marijuana, meth and marijuana. I tried my
15 hardest to get him thrown in jail because I'm scared
16 he might run away again. Guess what? They told me
17 everything in the book how not to arrest my own son.
18 You know how hard that is to get my own son
19 arrested? Much less, there's no help for him.
20 That's BS, man. What about all the other little
21 kids running around out there dying because of drugs
22 and alcohol and not enough support within the system
23 because it all boils down to funding?

24 Everything is distorted from Washington, D.C.
25 all the way down to the tribes. It's like standing

1 in a circle telling one person one thing and by the
2 time it gets back, it's totally different. The
3 funding, we got so many deputy secretaries, so many
4 secretaries, which one is which? How many channels
5 does that have to follow up to before it gets to the
6 top decision maker? Enough is enough. Stop killing
7 us. Stop killing our children. Because that's
8 what's going on without the proper funding.

9 In 2006 our law enforcement jail, building, was
10 deemed condemned, but yet when they deemed it
11 condemned they hired a contractor to come in and
12 roof it. Are you kidding me? Now we're sitting in
13 a mobile building right behind that. Are you
14 kidding me? So we've got to take our children over
15 to Lower Brule to house them over there, but we
16 can't do that anymore. You know why? Rosebud built
17 their own facility but they don't have any funding
18 to run it. So here we got the tools to work on it
19 for our children but we can't because our own
20 government stands in the way. And it's not my
21 government. It's the United States Government.
22 They are standing in the way of a clear and better
23 future for us. They are violating our treaties in
24 which they signed and took our land. We didn't have
25 a choice and we still don't have a choice today.

1 Our kids are suffering from it. Our children are
2 suffering.

3 You know, I had a daughter that ran away all
4 the time. She's 18 now. She was taken to Busby,
5 Montana. Busby, Montana, how was I supposed to
6 travel that far to see my daughter? I couldn't. I
7 could not. How do you think every other parent
8 feels out there with their child taken out of state
9 somewhere else because we're overfull or because the
10 system isn't working?

11 There's a lawsuit brewing, one big lawsuit
12 brewing, and it's been brewing for years. I was
13 fortunate to visit Canada a couple weeks ago, about
14 three weeks ago. Canada stands with the Sioux
15 Nation. They'll be here in July. So by breaking us
16 down and not giving what's owed, we're uniting more
17 than ever. We are uniting more than ever because we
18 have to. We've got no other alternative.

19 We don't want to keep getting cut. If you tie
20 up a dog and you keep hitting it, one of these days
21 it's going to bite you because it's forced to,
22 because we're forced to. And it's for these little
23 ones is who we're standing up for today so they can
24 have a future. Heck, I'm 43 years old. Do what you
25 want to me, but you're not going to touch my

1 children.

2 And I know you guys have a job. Take this
3 report back to them and tell them we're dead serious
4 and we've never been more serious in our entire
5 lives. Because it's our children, I'm tired of
6 seeing them die, tired of seeing them die.

7 Last week we had a beating, a guy killed a guy.
8 A guy killed a guy over drugs. How can we fight
9 drugs when we can't even operate our court systems?
10 Crow Creek gets \$188,000 a year to operate our court
11 systems. We have a judge; we have a prosecutor, and
12 we have a public defender. We don't have a
13 probation officer. Truancy from our school, every
14 time truancy comes down to the courts, they're all
15 deferred. Why is that? Because our system is
16 broken. We don't have enough funding to properly
17 run our courts. We only operate two days a week,
18 two days a week. We'd like to go Monday through
19 Friday. We'd like a probation officer. We'd like
20 juvenile centers to send our juveniles to. We would
21 like to do all of that but we can't. We gotta make
22 do with a little bit of that (indicating). That's
23 hard to do. It's hard to do.

24 Because at the end of the day our job isn't
25 over at 4:30. We're elected tribal chairmen. Our

1 jobs are over when our terms are up. That's a 24/7
2 job. We don't quit. We go through the night. We
3 hear everything. We see everything. You know, we
4 have to -- we're starting a curfew. We're trying to
5 enforce curfew because we can't arrest kids that run
6 away or kids that are running around. Where are we
7 supposed to hold them?

8 I talked to BIA Social Services. Well, yeah,
9 they got a bunch of rules and regulations that they
10 have to follow, but where in there does it say we
11 stop helping our children because of all the red
12 tape, the rules and regulations that prevent it?
13 And if you got one or two officers on during the
14 weekend or the night covering two reservations, how
15 are they supposed to stop what they're doing when
16 they got to cover two reservations to take one child
17 clear to Busby, Montana or clear to Standing Rock,
18 North Dakota? They can't deal with it, so they
19 gotta pick and choose. Those little incidents
20 become big incidents and where that child might die.

21 People are dying. That's the truth. And here
22 we want to reorganize the BIA and cut some more when
23 we were never fully funded in the first place. And
24 that all leads back to education. It leads back to
25 our children.

1 Where do we find help for adults who are on
2 drugs, who are on alcohol, who ain't taking care of
3 our children? "Well, go out there and get a grant
4 and fight over it, but we're going to cut you some
5 more." So what one thing do we have left to do but
6 to stand up with each other, stand united with each
7 other. The tribes of the United States, the tribes
8 of Canada, we're uniting. And it never had to go
9 that far if you would have just only funded us in
10 the first place so we can take care of our tribal
11 courts, so we could take care of our juveniles, so
12 law enforcement could enforce the law and do their
13 jobs with the proper funding. Like I said before,
14 we can't even get a drug dog. We got the money to
15 pay for it when we don't have that much money in the
16 first place but that's what we're willing to do.

17 So take this message back to the President of
18 the United States and tell him, Fund us. Fund us.
19 Stop the bureaucracy. These are lives on the line.
20 These are people's lives on the line.

21 Thank you.

22 MR. ANTHONY MORGAN RODMAN: Thank you,
23 President Sazue.

24 MR. BOYD GOURNEAU: Good morning. My name is
25 Boyd Gourneau, B-O-Y-D, G-O-U-R-N-E-A-U, Chairman of

1 the Lower Brule Sioux Tribe. I am going to stand
2 back here so I can face everybody.

3 I just want to point out at so many of these
4 consultations, you know, Mr. Chairman said he's
5 going to get our message back, and we will get you a
6 message and please take it back, and we'll get it by
7 the deadlines. But now that -- you know, I've
8 been -- I'm honored to talk before you all and have
9 the floor.

10 And I just wanted to say that at so many of
11 these, you know, we get the folks sent down to send
12 the message back and no policymakers. So many times
13 the tribes are frustrated to not be, you know, given
14 the courtesy of the policymakers coming face to face
15 with us and dealing with us. So we scream; we
16 holler, and what message is relayed? "They screamed
17 and hollered at us," you know. I'm tired of
18 screaming and hollering. You know, we need to save
19 our strong messages for the policymakers. I know
20 you guys are relaying that but, you know, as
21 leaders, you know, we just get frustrated. We just
22 want, want you to -- as Scott said, the treaties,
23 you know, 1851, 1868, that has never been upheld.

24 The 1935 Reorganization Act, in our
25 constitution bylaws it's the first Wednesday of

1 every month, you know. Does the BIA know about
2 this? I hope so. I guess the point I'm trying to
3 make is the first meeting when I'm in office, you
4 know, everybody is there, BIA and everything. Every
5 meeting since then, first Wednesday of every month
6 we've had to call upstairs, same building, to the
7 BIA, "Hey, we're having our meeting. You guys have
8 something?" Since 1935 it's been scheduled. I
9 guess I want you to care, at least that.

10 And I don't mean to throw the BIA under the bus
11 but, you know, at least take into consideration, you
12 know, they should be at the meetings. Yesterday we
13 had a meeting and they weren't there. We called up
14 there, "Oh, you're having a meeting?" It's simple.
15 Our message hasn't been heard. It hasn't been
16 getting relayed.

17 Brandon and I are adjacent to each other and we
18 anticipate that they're going to put us together.
19 We're two separate nations. We help each other, but
20 we want you to recognize that we are two separate
21 nations.

22 He had a proclamation about the curfew. It's
23 in our code. We shouldn't have to proclaim, "BIA,
24 please adhere to this code." You know, we shouldn't
25 have to have a proclamation saying, "This is our

1 curfew." It should be adhered to because it's our
2 law.

3 All I ask you to do is care, listen to us. And
4 like I said, we're tired of screaming to
5 congressional people.

6 I will yield the floor to anybody else. And I
7 appreciate your time and thank you.

8 MR. RICHARD GREENWALD: Good morning. (Native
9 language) to all my relatives out there.

10 And there are elders. Forgive me for speaking
11 before you.

12 My name is Rich Greenwald. I'm a tribal
13 councilman for the Oglala Sioux Tribe. Richard,
14 R-I-C-H-A-R-D, Greenwald, G-R-E-E-N-W-A-L-D. I
15 spent 25 years of my career in law enforcement and
16 I've retired into politics. I've worked on four
17 different reservations, Wind River, Standing Rock,
18 Lower Brule and Winnebago Tribes. So I've worked
19 with some of the faces that are here today.

20 I come to you today kind of broken hearted.
21 I've seen a lot of death and dying in my community
22 in the last couple of years, and it's gradually
23 getting worse with the meth epidemic.

24 I see no rhyme or reason in the funding
25 formulations. I actually had the opportunity to

1 work back in the day when John Long, you might
2 remember that, when we worked in Wind River. We
3 were under the agency system where the Bureau of
4 Indian Affairs superintendent was the guy at your
5 agency. There was no regional office. There was no
6 middleman in the area. When the tribe wanted to
7 meet, they met with the superintendent and they took
8 care of it, whatever it was. You didn't have to
9 call the regional office.

10 Yesterday we spoke. One of our tribes called
11 the regional office to ask about something. "Well,
12 you need to call over here to Montana." What
13 happened to the day of, "Okay, thank you very much.
14 I've got a number for that place. You can call them
15 yourself, or would you like me to handle it for
16 you?"

17 The Bureau of Indian Affairs is supposed to be
18 there to help the tribes. To sit there and be the
19 middleman and pawn it off to somebody else
20 constantly, our tribes see no reason or rhyme for
21 you having a regional office anymore if all you're
22 going to say is, "I can't answer you" or "I've got
23 to call somebody else." There's no reason to have a
24 regional office and our Sioux tribes here don't
25 believe that our regional office is working for us.

1 So going back to Pine Ridge and law
2 enforcement, I'm going to talk about law enforcement
3 first. It's pretty sad that the Bureau of Indian
4 Affairs can sit back all the way up to the top while
5 Pine Ridge and Rosebud are the number one and number
6 two deadliest counties in the whole United States,
7 sit back and not interject, not say nothing, not
8 bring a team to make things better.

9 My community of Pine Ridge alone, 22 homicides
10 in one and a half years. Some of those were my
11 nieces and nephews that were murdered because of
12 drugs, this meth crap that's hitting here making
13 people retarded. When there's no law enforcement in
14 the community and you see a hundred kids running
15 around your community at 2:00 in the morning because
16 their parents are high on meth or drunk and you
17 don't have enough law enforcement, there is no civil
18 stability in any of our reservations right now
19 because of the lack of law enforcement because the
20 formula does not work.

21 I'll put it like this: If I'm in -- Chicago,
22 Illinois is one of the worst murder capitals in the
23 nation just like we are in Pine Ridge. We're the
24 capital per hundred or whatever it goes by. Say the
25 state gave them 20,000 police officers but hey, over

1 here we're going to give Rapid City a hundred
2 thousand police officers, it makes absolutely no
3 sense. Where did you get the formula for that? Why
4 is it set like that? And why isn't the Bureau of
5 Indian Affairs interjecting or doing things to make
6 those places that are hot spots, that have massive
7 murder and all of this stuff going on -- how do you
8 expect the children to go to school in the morning
9 when they're up all night because the parents are
10 high on meth and drinking all night?

11 I was at a school one day. They called me,
12 "You need to come here. We have a child that's
13 unruly." So I go to the school, "What's going on?"
14 "He won't listen. He was doing this or doing that."
15 So I take them aside and I said, "Can I talk to
16 him?" And this is what I mean by nobody is
17 listening, nobody is paying attention: So I sit
18 down face to face at his level, not above him as the
19 big God, "What's going on?" He said, I'll tell you
20 something." He said, "Last night my mom and dad
21 were partying. There were all of these people in
22 the house, and this guy tried to go in my little
23 sister's room and I pushed him out." He stood at
24 the door and held the door all night long and he was
25 falling asleep in class. They got mad at him and

1 they didn't take the time to listen to him. He was
2 trying to protect his little sister. And if you
3 don't start paying attention to what's going on,
4 this is what we got here today. The Bureau of
5 Indian Affairs is not paying attention to us.
6 There's all this bureaucracy in between here and
7 there.

8 The IHS, same way, all of this bureaucracy.
9 Some of you that work in the government system, when
10 is the last time you took a drug test? Us guys in
11 the tribal programs, we drug test three, four times
12 a year. I go up to IHS and I have to worry about
13 somebody sitting there shaking because she's on meth
14 or she's been stealing drugs out of the ER, bags of
15 weed found on the floor in places that are secured
16 that only government employees can go into, but
17 guess what, they don't have to drug test because of
18 the bureaucracy bullshit. All of that stuff needs
19 to be cut. We just need to start paying attention
20 to what's going on. People need to start being held
21 accountable.

22 And we don't get no funding for all of this.
23 Our courts are failing because they don't have
24 enough staff. We can't send anybody anywhere. It's
25 the same story over and over. So I'm frustrated.

1 I'm really angry because in my community I lost 22
2 people. And I'm not saying the whole reservation.
3 Here's Pine Ridge, the whole Pine Ridge Reservation.
4 Here's the Pine Ridge town. The town of Pine Ridge
5 lost 22 people to murder. I'm not talking about the
6 rest of the communities across the reservation. I'm
7 talking about the Village of Pine Ridge.

8 And if you think -- and I talked to the
9 Governor and I talked to the sheriffs and the Chiefs
10 of Police from Sioux Falls to here. If white
11 America thinks that Indian crime isn't going to
12 affect them, come to South Dakota and look at the
13 prison over here, over 50 percent Native American.
14 If you go to the state and county over here in Rapid
15 City, 90 percent of these people in this jail are
16 Native American.

17 If you think it doesn't affect you, the
18 property crime in Rapid City, how much do you think
19 that costs? People getting beat half to death here
20 on the streets, how much do you think that costs
21 over a lifetime? Because we're not addressing the
22 social issue. You gotta have law and order in your
23 communities. If you don't have that, everything
24 else here is going to skyrocket.

25 Your medical bills that IHS is paying probably

1 went, in the last 20 years, up \$50 million a year
2 just for Pine Ridge because we're not addressing
3 those social issues, people getting beat, people
4 getting flown out on a daily basis because they were
5 beaten and raped and now they have to go somewhere
6 else to get their medical attention because we can't
7 provide it locally.

8 UNIDENTIFIED SPEAKER: Up to ten times a day.

9 MR. RICHARD GREENWALD: Yeah, we got flights
10 coming out of Pine Ridge ten times a day. And
11 that's a minimum. That's just an average.

12 So when you think you can ignore this stuff and
13 you think it's not going to reach you, go ask Sioux
14 Falls, go ask Pierre, go ask Mobridge, go ask Pine
15 Ridge or Rapid City, anywhere in that surrounding
16 country, ask them if Indian crime hasn't affected
17 them. Our behavior has gone unchecked, we'll end up
18 in your neighbor. And I told the Governor that. I
19 said, "Gone unchecked, our crime will end up in your
20 neighborhood next." And pretty soon we're going to
21 be killing people that are not Indian and that's
22 happening already right now today. Ask Rapid City
23 about their crime rate.

24 If you think you can ignore the problem,
25 Mr. President, President Trump, if you think you can

1 ignore it and cut more and cut more, it's going to
2 end up in your backyard. It already is in your
3 backyard.

4 With education, same thing, there's no rhyme or
5 reason for anything, yet the Bureau of Indian
6 Affairs ignores the Great Plains Region. We lost
7 out on all of these schools that we should have had
8 already because someone at the Bureau of Indian
9 Affairs and BIA wasn't doing their job. So where
10 did all the schools go? Like they always do, and
11 I'm sorry if you're from the southwest but you guys
12 got all the nice, big, new schools down there. One
13 of them I think couldn't even open because they
14 couldn't staff it.

15 And then look at your schools and come to our
16 schools. When we get a school built up here in the
17 Great Plains Region, it's a real cheap formatted
18 thing. Then you go down south, "Whoa, holy smokes,
19 look at that mansion," huge schools made of strong
20 brick and the best materials on earth. And then you
21 come up here and see the shacks they build for us up
22 here. There's a difference and we see it and we're
23 tired of it. That needs to stop. There needs to be
24 some formulation, some rhyme or reason to how things
25 are budgeted and formatted because it doesn't work.

1 It works for a few but it ain't working for us Great
2 Plains Region.

3 I have a whole lot of other stuff to say, but I
4 got a lot of other relatives here that probably will
5 say them for me anyways.

6 But thank you very much.

7 MR. ANTHONY MORGAN RODMAN: Thank you,
8 Councilman Greenwald.

9 MS. DARLA BLACK: Good morning. My name is
10 Darla, D-A-R-L-A, Black, B-L-A-C-K. I'm the vice
11 president of the Oglala Sioux Tribe. I come here to
12 this meeting in hopes that you will listen.

13 There's problems on both sides. For years we
14 have been reporting to BIA. There's problems with
15 our law enforcement. There's problems with our
16 court. There's problems with our Indian health
17 service. And it fell upon deaf ears. What I would
18 like to see is an audit of the Department of Public
19 Safety going back at least 15 years of all of these
20 Chiefs of Police, all the people in power and how
21 they spend their money. And I would like to see the
22 same of the court. Because the only way we're going
23 to fix a problem -- and an audit of our Indian
24 Health Service. The only way we are going to fix
25 this problem is we have to do it together, as a

1 tribe, you as the Bureau of Indian Affairs and the
2 United States Government.

3 What's happening is the problem keeps
4 continuing and continuing. Just like we go through
5 Chiefs of Police; we go through judges; we go
6 through court personnel. And I think our IHS is
7 used to promote the CEOs because they come to Pine
8 Ridge and then they get a better job and they leave.

9 We need stability, continuity. We need
10 communication. We need somebody to listen to the
11 people. Sometimes the people come to the elected
12 officials and they tell them, "There's a problem
13 over here," but it never gets processed. They go to
14 the Bureau of Indian Affairs and they report it to
15 the superintendent and it falls upon deaf ears. And
16 what do the people do? They get frustrated and they
17 don't complain anymore. They don't come back
18 anymore and the problem continues.

19 We have a superintendent that was in the law
20 enforcement system, right now I'm not sure if he's
21 acting, but nothing was ever done by that
22 superintendent when he was overseeing the Criminal
23 Investigation Department and now we have him as
24 acting superintendent. Perhaps if we bring
25 different people, different tribes to oversee or

1 help us with our own people, maybe that will help.

2 Because there's always a bottleneck in the
3 system somewhere. And we're all here. Those of us
4 that ran for office want solutions. We want
5 improvement. We want better communication. We want
6 you to genuinely listen to us. Because the way I
7 feel today, I think you're just in that bureaucracy
8 where all you're going to do is listen to us and
9 it's going to fall on deaf ears again. That's how
10 we feel coming here. But because we love our
11 people, because our people are crying, because our
12 people are hurting, I came here.

13 I'm in a position where I have the ability to
14 do these things, to come here, to tell you what's
15 happening with our people. Everybody is disgusted.
16 Years ago -- I'm a 23-year law enforcement officer
17 out of Pine Ridge and I've got five years in Nevada.
18 When I started out I was 23 years old. We had 100
19 officers on the Pine Ridge Indian Reservation. That
20 was adequate. Our population on the book says maybe
21 29,000, 30,000. That's not true. There is no
22 accurate census. I would say our population is
23 maybe near 50,000 because we have nine districts on
24 our reservation. Our reservation is 100 miles
25 across. The money, the funds that the government

1 sends to us is never enough.

2 I worked my way up from patrolman to sergeant
3 to lieutenant. I went into internal affairs
4 supervisor, internal affairs investigator, criminal
5 investigator. I made it to the top to the Chief of
6 Police position. I was the executive director. And
7 one of the things that I learned as an executive
8 director, the government sends 2 million to the Pine
9 Ridge Indian Reservation. By the time it hits the
10 Bureau of Indian Affairs we get 800,000. It's never
11 enough.

12 Now we are down to I'm hearing 30 officers, and
13 that's absurd. Because it takes one hour to get to
14 Wanblee, from Wanblee to Pine Ridge. And there's
15 sub-communities in every single district if you look
16 at the geographical map of the Pine Ridge Indian
17 Reservation. We've never been adequately funded.

18 And if you go back in the years, they've never
19 looked at our budgets. They've never changed our
20 budgets. Although our population is increasing, the
21 same amount of money, it remains. They give us the
22 same amount as some of the smaller reservations.
23 They don't look at the geographical size.

24 There's many things that I could stand here
25 just like Councilman Greenwald and tell you.

1 However, there's one important, I would say, aspect
2 that I see because I'm in the communities with the
3 people is we need a bigger, larger hospital. We
4 need a larger -- we need monies for a larger
5 treatment center.

6 We had Whiteclay there. We were successful in
7 finally closing down Whiteclay, which was only
8 2 miles from Pine Ridge. But now what do we have?
9 We have people addicted to alcohol. And now the
10 meth has increased. There's ways that you can help
11 us, but what we need to do is genuinely sit down and
12 work together. That is the only way we are going to
13 do things.

14 My ancestors used to come and gather in a
15 circle and work with the government. We have
16 pictures to show that. We need to go back to that.

17 I see a resurgence of young people that are
18 going back to the ceremonies. The young people are
19 alcohol and drug free. The young people want to
20 dress like me and want to be something to help the
21 people. Because we were taught that by our elders.
22 We were taught to go educate yourself and bring it
23 home to try to improve our way of life. But when we
24 have these systems that do not care about what
25 happens on the Pine Ridge Indian Reservation, it

1 makes that difficult to do when nobody is listening.

2 But I believe an audit will show the pictures,
3 an audit of all of these programs. Because these
4 were told to the BIA before, "We want an audit of
5 Indian Health Service. We want an audit of our
6 court system. We want an audit of our law
7 enforcement system so it'll show a picture of what
8 happened to our monies."

9 Right now we have Avera overseeing our
10 emergency room. I'm also taking care of my mother
11 who is a cancer patient. I was in the emergency
12 room Monday night. When I arrived there there was
13 ten people in a little emergency room. The
14 emergency area was full. The staff were visiting.
15 And I sat there and watched. This woman had been
16 sitting there since 3:00 in the afternoon and this
17 was nine o'clock at night. This other woman was
18 admitted around 3:00 and still sitting there. These
19 other people, some of them weren't even screened.

20 So I called and texted a tribal council member
21 that's on our Indian Health Service Committee. Why
22 does it have to be that way? Why do we have to do
23 this in order to get services to our people?

24 When that person called and started checking
25 in, the staff that were standing around visiting,

1 they were running around taking care of our people
2 and they cleared that emergency room. We tell this
3 to the CEO director of IHS.

4 My tribe, the tribal council submitted a
5 resolution opposing Avera in our emergency room.
6 Are you going to listen? Probably not. We have
7 people that don't care about our people serving us
8 in our health capacity. Instead they want to ship
9 you out rather than really giving you an examination
10 to see what is wrong with you for a proper
11 diagnosis.

12 But today I want to thank you for your time,
13 for coming here to listen to us, and we hope that
14 you hear what we have to say and that you honor our
15 requests. And I thank you. Mitakuye oyasin.

16 MR. ANTHONY MORGAN RODMAN: Thank you,
17 Vice-president Black.

18 MR. C.J. CLIFFORD: Good morning. My name is
19 C.J. Clifford and I'm with the Oglala Sioux Tribe.
20 I work in the education area as the chairman, but I
21 have other concerns in my life. As Mr. Dearman
22 knows, we have a good relationship today with the
23 education part of it, so I'm not so much going to be
24 getting on education, but even though we need to
25 keep that going, okay? And hopefully we won't take

1 that hit.

2 On the other hand, I'm representing my tribe
3 and our programs. You know, they're looking at a
4 \$22.3 million cut in the programs in 2017. Now,
5 let's do some listening here, okay? I'm going to
6 ask some questions. I would like a little feedback
7 so my colleagues and my people can hear me. So that
8 we're listening to what your guys' plan is, what is
9 your plan? Did you tell us your plan yet? What's
10 the idea about it other than hearing some ideas from
11 us? But I know the government all of these years,
12 they already have a plan. Can you share some of
13 that with us? What areas are on the top of that
14 list? Can you be truthful and let's build a
15 dialogue here?

16 MR. ANTHONY MORGAN RODMAN: So, Mr. Clifford,
17 the listening sessions that we've been having over
18 June are to get insight like yours and from the
19 other leaders that we heard, and then that would
20 form whatever direction is taken on the
21 reorganization.

22 MR. C.J. CLIFFORD: How do you expect us to
23 respond and bring comments and questions when we
24 don't actually see what's being put on the table,
25 what's being talked about? It's been like this for

1 too many years. How long you been in the system?

2 MR. ANTHONY MORGAN RODMAN: Eight years.

3 MR. C.J. CLIFFORD: Eight years, yeah, okay.

4 That's way too long. The system has treated us
5 pretty ugly all these years. Let's be truthful. So
6 when I say build a dialogue and have a listening
7 session, it also stands the same for us back here.
8 In Indian Country over here we try to set ourselves
9 so that we sit in a circle. All of these years,
10 I've been fighting the system since 1990, the
11 consultation. Now we're calling it a listening
12 session. They don't say consultation because they
13 know Sioux Country here, we're fighting it. No way.
14 So we're going to call it a listening session.
15 You're going to do what you're going to do anyway,
16 but I would like to see the plan and so would our
17 people.

18 You think that's right, Ms. Ortiz?

19 MS. HANKIE ORTIZ: Yes, and I do believe that,
20 you know, the reason why this is a listening session
21 is because we don't have anything on the table and
22 we are here to listen to your suggestions before the
23 plan is formulated.

24 All of the transcripts are going to be on the
25 BIA website so you can look at what other tribes

1 have said across the country, and then maybe -- and
2 I don't know if any of you have been on the website
3 yet, but we've already had some. So as soon as
4 they're available they're put up, so you can use
5 those to inform your comments.

6 Or the other thing is that after the comments
7 are -- the plan is formulated, it's my understanding
8 that it's going to be put in the Federal Register,
9 so you would be able to do, make comments at that
10 time.

11 Is that right?

12 MR. ANTHONY MORGAN RODMAN: I'm not sure.

13 So this is not a consultation, you're right,
14 sir. This is a listening session. And the idea is
15 when -- you know, it's possible that a consultation
16 would occur when there are, as you're pointing out,
17 plans based from these listening sessions. But that
18 hasn't been set yet, you know, the dates for those
19 consultations. But you're right, it is different
20 than a consultation what we're doing today. The
21 conversation that we're having today may form
22 consultations moving forward.

23 MR. C.J. CLIFFORD: This would not be
24 considered consultation, period?

25 MS. HANKIE ORTIZ: This is a listening session

1 where we're listening to what you think is important
2 before the plan is formulated.

3 MR. C.J. CLIFFORD: Okay, can you say this is
4 not a consultation?

5 MR. ANTHONY MORGAN RODMAN: This is a listening
6 session. So it's not -- we're not calling this a
7 consultation. It's a listening session.

8 MR. C.J. CLIFFORD: But you're calling it a
9 listening session?

10 MR. ANTHONY MORGAN RODMAN: Yes.

11 MR. C.J. CLIFFORD: Is there a formal way of
12 consultation? And we are on record on going on this
13 in that manner?

14 Mr. Dearman, answer some of my questions,
15 please. Will you?

16 MR. TONY DEARMAN: Everything being said,
17 Mr. Clifford, is going on the record. And this is
18 considered a listening session. I think it's
19 important for the tribal leaders to understand, too,
20 according to the documents, copies of the
21 transcripts will be available at www.BIA.gov.
22 Because everything that's been said at all the
23 meetings that we're having is going to be up on that
24 website. So when the plan comes out, you can
25 actually take the transcripts and look and compare

1 it to what the plan actually is and what was said to
2 see how they correlate. So that's going to be the
3 place where you can compare all the reasons of what
4 the plan actually is when it's rolled out.

5 MR. C.J. CLIFFORD: So it's a form of
6 consultation. You're going to take it back, "Well,
7 we did tell them this is what's going to happen."
8 That's usually how it happens to us here in Indian
9 Country. No disrespect, okay? I've been at this
10 for a lot of years, and I don't like the way the
11 system is. I never did. Ever since I started it's
12 never been fair to us here out in the Dakotas.

13 We have a program. It's called the Tiwahe
14 Initiative. Tiwahe is our language. In our
15 language it's Lakota, Dakota, Nakota. But we didn't
16 receive nothing from that program. And the
17 initiative is based on this, our people. Why is
18 that? Report here. Do you know what I'm saying?

19 I know you guys are aware of this, so let's
20 have a little conversation. Let's talk and let's be
21 nice to each other, not just sit there and listen.
22 Because considering this a listening session, you
23 just come out here, "This is what we're going to do.
24 Here you go. This is how it's happening," period.
25 How do you expect to build some type of

1 communication that's really nice and friendly and
2 plans that would be looking like that, you know? Is
3 it going to happen?

4 Today I also have my, no dollars for the child
5 protection for foster parents at all in my program.
6 My tribal burial assistance program is already
7 40,000 in the red. That's to assist how my people
8 bury themselves and bury ourselves, you know, bury
9 our loved ones. I have over 600 families without
10 GA since February.

11 Are any of you from a reservation?

12 MS. HANKIE ORTIZ: We're all from Oklahoma, and
13 in Oklahoma they do not have reservations but they
14 have Indian communities where tribes are located on
15 federal trust land.

16 MR. ANTHONY MORGAN RODMAN: I grew up in a
17 tribal community. But I'm not going to speak for
18 Mr. Dearman and Ms. Ortiz, so...

19 MS. HANKIE ORTIZ: I also grew up in a tribal
20 community. But, like I said, there's no reservation
21 land identified in the State of Oklahoma.

22 MR. C.J. CLIFFORD: Okay. So life is different
23 on the reservation, different than your life that
24 you grew up in in Oklahoma, a lot different. Have
25 you ever been to our reservation?

1 MS. HANKIE ORTIZ: Yeah.

2 MR. C.J. CLIFFORD: Have you gone into the
3 communities or just gone into the town of Pine
4 Ridge?

5 MR. ANTHONY MORGAN RODMAN: I've been to some
6 of the communities, sir, in Pine Ridge many times
7 over the course of about a year.

8 MR. C.J. CLIFFORD: Okay, so you'll see what
9 I'm talking about, my reservation and my families
10 and the people that are hurt.

11 Everything I do I have to travel. Not
12 everybody has jobs down there. I'm looking at, some
13 say 85 percent, 80, 90 percent unemployment. That's
14 reality. I want to say it's higher than 90.

15 The system has mistreated us way too long. We
16 have a treaty with the government. You guys work
17 for that government that's supposed to help us.
18 You're part of a Native program that is supposed to
19 help us for the better, get more money, make sure
20 things happen, but yet they send you as a messenger
21 to tell us, Hey, man, I'm going to do this to you.
22 I can't do nothing about it.

23 But, Mr. Dearman, you're in a position that
24 things can happen. You've got to be able to speak
25 up whether you like it or not. You know where we

1 stand with education and you know the dollars we're
2 short. It's not a good deal for my children to grow
3 up poor like that, especially with education.

4 MR. TONY DEARMAN: And, Mr. Clifford, we've
5 actually had more than one conversation regarding
6 this. And we'll discuss avenues and routes that
7 tribal leaders can take with that to address the
8 budget.

9 MR. C.J. CLIFFORD: You bet.

10 So I'm here to ask of you guys: Represent us
11 in a good way. Tell them the truth. Tell them what
12 we're telling you. Don't act as a messenger. Act
13 like a person that cares and helps.

14 Did you get in the system to help? Let's do
15 that. Because if you rock the boat within your own
16 system, as long as you don't tip it, we might be
17 successful in getting across that river. That's
18 what I'm asking of you guys. You know that Indian
19 country is hurt already and yet this is going to
20 hurt us even more.

21 So I would like to ask of you guys to take your
22 message -- our message out there to them that we be
23 exempt from any type of cuts through all Indian
24 country here in the Dakotas. Just flat out exempt
25 us. We've had enough.

1 I don't know what I'm going to do about our GA
2 services right now. We have people with their
3 lights cut off. We're very fortunate it's
4 summertime, or spring coming on summer this month,
5 but we're still short. And just to remind them,
6 Hey, we made treaties with Indians. They gotta
7 honor that. The United States Congress has got to
8 honor that. They used the Electoral votes to seat
9 that President. That's an 1800s law, but we're
10 dealing with 1800s treaties also, so that needs to
11 be put out there and you remind your superiors, Hey,
12 look, man, this is what they reminded us of. I
13 don't know if you'll actually go up there and say,
14 Hey, man. All the talks are very similar, if I'm
15 correct.

16 We're hurting. We need to be exempt from this
17 and we need more money. That's going to fix the
18 program. More monies will fix the program, more
19 appropriation dollars. And if you have to take a
20 hit, you take it in your programs, not ours.

21 Somebody has got to lead the program up there,
22 so be it, but you're doing your job to make sure
23 that the trust responsibility is being put out
24 there. Because administratively, I've been to
25 Washington quite a few times. Boy, and it's a hard

1 day to get in to see you guys. The security is
2 extreme. This is Indian country. That's Indian
3 country. Washington is Indian country. It's a
4 pretty tough deal over there. So that's what I'm
5 asking of you guys.

6 And I'm sure Ms. Ortiz and Mr. Rodman, we'll
7 get to know each other in the future.

8 And I thank you for coming out, Tony, and we'll
9 be in touch.

10 Thank you.

11 MR. WILLIAM BEARSHIELD: Good morning,
12 Mr. Chairman, Ms. Ortiz, Mr. Rodman. Welcome. Good
13 to see you again. My name is William Bearshield
14 from the Rosebud Sioux Tribe.

15 I wanted to touch on a few things here that
16 bother us at Rosebud. We kind of have a hard time
17 with -- over decades and decades of dealing with the
18 Federal Government, sometimes things get better;
19 sometimes they don't. Sometimes they go to an
20 all-time low. And, you know, when you start to hear
21 just lately talk of, Oh, let's get rid of trust
22 land; let's get rid of this; let's privatize this,
23 you know, we hope none of that is true or it comes
24 to fruition.

25 And, you know, employees of the Federal

1 Government, I know you're from tribes. You're
2 native peoples. That would be tough for me to work
3 for the government that wants to do away with your
4 native relatives. And I think -- and I hope that
5 that's not true.

6 From time to time lately we hear -- I do a lot
7 of work in healthcare, and I know it kind of raised
8 its head here the past year or so when we did a lot
9 of work with the state. I know myself and a few
10 from the tribes were put on a task force for
11 Medicaid expansion. The current President and his
12 administration took office. We were all geared up
13 for Medicaid expansion here in South Dakota. I
14 mean, it was the health of our people, the lives of
15 our people. And as soon as the current
16 administration gets in, you know, our governor goes
17 to Washington, D.C., meets with the Vice-President,
18 comes back and that Monday says, "No more Medicaid
19 expansion." You know, so we hope there's federal
20 dollars that could be in the plan to channel through
21 the states.

22 We have a tough time with that, especially in
23 South Dakota, you know, geez, it wasn't nothing to
24 brag about, but in the news somebody categorized the
25 State of South Dakota as the most corrupt state in

1 the United States. I mean, when you look at issues
2 with EB5, economic development dollars, GEAR UP, you
3 know, money that was intended for Native American
4 youth to go to college, all of that money was
5 misused here in this state. And there was deaths
6 involved with both programs.

7 So, you know, I had the fortunate experience of
8 being able to physically go and stand in front of
9 our treaty, and it's in the basement of the National
10 Archives. And it makes you get a little different
11 perspective on where we're at today and where we
12 came from.

13 Like Chairman Flying Hawk was saying, you know,
14 I shared a book with a few of you that gave the
15 history of the first Indian agent in Dakota
16 Territory here, and he crossed the river and I think
17 it was 1866 over by Yankton. If I remember right,
18 his name was D.C. Pool. But -- you know, and it's
19 interesting to read where we all come from, also as
20 Lakotas, Minneconjous, Oglalas and Sincangus. We're
21 all over there where I live. And I still live in
22 that area, and we call it the West Stone Agency over
23 by Bonesteel, South Dakota.

24 So a lot of things. You know, we aren't rich
25 money wise. And it's sad to say that, but you're

1 categorized by having the amount of money that you
2 have. We're rich in culture, rich in land, but we
3 don't have money, so to speak, but we have each
4 other. And, you know, to see our tribes being the
5 poorest top five in the nation, you know, that can't
6 sit well with state government people or the
7 representatives in Congress from South Dakota.

8 So getting back to that treaty, we need and we
9 want to get back to that government-to-government
10 relationship. You know, make it a little bit easier
11 for us to access the Assistant Secretary of Indian
12 Affairs. Seemingly, we have gotten to a point where
13 it takes us too long to get answers from when you
14 read that treaty where you're supposed to get them
15 from. And everything seemingly in our treaty just
16 starts with the Department of the Interior. Even
17 Indian Health Service dollars, you see in there --
18 I've always heard, "Hey, Department of Interior
19 probably takes a cut off of appropriations for the
20 Indian Health Service budget." I don't know that.
21 Maybe they do; maybe they don't, but it actually
22 says in our treaty, and I read it, you know, in
23 person, it stops by there. That's where it goes
24 first.

25 So, you know, there's issues that we need --

1 you know, we understand or, you know, maybe we don't
2 agree with it, there's tax cuts the current
3 administration wants to look at to chop that budget.
4 I know he's got a wall to build, but, you know,
5 geez, don't do it at our expense. I really think
6 that there's better use of those appropriated
7 dollars that come from Congress.

8 BIE, our education, you know, we lost local
9 control when we lost those line offices and we have
10 a tough time with that. And even the land --

11 And I know that's where I first met you,
12 Mr. Rodman, was with the Buy Back Program.

13 You know, it's tough for our kids to access
14 those scholarship dollars. So I think -- and I
15 remember reading somewhere where the current
16 administration wants to cut some red tape. I agree
17 with that. You know, I really think when I sat in
18 Ms. Nome's office when we were discussing and I had
19 testified on behalf of some Indian Health Service or
20 some healthcare bills in the past year and I seen
21 three columns in her office of what a contractor has
22 to do to go through the red tape to get a contract
23 with the Indian Health Service, and that would be --
24 I mean, a contractor just looks at that and I think
25 just says, Hey, it's not worth it. About the time

1 you do all those three steps, you know, the deadline
2 to submitting a proposal has come and gone.

3 So even, you know, with a restructuring, a
4 reorganization, it needs to be such that those
5 dollars are better spent at the local level, whether
6 it be the Indian Health Service service unit or the
7 local BIA. I think that it can be reorganized to
8 channel to get back down to what a treaty actually
9 meant, and it says in there government-to-government
10 relationship. And it was already said here. Many
11 things were said. And those are the frustrations
12 that we have dealt with for many years.

13 And many of them in here have worked for the
14 Tribe or the Federal Government and been in tribal
15 politics. Mine goes back to 1991. And a lot of
16 things, you know, get worse. Some things stay the
17 same. Some things get better. But, you know, all
18 I'm saying is that that's the only thing we have to
19 hold onto is those treaties.

20 And I'm sure you come from tribes that have
21 treaties. And, you know, all of us as Natives, you
22 know, we've lost land. We've lost ancestors.
23 They've fought for it. They gave blood. So we need
24 to get back to working where that is our survival
25 staying with those treaties. The trust

1 responsibility, the Federal Government, we need to
2 strengthen that with the tribes, and I feel that we
3 can do that by reorganizing.

4 And let's get back to more of a one-on-one
5 relationship with the Department of Interior, with
6 IHS, with these federal arms of the government and
7 not have to go through some of the channels that we
8 have to.

9 And we don't want our budget dollars cut. We
10 have a hard enough time trying to survive and
11 administer programs with the dollars that we do get.
12 I think those budgetary dollars can be better spent
13 by reorganizing such that more of the money will be
14 coming to the local level.

15 And so with that, you know, I really thank you
16 for being here, and I hope that things don't come
17 about in a bad way over the next four years. I
18 really think if we work together, we could come to
19 solutions that can benefit the tribes and the Native
20 people of the United States.

21 Thank you.

22 MS. LYDIA BEAR KILLER: Good morning. My name
23 is Lydia Bear Killer, B-E-A-R, K-I-L-L-E-R, and I'm
24 Council from the Oglala Sioux Tribe.

25 I guess listening today, you know, I want to

1 put on the record that we are a sovereign nation.
2 The Oglala Sioux Tribe and every tribe that has a
3 treaty, we need a government-to-government working
4 relationship coming back to our tribes.

5 I guess most of us, you know, we're looking at
6 how we're not going to hurt our dollars that are
7 coming in right now. We're just totally
8 underfunded. There's mandates out there that
9 there's no money today. All of these social
10 problems, everything that's going on in the Indian
11 reservation is because of the lack of funding.

12 We are also the most heavily regulated tribes
13 in the United States. You know, every time a policy
14 comes out, there's an office created just for that
15 policy. So the regulation part, we don't get
16 answers. You know, we request for something coming
17 in through IHS, BIE, BIA, you know, it takes months.
18 So we really need a direct line, streamlining
19 working relationship with the government.

20 And I guess right now all of us, you know,
21 we're standing here and we're all thinking we should
22 not say the wrong word because our monies might be
23 gone, you know. So this reorganization, like it
24 says, a hundred years. But we also need that
25 dollar. You know, every dollar that's obligated or

1 allocated to the tribes, you know, a portion comes
2 off here for this office, that office, this office,
3 this office. You know, by the time it hits the
4 tribe, it's less than 50 cents and we're expected to
5 operate and bring miracles for the government, for
6 our people on pennies.

7 So I guess, you know, my position is I really
8 believe that -- I was looking at your organizational
9 chart. I don't see your solicitor's office in any
10 of it. However, you know, every time we put in a
11 request, we ask for something, everybody says,
12 "Well, we gotta get the solicitor's opinion."
13 Nobody gives us direct answers. We need answers.
14 When we put in a request, when we have a need, we
15 should have answers directly. So streamlining,
16 yeah, but I don't think any of us want to cut what
17 little we get today. And, you know, I think we're
18 about trying to increase the budget that we have.

19 And I know that, you know, three weeks ago,
20 Mr. Dearman, our schools, the Oglala Lakota
21 Education Consortium came to your office, along with
22 some of our tribal council, and they gave you the
23 documents on how underfunded they are, how they have
24 to use ICEP. You know, ICEP is individually for a
25 student; however, because of the funding, they have

1 to use it for transportation and their meals and
2 everything else that goes with it.

3 We need more teachers. We need more qualified
4 teachers. We need more doctors. We need a lot of
5 this money to re-channel directly into those
6 services for our people.

7 And when we talk about the treaty, like
8 everybody is saying, you know, our treaties
9 guaranteed the United States Government is supposed
10 to take care of our tribes because of the wars that
11 happened back then and our people laid down their
12 weapons and took and negotiated. But it's failing.
13 It's failing. You look at Ramah, the BIA failed.
14 There was a lawsuit. You look at the Cobell
15 lawsuit, the BIA failed. So we look at what's
16 failing and what the tribes need.

17 You know, I think we need to, like, request a
18 consultation, a real true meaningful consultation to
19 sit down and spell out exactly what we need, what
20 our needs are and how we want to see things. But
21 this regulation after regulation, layers of
22 bureaucracy, you know, it's really hard.

23 And even our own tribe, you know, they're
24 seeing tribal government as a failure, too, because
25 there is no money to meet the needs that we have.

1 So we don't want any of our funds cut in any
2 program. We're requesting that an increase come in
3 every component of our tribal programs. According
4 to the treaty it says health, education and welfare.
5 That's what I'm requesting. That's what we want.

6 You know, and we look at the benchmarks. You
7 know, we're looking at how a child should succeed.
8 You know, I think today our children are succeeding
9 more than before. And to include our culture, our
10 language and our way of life is what we need to
11 focus on to keep our next generations alive.

12 And the bottom line is that I know when we get
13 back, we'll probably draft ordinances and
14 resolutions and whatever; however, you know, today
15 for your record, we don't agree with any
16 appropriations of our tribes being privatized. We
17 have a treaty with the United States Government and
18 that's where it should be.

19 All of this thing about tax breaks and tax this
20 and tax that, I don't think our reservations, our
21 tribes, you know, the 1868 original land boundary
22 should be taxed or be privatized or given to
23 corporations. We've been opposing that. We've been
24 opposing uranium. We've been opposing a lot of
25 stuff that it's a health issue against our people.

1 And we don't have enough money to meet those needs
2 when our people get sick.

3 So today that's what I want to say. And I know
4 we're going to be coming with it spelled out. You
5 know, every tribe needs to stand up and spell it all
6 out.

7 But I was in the education, um, sitting on the
8 council for coming up on 12 years now, or six terms
9 really, and we haven't gotten anywhere. You know
10 with the lawsuit that we have, the line offices we
11 talked about, you know, we need more better services
12 coming to the tribes instead of we're using that
13 dollar to serve this and serve that and serve this
14 and then our students get what, 38 cents off of a
15 dollar? I mean, we're asking for a 35 percent
16 increase in education to meet those needs.

17 We're asking for, you know, the needs that we
18 have in IHS because CMS is in our hospitals all
19 across Indian country. They're shutting them down
20 because of violation after violation, and the only
21 one that's going to get hurt is our people because
22 the Indian Health Service and CMS are two federal,
23 you know, they're entities that are obligated for
24 trust services to our people but they're failing and
25 it's going to affect our people. There's not enough

1 money in Indian healthcare and we need that
2 increase.

3 So if anything, you know, on this, President
4 Trump needs to increase money for the tribes. And
5 however they do it -- I think, you know, the tribes,
6 it would really be good if we had our own, the
7 department, the secretary and a cabinet. You know,
8 work with the tribes directly. We're treaty tribes.
9 This trust responsibility is on the Federal
10 Government, not the state. No other government.
11 It's with the United States Government under this
12 federal to provide obligations in the trust
13 responsibilities under that treaty.

14 And we are sovereign. Just like the United
15 States is a sovereign nation, we need to look at
16 each other as sovereign nations. The only thing
17 good about the United States Government is you guys
18 can print money. As a sovereign we can't print
19 money. So every grant, like they were saying, every
20 grant, we fight over them. We're getting little,
21 you know, little chunks of money here and there, but
22 all together the United States Government is failing
23 our tribes, failing to keep that trust
24 responsibility upfront that our people, you know,
25 back in the day believed in the government and yet

1 every treaty you've broken. Every promise is
2 broken.

3 So today I'm standing here and I'm not going to
4 say you should cut this; you should cut that and all
5 of this. That's you guys' authority. You know,
6 that's you guys' problem, I guess. Our problem is
7 that we don't want any funds cut from what little we
8 get and under this reorganization. And I know
9 President Weston said that we'll spell it out, and
10 we will spell it out.

11 Pilamaya.

12 MR. ANTHONY MORGAN RODMAN: Thank you.

13 MR. EDDIE FARMER, JR.: Good morning. My name
14 is Eddie Farmer, Jr., and I'm a councilman for the
15 Rosebud Sioux Tribe.

16 First of all, I'd just like to thank you for
17 this opportunity to be here and come and listen to
18 us. And I guess when you talk budget cuts, it
19 really shows. You know, this morning we don't even
20 have coffee or donuts, so hopefully I can make it
21 through this.

22 But a lot of the social issues that you talked
23 about, I think it's affecting all tribes as far as
24 drug problems, education. You know, what affects us
25 at our tribe also is the burial assistance that was

1 talked about earlier also.

2 But one thing I wanted to get up and talk about
3 is the main thing that we have is our land on each
4 tribe and our natural resources, and what we do to
5 protect them, how does the BIA help us to do that?
6 Our local agency is so short of staff and we don't
7 get out there to do compliance. Compliance is a big
8 issue with our reservation right now of how do we
9 protect our lands? What's out there? Are people
10 abusing it?

11 You know, ag is one of the biggest economies
12 for the reservation on the rental of the land. Even
13 our own tribal operators have livestock. You know,
14 one of the things I was thinking about is there's
15 nothing that helps tribal operators with disaster.
16 If there's a disaster in Indian country, where do we
17 go to? We have to go to the Farm Service Agency or
18 our Natural Resource Conservation Service and a lot
19 of our operators don't like to go to that because of
20 the Federal Government and the back issues that
21 we've had. And most recently with the Keepseagle
22 lawsuit settlement, you know, the Federal Government
23 discriminated against tribal operators then. And
24 we're in that position now. And there's nothing --
25 there was in the Farm Bill before, you know, a

1 program set aside for tribal operators to help
2 assist them. Right now there's nothing, nothing
3 that helps protect our lands, tribal lands within
4 our reservations.

5 Another issue with our tribe is also the
6 wildfire protection. You know, they protect the
7 grasslands, but if there's a house on fire of a
8 tribal member, they can't fight the fire on that
9 house. And that's been a big issue on our
10 reservation. You know, you could pull up and just
11 water the grass but you have to sit there and watch
12 the house burn down. And I don't think that's
13 right. I think whatever needs to be done, a
14 formula, a law, whatever needs to correct that, you
15 know, that needs -- that's a resource of our tribe
16 and that needs to be protected.

17 You know, trust responsibility, what does that
18 mean? What did it mean 20 years ago? What does it
19 mean today? Maybe part of this reorganization we'll
20 get a whole new definition of that.

21 But, you know, there's different issues that we
22 all talked about today, but I just wanted to mention
23 the land. You know, our land is our biggest
24 resource on the reservations, and we need help. If
25 it ain't funding, it's educating people to help

1 protect that. You know, look throughout Indian
2 country, there's not a lot of Natives that are
3 educated in natural resource fields. So we need to
4 help promote that and get that to help protect our
5 lands. Because our lands are very important to all
6 of us here on all the reservations.

7 And I just thank you for coming and listening
8 and hopefully get something done. Thank you.

9 MR. ANTHONY MORGAN RODMAN: Thank you.

10 MS. HANKIE ORTIZ: Thank you.

11 MR. SCOTT HERMAN: Good morning, everyone. I'm
12 Scott Herman, Rosebud Sioux Tribe, vice president.

13 You know, a couple weeks ago they had a
14 conference call with Jim Cason and Mike Black and it
15 was on the budgets, and it kind of disturbed me. As
16 the conference call went on, it kind of disturbed me
17 that it ended up being a, "Whatever you guys say or
18 any questions you got, it's not going to make any
19 difference anyway because," he said, "whatever
20 budgets that come out from the President," basically
21 he was saying that they have to support anyway. "So
22 if you have any concerns or any problem with that,"
23 it might not have been those words but "go see your
24 Congress people." And that kind of disturbed me
25 that day because now we're here today having a

1 listening session on basically budgets. Because all
2 this comes down to is reorganization on the amount
3 of money you have coming in as far as what you're
4 allowed and what's handed down to the tribes.

5 But back home we got a joke. We invite the BIA
6 to give reports every month, and when they come in
7 they always say, "We can't lobby for you. We can't
8 do this for you. We can't do that for you." And it
9 reminds us of that commercial, the dental monitor
10 commercial where we can tell you what the problem is
11 but we can't help you fix it. So that's how we look
12 at the BIA down at Rosebud.

13 And yesterday we had an Education Committee
14 meeting. And most of my time is spent helping
15 around the tribe, day-to-day operations, so I'm
16 pretty busy, and I hear it all. I hear everything
17 that comes to my office, all of the complaints. But
18 that's part of my job, try to make things better.
19 But it's gets pretty discouraging after awhile that
20 we tell -- you guys know what our priorities are,
21 but we never get anything done with them. You know
22 that we have short falls at IHS, that our healthcare
23 is terrible. We don't have enough law enforcement.
24 Our courts are bad. But, I mean, why do we always
25 have to come down here to a listening session to

1 tell you, to go on record that -- again? Because
2 you guys can't lobby for us, that's why it goes on
3 the Federal Registry. Our comments for the record
4 go on there because you guys can't say it.

5 But it brings up the question: What can you
6 guys do for us? What can you guys do for us? What
7 can you make happen for us back home to improve the
8 quality of things back home? It's very frustrating
9 sometimes when you come in and you have a homeless
10 family come in and they bring their kids in and
11 there are three kids, little tiny ones, all living
12 in their cars and you don't know what to tell them.
13 All you can do is say, "Here, we have some
14 assistance here" and help them out and send them
15 home or get them a room for a couple nights at the
16 motel. Those are the kind of situations that when
17 you come into the office, it takes a toll on you
18 after awhile and it gets pretty hard. And so we try
19 to provide the best services you can provide back
20 home with the little money you got.

21 Yesterday we had an education meeting. We
22 talked a little bit about our school, over our
23 contract school, St. Francis Indian School. And
24 they came in and did their annual report for their
25 school, and of course there's problems there. Every

1 school has their problems. They don't have the --
2 they don't have the best teachers.

3 I never like to call down teachers because they
4 really, a lot of those teachers really give their
5 whole lives to teaching the kids and they do their
6 best jobs, but the administration sometimes, they
7 fall down with the little money they got and try to
8 make things spread across and get the teachers, the
9 qualified teachers that come in to do what they want
10 them to do. And it's a tough job.

11 I was a teacher for 13 years and an
12 administrator for four years, and I know what the
13 difficulties are in education and it's really hard.
14 I went to NCAI as a representative for Rosebud, and
15 I thought, Well, geez, I'm really going to get
16 heard. But when I got up to talk about it in those
17 sessions, it was like I was just being listened to,
18 like we're doing here today, you're just listening.
19 We don't really know if anything is going to get
20 heard or if it's going to go to the right person,
21 the person that makes the decisions to make things
22 happen. But it gets pretty frustrating back home.

23 Like I said, yesterday we had an education
24 meeting. We sat down and did an annual report from
25 our St. Francis Indian School. And they got good

1 people working over there, no doubt about that, and
2 they give their all to the kids and try to make it
3 work with what they got, but, my goodness, if
4 they're talking about cuts from the BIE like they
5 are, how are we going to be able to run our school?

6 And so we have to have that communication. I
7 reminded them we have to have that communication and
8 we have to use our services the best we can because
9 if this comes down the road, we're going to need
10 each other like that. But we shouldn't have to be
11 put in that kind of position where we struggle.
12 We're already struggling. Let's provide some
13 services. Let's provide that money. Let's figure
14 out a way where you guys can make a difference for
15 us, not just sit up here and listen.

16 And when I go to D.C., I sit there and I take
17 my colleagues with me and we sit around the table
18 and go to see a congressional person, senator, and
19 we're supposed to have our priority list, our needs
20 and shortfalls. And we sit there and they bring
21 their person in to talk to us, take notes, and we
22 don't even know if it's going to get heard. And how
23 do we know? We don't get no response back.

24 How do we know we're getting heard here today?
25 How do we know that we're making a difference for

1 our people back here by attending these sessions,
2 listening sessions? What is your guys' purpose of
3 being here?

4 And C.J. Clifford earlier was saying that, Tell
5 us how you're going to help us. Tell us how you're
6 going to make any difference. Tell us how you're
7 going to make a difference. You guys have a trust
8 responsibility to make sure that we're taken care
9 of, not just making sure that we're using our money
10 in the right way. You know, tell us something.

11 Mr. Rodman, I think I met you at the NCAI last
12 time I was here and we was talking about IHS stuff
13 and there was people from the education department.

14 But, you know, I was talking about the budget
15 meeting, the conference call they had a couple weeks
16 ago, and I honestly thought that Jim Cason and Mike
17 Black were very disrespectful to our tribal leaders.
18 I mean, they were only allowing one question, one
19 question to answer that, and they were kind of like,
20 "Okay, well, if you guys can't answer one
21 question..." And they were very disrespectful to
22 the vice president of the Oglala Sioux Tribe. She
23 was trying to get all of her needs and priorities
24 across to them that day. You know, it's important
25 to them. But they weren't allowed to do that and

1 basically were told that whatever budget is handed
2 down we have to support. "You guys got problems
3 with that, go see your Congress people."

4 So I'm wondering: What are you guys doing
5 today? Why are you guys here? If you guys have to
6 do what the budget says or support what the
7 President hands down to you, how are you going to
8 reorganize on that budget? Is that what your
9 purpose here today is? I want to know.

10 MR. ANTHONY MORGAN RODMAN: So this listening
11 session, Mr. Vice President, there's a question and
12 an opportunity being presented with this executive
13 order on how to reorganize to make it more efficient
14 and effective. Those are the words that --

15 MR. SCOTT HERMAN: To get the most bang for
16 your buck?

17 MR. ANTHONY MORGAN RODMAN: Essentially.
18 There's --

19 MR. SCOTT HERMAN: But that can't come from
20 you. It has to come from us.

21 MR. ANTHONY MORGAN RODMAN: I think that
22 this --

23 MR. SCOTT HERMAN: That's why it goes on the
24 Federal Registry so that you don't have to say it.
25 We have to say it.

1 MR. ANTHONY MORGAN RODMAN: Yes, the listening
2 session is on record for -- the tribal leaders'
3 comments that are shared today will be -- and part
4 of it is in the handout that was given at the door.
5 So it's going to be --

6 MR. SCOTT HERMAN: I understand that. I read
7 that. I know what's going on in the Federal
8 Register, any comments we make here it's going to be
9 on record with the Federal Registry. That's a
10 safeguard for you guys because you won't say it.
11 You guys know what the problems are. How many times
12 have we been to your office telling you our problems
13 and how many times have we written it down? How
14 many times do you need to know what our needs are,
15 our shortfalls are? I guess I'm very confused
16 sitting here.

17 And, like I said, I spend most of my time back
18 home dealing with the day-to-day stuff, and every
19 time I get really frustrated someone reminds me that
20 I wanted a job. So I'll do it.

21 But, you know, my background is in education,
22 and I really hope that you guys don't do that to the
23 kids.

24 I mean, if there's some way, Mr. Dearman, that
25 you can use your influence or however you guys

1 operate as BIA and not just being those dental
2 monitors to get that point across, you cannot do
3 that to the kids back home. You cannot take away
4 those services for those kids. They struggle as it
5 is. If we're going to make anything better back
6 home, it's going to be through education. So
7 hopefully you're really an advocate for us. When
8 you get back home, you're an advocate. Do not let
9 that happen. If anything is going to improve, it's
10 going to be through education, and that's the key.

11 I wanted to share that with you today. We all
12 get frustrated back home. We all have a
13 responsibility to represent our people the best we
14 can, and mine is I do everything -- everything I do,
15 every decision I make back home I do it on behalf of
16 the kids. I wanted you guys to know that today.

17 Thank you for listening.

18 MR. ANTHONY MORGAN RODMAN: Thank you, Mr. Vice
19 President.

20 Before our next comment, I'd like to request a
21 five-minute break or so, and then we'll resume in
22 just a few minutes.

23 (Recess taken from 10:47 a.m. to 11:03 a.m.)

24 MR. ANTHONY MORGAN RODMAN: I think it would be
25 helpful to go over this sheet here, which is the,

1 it's just a one-pager about kind of the Q and As of
2 this session. And so the executive order, there's
3 some key parts to it. Within 180 days of when it
4 was issued, and that would be September 9th, that's
5 180 days from when the executive order was issued by
6 the White House, the head of each agency has to
7 submit to the Director of O&B a plan to reorganize
8 their agency if appropriate in order to improve
9 efficiency, effectiveness and accountability of that
10 agency. So this -- there is no plan that is being
11 proposed today. This conversation will inform
12 possible plans that we're having today, so that's
13 why it's critical that we hear from tribal leaders
14 before there is a plan.

15 And these meetings again are being recorded.
16 They're being transcribed across the country. This
17 is one of now seven. And the transcripts will be
18 available at BIA.gov.

19 The transcripts and comments will be -- the
20 written comments that are submitted and comments
21 that are said today are going to be analyzed and
22 part of the report to the Assistant Secretary and
23 then the Secretary. And then the Secretary will
24 submit a plan to O&B, Office of Management & Budget
25 by September 9th. And O&B will then publish a

1 Federal Register notice inviting public comment.
2 Within 180 days of the comment deadline in that
3 Federal Register notice, O&B will submit a proposed
4 plan to reorganize the Executive Branch to the
5 President.

6 So that's the timeline that has been proposed
7 by that executive order, and this is a part of that
8 process today.

9 Thank you tribal leaders for your very
10 informative comments. It's very important.

11 Mr. Little White Man?

12 MR. STANLEY LITTLE WHITE MAN: My name is
13 Stanley Little White Man. I'm the chairman of the
14 Law & Order Committee for the Oglala Sioux Tribe.

15 The things that I wanted to expand on is what
16 Richard Greenwald had said. Most of the stuff there
17 on Pine Ridge, I would say, you know, I hear
18 helicopters flying by my house almost constantly.
19 And I'm sure some of the fixed wing planes that come
20 through are from probably Rosebud. They're people
21 being transported to hospitals.

22 And this goes back into the law enforcement
23 area. You know, I haven't seen crime this rampant
24 on Pine Ridge since probably the '70s, and at that
25 time when crime was as bad as it was, one of the

1 things that came out of that was the passage of the
2 Public Law 93-638 which allowed tribes to determine
3 or, you know, the Self-Determination Act, it allowed
4 us to formulate plans on how to address the crime
5 that existed then. And over the years this 93-638
6 has been diluted.

7 And I can remember back then within the first
8 year BIA's special law enforcement people were
9 there, and there was a tribal officer that was on a
10 call and it was a gun call. And so he was asking
11 for assistance, and he had this whole squad of BIA
12 officers sitting at the PD. The dispatcher tells
13 them, "This guy needs help." "Just tell them, say
14 shit, you know, if the tribe needs officers there,
15 they can handle it themselves." So naturally, you
16 know, she calls the Tribal Officers Council. And we
17 actually, you know, get up there and we take care of
18 it. But when the dispatcher informed us of what was
19 said, one of my friends was really, really
20 outspoken, basically used a lot of the "F" words and
21 so forth and told them to get the hell off the Pine
22 Ridge Reservation. "You're just wasting time here.
23 If you're not going to help another officer, then
24 leave." But there was a comment made by the
25 supervisor way back then. He said, "We will be

1 back." And that stayed in my mind for years. And
2 over time it seemed like BIA kind of started
3 influencing.

4 At the beginning this 93-638 was a real good
5 law for both education and for us in law
6 enforcement. Only because BIA didn't understand the
7 law itself, we were able to formulate, like I said,
8 in the law enforcement area how to address things
9 that were basically local needs, and we addressed
10 them.

11 Education wise, Little Wound School, which is
12 in my community, one of the 638 schools, in fact it
13 was probably, maybe one of the first or second.
14 However, their scores were up in the top ten in the
15 state. Over time after, the way I look at it today
16 is that the BIA back then, they became BIE, took
17 over on the education part, and we've been dropping
18 ever since because they figured out that you can
19 regulate 93-638 law. And it's basically --
20 basically it forced the tribes to drop ever since.

21 This whole issue of law enforcement on the Pine
22 Ridge, and I'm pretty sure if Rosebud looked at
23 theirs or even Standing Rock or Eagle Butte, you
24 will see that the so-called model contract is
25 nothing more than a book of regulations. It does

1 nothing for allowing you to change your program to
2 address the needs.

3 And right now we have a helluva meth problem on
4 Pine Ridge. So when -- and the tribe did take back
5 the Public Safety Program. Sometimes things need to
6 change, you know. And it came under the tribe. And
7 one of the first things I looked at was the
8 contract. And I was really disappointed that the
9 contract was the stranglehold for Pine Ridge. And I
10 do believe that that's (unintelligible) the way
11 crime is there right now.

12 So anyway, if you can do anything within the
13 BIA or the structural reorganizational change is to
14 re-look at the 93-638 law in itself and leave it as
15 it is. Because how it first got changed on Pine
16 Ridge was from the literal sense. There was one
17 word within that contract that we had, full gamete.
18 "Gamete" was the one word that the BIA used, and in
19 it they said that we had a responsibility for
20 criminal investigation. That wasn't true at all.
21 The contract was for law enforcement because in 1976
22 the BIA was afraid of the American Indian Movement,
23 and because it was a new law, it was felt that, back
24 then they said radicals that were going to be
25 criminal investigators. So it became a sensitive

1 position.

2 And down the road they used the term "gamete"
3 on us, full gamete. They said, "You guys are in
4 violation of a contract." And council people kind
5 of believed in it and stuff and helped them,
6 transferred a million dollars out of that program,
7 and that program has been suffering since.

8 So if anything in this reorganization, the BIA
9 has to understand that when laws are passed they
10 shouldn't be regulated and they should allow the
11 tribes to determine which direction they need to go
12 and change what programs need to be done.

13 And I believe in self-determination. We have
14 to be able to be allowed to do it ourselves. If we
15 as a tribal council decide that our natural
16 resources need to go a certain direction, then we
17 should go in that direction and not be stifled by
18 red tape as someone mentioned in here, and there's a
19 lot of that. But anyway, that's my main point.

20 Dr. Gith (phonetic) at one point in time said
21 that 93-638 was created for Indian tribes, and yet
22 we've gone away from it. Our younger people don't
23 recognize it. We've gone face backwards and we
24 listened to the BIA again and because of it we have
25 a huge organizational chart.

1 If you go back to when 93-638 was created, you
2 will see that the organizational chart for the BIA
3 was streamlined then. But because of the lobbying
4 that the tribes have done over the years, the BIA
5 has built itself up, but the money, as Lydia had
6 mentioned, doesn't get back down to the tribes. And
7 because of it, our programs are suffering.

8 So if anything, that 93-638 -- you guys have a
9 self-determination office, and I don't know the
10 purpose for that because all I've seen from 93-638,
11 the self-determination has been kind of a strangling
12 process for tribes. So that needs to be really
13 looked at if you're wanting to reorganize.

14 And as far as an evaluation of the BIA I see on
15 the work chart, you really want to look at an
16 evaluation process. Look at all the tribes that's
17 around. Every area that you go to are going to have
18 these problems. That, in itself, is an indicator
19 that the BIA has failed itself. But we always hear
20 back that they say, "The tribes are not doing this."
21 We're getting blamed for that but yet it's the
22 bureau that's not working out.

23 Thank you.

24 MR. ANTHONY MORGAN RODMAN: Thank you, sir.

25 MS. STEPHANIE LEASURE: Good morning. My name

1 is Stephanie Leasure. I'm an Oglala Sioux Tribal
2 Council representative representing the Oglala
3 District. And Leasure is spelled with an "A,"
4 L-E-A...

5 I wanted to start out by just listening to
6 everything that's going on and being -- I worked for
7 the government for several years of my life. Our
8 people have suffered a lot of historical trauma. We
9 have had to follow several -- or, you know, we have
10 treaties in place which is law, but due to the
11 treaties being added, changed, more things amended,
12 several treaties, several reform acts later and here
13 we are, we still stand here today and we still want
14 change. When will it stop? You know, every time
15 something comes up that has to do with the
16 government and our tribes, here we are. The tribal
17 leaders are standing up here.

18 The government is bound by law because of the
19 treaty. We all know this law has been broken by its
20 own government. Okay, where is the apology? You
21 know, why couldn't you just apologize and move
22 forward? Instead this money or, you know, whatever
23 is used against us. Is it used to keep us in check?
24 Is this money, the threats, are they used to keep us
25 in check?

1 Because of these treaties and because of all of
2 these reform acts, whatever, you know, our needs
3 still go unmet. Here we are standing here today
4 because our needs are still unmet. To me this is a
5 very dysfunctional relationship between our tribes
6 and the government. At what point does the War
7 Department stop using our own people against us? I
8 say our own people because you three sitting there
9 are members of your own perspective tribe and yet
10 here you are sitting in front of us representing the
11 government. You can't say much or nothing at all
12 because you yourselves are puppets of the
13 government, the puppet master, but this isn't about
14 you. We are here hoping to convey a message to the
15 U.S. Government.

16 According to the Presidential Executive Order,
17 this is a proposed plan to improve the efficiency,
18 effectiveness and accountability of federal
19 agencies, including, as appropriate, to eliminate or
20 reorganize unnecessary or redundant federal
21 agencies. So with that being said, this is law. So
22 if this order is going to implement law, then it
23 needs to be consistent with the applicable law of
24 our treaties.

25 Thank you.

1 MS. HANKIE ORTIZ: Thank you.

2 MS. VALENTINA MERDANIAN: (Native language)
3 First of all I wanted to greet my constituents out
4 here in the crowd. My name is Tina Merdanian,
5 Dr. Valentina Merdanian. The last name is spelled
6 M-E-R-D-A-N-I-A-N. I'm a representative of the
7 Oglala Sioux Tribe representing Oglala District.

8 And I just felt it was important to voice the
9 concerns of my constituents at home. But knowing
10 this history and this relationship between tribal
11 nations and the Federal Government, this particular
12 agency is one of the oldest agencies in the U.S.
13 Government. It started one of the first
14 congressional acts in 1775. 200 years later in this
15 process we come to what was called the commission,
16 and through this commission there was a report that
17 was developed to assess the efforts of the Bureau of
18 Indian Affairs. As a result of this assessment and
19 looking at all of the services that were to be
20 provided to tribal nations based upon our treaties,
21 these contractual agreements that our tribal nations
22 signed with the United States Government, this was
23 the whole purpose behind this was the commerce
24 clause in trading with our tribal nations.

25 We had all of our laws set within our tribal

1 nations. We had our own government processes within
2 our tribal nations. We had our own educational
3 systems within our tribal nations. And because of
4 the assimilation process, we had to adhere to these
5 new processes for funding, and we became reliant
6 upon these fundings.

7 And the service has expanded through the
8 Omnibus Act back in 1910, which then went to our
9 agriculture, land, forestry, et cetera. So through
10 these expanded services more money was allocated
11 through the Bureau of Indian Affairs.

12 In 1926 came a report under the request of the
13 commission known as the Meriam Report which
14 identified all of the issues and the shortfalls of
15 the Bureau of Indian Affairs. Through this came the
16 Howard-Wheeler, the IRA, the Indian Reorganization
17 Act saying, Now you can have a government. Now you
18 can be a government. Well, we have the IRA and yet
19 these services are still being not met by, from the
20 BIA to our tribal governments. And we sit here and
21 we wonder, How can we improve it? How can we come
22 together?

23 So back in 1977 what had happened is because of
24 this commission and their findings, they elevated
25 the commissionership to the Secretary of Interior,

1 which gave the Bureau of Indian Affairs the voice in
2 the planning, but where was our voice in this
3 process? Where is our voice today? We as tribal
4 nations need to develop our voice and put it on the
5 forefront based upon those obligations and those
6 trust treaty rights.

7 So with that being said, I plead to our fellow
8 tribal members, because once you strip away our
9 tribal nations and where we come from and our names,
10 we're all tribal people and we all need to work
11 together to come up with viable solutions for each
12 other.

13 80 percent of the Bureau of Indian Affairs is
14 employed by Native Americans, 80 percent. But what
15 does that say today with all of these shortcomings,
16 when only 6 cents on the dollar hits the tribal
17 programs, the TPAs? Tribal trust priority
18 allocations, who is negotiating those and why are
19 they even being negotiated? We as tribal nations
20 should be at the table in regards to those
21 negotiations. We should be setting the
22 formulations, not Congress. We should be working
23 with Congress to develop those viable solutions
24 because we as tribal nations know what our needs
25 are. We know what our priorities are, and these

1 people are here to supplement what we need to get
2 done.

3 So I plead to you as tribal people, please help
4 us have a seat at the table. We don't want you to
5 represent us. We want to represent ourselves at
6 that table. We want our voice, our office at
7 Congress level. That's what we need. Because it is
8 up to us to determine those formulations and how
9 we're going to help our people rather than sitting
10 here and asking for the Bureau of Indian Affairs to
11 live up to their obligations when it is one of the
12 oldest agencies that has been piece milled through
13 history and because of that piece mill they don't
14 know how to work together. There's no
15 communication. There's shortfalls in that
16 communication that comes to tribal nations and yet
17 we're asked to be held accountable? Well, (native
18 language), we've been accountable to our trust
19 obligations. That's why we're still on our
20 reservations, our respected boundaries that were
21 assigned to us by the Federal Government.

22 So let us come together and stand strong as a
23 unified voice in asking these people to think
24 outside the box and come up with a solution that we
25 use these resources to have a voice in D.C., to be

1 at that table and these negotiations for resources.

2 Pilamaya. Mitakuye oyasin.

3 MR. ANTHONY MORGAN RODMAN: Thank you.

4 MR. ROYAL YELLOW HAWK: (Native language)

5 Good morning/good afternoon. My name is Royal
6 Yellow Hawk. I'm a tribal council representative
7 for Rosebud Sioux Tribe, He Dog Community.

8 And just thoughts of reorganization of being a
9 first language speaker and then knowing of my
10 history, my thoughts come from two different areas,
11 and I'd like to express that. I'm a fourth
12 generation from Chief He Dog who started the first
13 treaty council in 1894 to address the taking of the
14 Black Hills, and with that he saw futility in
15 resisting the non-Indians. And all treaty tribes,
16 they are not -- they haven't signed the same treaty.
17 If you look at treaties with other tribes, there's
18 only three tribes that resisted the United States
19 Government, so there are more trust responsibilities
20 within those treaties. All tribes aren't the same.
21 Some tribes have been colonized and defeated, but we
22 were one of the last of the tribes to resist the
23 United States Government, so thus then having more
24 trust responsibilities within those treaties.

25 And looking at the charts, it was pointed out

1 by Clifford, C.J. Clifford, in the chart he was
2 saying that Division of HR Operations East, Division
3 of Personnel Security, Division of HR Systems are
4 replicated in this chart. And also on January 8th
5 he said that the Division of HR Operations was
6 presented.

7 For our tribe, I guess this is a second term
8 for me being elected at large and being more aware
9 of the United States Government. And I've been to
10 D.C. with colleagues and I've been to the budget
11 meetings, NCAI, all the meetings, but I know that
12 the allocations and the money and how their budgets
13 are put forth don't meet the needs of our people.

14 And on a local level, at the tribal council
15 meetings we have many requests. I believe that
16 we've requested a budget audit of our local office.
17 And we were informed by Mr. La Point, Tim La Point
18 that an audit wasn't possible. That was the only
19 answer he gave us. And I feel that -- burial funds,
20 it was then explained that there was a federal
21 regulation in place that we'd been having to pay for
22 our own burials for tribal members out of our
23 general account. So the funding itself hasn't been
24 able to meet the tribal members' needs.

25 And I did -- I have visited local office, and

1 with that I have visited the Deputy Director Mike
2 Big Horn who's also a deputy for the social service
3 area of funding and spoke to him about burial funds.
4 And he was really receptive, gave us some ideas,
5 because he was a tribal councilman at one time and
6 also gave me some pointers on how his tribe came
7 about having to go into, change the way, the funding
8 for his tribe and planning. And he had some good
9 advice, and he did contact the local office and
10 spoke with our local superintendent.

11 And also I did request to see Mike Black, but
12 he was in a meeting, I guess. And also I did
13 request to see Hankie Ortiz because we had council
14 motions to have a desk on it and also to look into
15 the local office. So I know Hankie is Tim's boss so
16 I know that she could have made those meetings
17 possible and have a resolution within that. I know
18 Hankie, I've called her. I've went into her office
19 and I did see her while I was in D.C. for that first
20 budget hearing. And Spike, I did get to visit with
21 Spike.

22 And with that (Native language). Thank you.
23 That's all I have.

24 MR. JAMES SNOW: Good morning. My name is Jim
25 Snow from the Winnebago Tribe in Nebraska.

1 I'd like to stand here before you. You know,
2 in our custom here, you don't turn your back on
3 people and that's disrespectful, so I'll make my
4 comments from here.

5 Again, my name is Jim Snow, S-N-O-W. We're
6 here to -- does the structure of the Department of
7 the Interior and Indian Affairs currently meet the
8 tribe's needs? And by all the comments from my
9 relatives here, you know, it's apparent that it does
10 not.

11 And when we talk, I think all those comments
12 from our tribal leaders here, you know, that what
13 they chose to do is be the voice of their people.
14 And in this part of the country it's the poorest of
15 the poor.

16 In Nebraska, had the distinction of the whole
17 country being unemployment at 3 percent, but at that
18 same time the Omaha and Winnebagos, our
19 unemployment, and we're supposed to be a successful
20 tribe, our unemployment rate is at 50 percent, and
21 the Omaha slightly higher, I think around 70. The
22 Santees, about the same thing. And here in the
23 Dakotas, you know, 70, 80, 90 percent. And it's
24 hard to tell the people to keep hope and especially
25 for our young children to keep them in school

1 because they're saying, "Why do we have to go to
2 school? There's no jobs." And they get into other
3 things.

4 We talked about law enforcement, our lack
5 thereof. We need law enforcement officers to
6 maintain.

7 And then also our tribal courts, we need help
8 there. You know, the code ordinances that we have,
9 to try to enforce those. And going back to the
10 children and education, how do we keep them in
11 school? How do we keep their hopes and dreams
12 alive? And they're doing it. The tribal leaders,
13 the families, they're talking to them so they're
14 still going to school. They're still going to
15 colleges. So I wanted to bring that hope to them.

16 But I wanted to make -- tell your bosses about
17 the unemployment. Look at the unemployment of the
18 tribes here.

19 Like I said, it's 3 percent and the State of
20 Nebraska, "Oh, it's 5 percent. That's terrible.
21 That's terrible. We gotta do something about it,"
22 but we haven't received any help from the State of
23 Nebraska. If it wasn't for Indian gaming we
24 wouldn't be able to provide extra services. The
25 income that we derive from the casino supports the

1 tribal programs. So we've had to do that ourselves.
2 We still have a long way to go. We still need more
3 funds for law enforcement, more funds in education.
4 So we want that message, to take that back to your
5 boss.

6 And also the tribal leaders need to contact
7 their congressman and senators and let them know
8 these facts here.

9 And it's a struggle but, you know, I guess the
10 Creator has plans for us, you know, that it has to
11 be this way, you know, that when we get up in the
12 morning and we say our prayers and we do the best we
13 can and pray for all of those relatives in the, near
14 and far, our relatives and friends in the four
15 directions that we can make things better.

16 And so I just wanted to say thank you for
17 allowing us to come here, and thank you to all of
18 the, all of you for being here. God bless you. God
19 bless the children. Aho.

20 MR. TONY DEARMAN: Thank you, sir.

21 MR. MICHAEL WOLFE: Good morning, Relatives.

22 My (unintelligible) once told me (Native
23 language), God gave you a voice. Use it, not these
24 things (indicating).

25 So I've been a crier all my life. So I won't

1 need that thing (indicating). But I'll start off
2 like respectfully. I'll shake your hands because
3 that's the way the old ones told me to do it. My
4 mind right now tells me I'm here for a battle.

5 (Native language)

6 Could you read that back to me, please?

7 THE COURT REPORTER: No.

8 MR. MICHAEL WOLFE: That's what I'm saying.
9 Who's listening? What I said, we all have a
10 language, but these people don't listen. They don't
11 understand us. They don't know what we're saying.

12 One chief said it, "If you wish me to live this
13 life as you live it, involve me in your life and
14 I'll walk with you. Don't tell me how to live my
15 life. I'll run from you." The government does not
16 understand us.

17 And I don't think -- no disrespect to the
18 people up here, but I don't think you understand us.
19 You live in a community. I commend you, you went
20 off and got your education, but it seems like you
21 use this education against the people sometimes.
22 You're living comfortably in your community. Well,
23 we live in isolated areas, 26 miles away from a
24 store that's not going to charge us \$4 for a day-old
25 loaf of bread. You don't see what we have to go

1 through.

2 IHS is funding us 37 percent. How can we live
3 off of that? The broken system was discussed here
4 about BIA and everyone else. Fix them. Put budget
5 cuts on them living in beautiful comfortable houses,
6 fancy cars. Well, we got res cars. We can't get
7 our sick and elders to the hospital for the care
8 that they need.

9 You know, these treaty words, I gather the
10 government doesn't like to hear that from us all the
11 time. They probably view treaty as the "N" word,
12 Please don't say that.

13 So don't get no disrespect from me. This ain't
14 about you. It's about the system. But you're here
15 in front of me, so you're going to hear it. You say
16 you're listening but don't let your mouth deafen
17 your ears. Hear us. How can we help you help us?

18 I sit and wonder how organizations such as this
19 say they got this job to help the people. I go to
20 work, and I'll bet you the rest of you can
21 understand this that are on council -- my name is
22 Michael Wolfe. I'm the tribal chairman of the Omaha
23 Nation. That's my colonial name. My real name is
24 (Native language). I'm Tappan. I'm Deer Clan.

25 That part about the government telling us how

1 to live our lives, we are a peaceful people but we
2 will fight. If you back us up into a corner, we're
3 going to fight.

4 We signed these treaties to not fight and
5 hopefully we can have a better life for our people.
6 It hasn't turned out that way. Trust has been
7 broken.

8 I come from the Hemare (phonetic) as well. I'm
9 not afraid to fight for our people, and that's why
10 I'm in this position. I go to work every day and
11 sometimes I'm kind of heartbroken and discouraged
12 because it costs me more money to go to work because
13 I'm shelling out of my own pockets for those that
14 can't provide for their needs at home. I start
15 thinking like the Federal Government, I shouldn't
16 have came to work today. I would have made more
17 money staying home. But then who would help our
18 people?

19 I commend everybody that's here for this
20 listening session. I'm sick and tired. I've only
21 been in politics for a year and a half, but I'm sick
22 and tired of coming to these things. It's all
23 listening.

24 Some of our council tribal members say, "We
25 like this chairman. He even cusses." Sometimes

1 them are the only words people understand. And I
2 get upset where I want to cuss, Screw this. Stop
3 blowing smoke up my ass. Don't tell me what I want
4 to hear. I'm not your husband. Show me what you're
5 going to do for our people. Provide assistance for
6 what was written on that piece of paper. Why did we
7 do what we did? It was hopefully our people were
8 going to have a better way of life. It's not
9 turning out that way. You know, who's listening? I
10 want to know.

11 You explained something there very nice. Thank
12 you, Mr. Morgan. But I want to say a couple more
13 things based on, you know, back then we were
14 puppets, and now, no disrespect, but they always
15 keep sending us puppets. Your words don't mean
16 nothing back there. Your words don't mean nothing
17 to us because how do we even know you represent us?
18 Because we've been going -- we're survivors. When
19 are they going to let us live properly? I'm tired
20 of surviving. I want to live. That's the
21 intentions our elders had for us to live in God's
22 world (Native language), in his world as he intended
23 it for us, not to sit there depending on somebody
24 else. If my life is depending on somebody else to
25 assist me, then it's no longer my life. And that's

1 the way I feel about this thing right here.

2 I really appreciate your educational
3 information you gave me. That's going to help me.
4 These are things that are going to help me. Why
5 isn't the government right there in front of us
6 listening to us? Let us help them instead of them
7 telling us, Eliminate unnecessary agencies. I
8 believe this administration with Trump in it and
9 those that are before it consider us as an
10 unnecessary agency. They want to eliminate the
11 Natives. That way they can be comfortable with the
12 things, the choices that they make. How can some of
13 the people be comfortable to go to sleep at night
14 knowing they're doing things they don't really,
15 their heart is not telling them to do but their mind
16 tells them to do it and their pocket tells them to
17 do it? I can't go to sleep like that. I'm
18 uncomfortable in my own skin if I'm not giving
19 myself completely to the people. But before they
20 let us go, out of sight, out of mind, "Only good
21 Indian is a dead Indian," things like that, "they
22 won't be heard, no big deal," but nowadays our
23 people are fighting fire and that's education with
24 education. We're becoming educated now and the
25 government does not like it because we're fighting

1 them back with their own policies and procedures and
2 their governmental educational words. Now they
3 don't want to hear it.

4 So just like I said, "Can you read that back,"
5 the Indian people are the most misunderstood people
6 in the world. Nobody comes to our reservations and
7 tries to adapt to our ways of living and our ways of
8 thinking. They always expect us to go to wherever
9 they are to make us adapt to them so then they can
10 eliminate our spiritual connections.

11 The time is for us to come together and unite
12 as one, first nation, whatever we want to call it.
13 We have to unite as one or else individually they're
14 going to pick us off.

15 We're a very poor tribe, 70, 80 percent
16 unemployed, meth problems like crazy. We're 9,000.
17 50 percent of them are under 18. They're being
18 raised by grandparents that are in their 30s that
19 have no spiritual teachings from the past. All they
20 know is the lifestyle that they got now because
21 nobody was there to teach them. Well, who's here
22 now? The ones that care, the ones that continue to
23 make sure there's hope for us and we survive in our
24 tomorrows.

25 I'm tired of words. I'm tired of listening,

1 listening sessions. Is that going to make me feel
2 better about somebody hearing us when I voice
3 something today? Show me some action. We can't
4 live comfortably if you take anything else away from
5 us.

6 Native people, we're giving people. If you got
7 a shirt on your back and somebody likes it, we give
8 it to them. Not these other people, they're takers.
9 And I remember my grandfather saying, "There's two
10 kinds of people in this world, Son, the givers and
11 the takers. The givers will be around all the time.
12 And the things you give away in this world are the
13 things you take into the next world." But it's not
14 working with the wásicus. It's not working that
15 way. They keep taking and taking and taking. They
16 said, "The takers, you don't see them very often."
17 Well, I'm seeing them here too much.

18 So when are we going to stand up for our
19 rights? You know, if we was black they would listen
20 to us in a heartbeat. They march on D.C. When is
21 it our turn? The old one said, "It's time to get
22 color blind because one day we're all going to be
23 the same color." Well, we don't have that much time
24 to waste. We need to stand up and do something
25 about it.

1 Thank you for your time and listening to me
2 here and your attention. I'm here now with an open
3 mind and understanding because through one of you
4 today you're going to teach me more about me today.
5 I'm going to learn more about the purpose that I'm
6 in this world for through one of you. I don't know
7 who it is yet, but I'm sure comfortable with who I'm
8 with right now.

9 And if you want to know what your future looks
10 like, look at who you're hanging out with right now.
11 I'm hanging out with the leaders and the people that
12 care about our people. I'm not here to seek people
13 that are telling me how to live my life. I know how
14 to live my life. It's those that are following us I
15 worry about, those that are not born yet I worry
16 about.

17 We talked about the summer. Lights and
18 electricity, I'm worried about winter already. How
19 do we get people, our elders warm when we're
20 80 percent unemployed and we don't have the money to
21 assist anybody?

22 So thank you all for coming here. You know,
23 don't get so sensitive here and get your feelings
24 hurt. But I'm not here worrying about your
25 feelings. I'm here because the welfare of all of

1 our people is at stake here. So (Native language).

2 Thank you.

3 MR. ANTHONY MORGAN RODMAN: Thank you, sir.

4 MR. HAROLD FRAZIER: My name is Harold Frazier,
5 Chairman of the Cheyenne River Sioux Tribe. I'm
6 also the Chairman of the Great Plains Tribal
7 Chairmen's Association. And I'm standing here
8 talking because this is the way we get treated by
9 the Federal Government.

10 (Mr. Frazier standing against the wall.)

11 MR. HAROLD FRAZIER: They're like a wall, poke.
12 You know, they need to start listening to us. You
13 know, I was told, "To get things done, keep it
14 simple and you get things done," but what I see is
15 too much policy. Every time the government is going
16 to do something for us they create a policy. And
17 some day, and it's even happening now that policies
18 are not only hurting but killing our people.

19 So if you want to reorganize, restructure for
20 the benefit of the Indian people, Article V of the
21 1868 Fort Laramie Treaty, read it. It says that
22 there will be an agent on our reservation to deal
23 and help our people with their rights. And if it
24 can't be resolved, you go to the Commissioner of
25 Indian Affairs in Washington. It doesn't say to go

1 to Albuquerque for education, go to Minneapolis for
2 education, go here, go there.

3 So my authority is simple, to benefit the
4 Indian people you need to put all authorities,
5 everything back under one roof. And this
6 restructuring should be for the benefit of the
7 people, Indian people. The Bureau of Indian Affairs
8 wouldn't exist if it wasn't for the Indians. And
9 I've seen that, a lot of people today, they make
10 changes for the benefit of themselves, not for the
11 people. And that's what needs to happen with this
12 restructure.

13 Problems, you bet there's problems. Cheyenne
14 River, 2010, a white man dug a trench along the
15 Cheyenne River, altered our southern boundary, took
16 140 acres. What's the BIA doing about it? Nothing.
17 Instead pushing their responsibility to another
18 agency. We can't do anything until the BLM does a
19 cadastral survey. What the heck is that? Seven
20 years ago this guy did that.

21 Yesterday we talked about a lawsuit that we
22 have against the Corps of Engineers, all of the
23 illegal takings of our lands along the rivers.
24 Where is the BIA in protecting our resources? You
25 know, I just can't let this go and I will never let

1 it go of the treatment of our people up at that
2 pipeline, DAPL. We Indian people have no rights,
3 none. The 1968 Indian Civil Rights Act only
4 protects our people from tribal governments. It
5 does not protect us from federal or state
6 governments.

7 You know, in May of 2016 I met with the U.S.
8 Attorney's Office in Pierre. I said, "Our people
9 are going to protest. Will they be protected to
10 exercise their First Amendment Rights?" And they
11 told us, "Yes, as long as it's on federal ground and
12 it's peaceful." That never happened. I talked to
13 Colonel Henderson. I asked him the same question.
14 He said the same thing. That never happened.

15 You know, our treaty, Article 16, learn that.
16 Before there's any kind of occupation on unseeded
17 lands you must get consent of the Indians. Why
18 weren't you there to protect us? When that pipeline
19 hit the Heart River, you, the Bureau of Indian
20 Affairs, should have stood up and stopped it. You
21 are here to protect our resources. You guys don't
22 even know that, do you, guys? Okay, I'll go back to
23 here (standing against wall).

24 If you want to help the Indians, you gotta
25 learn about us. That treaty is a governing document

1 of us. If it wasn't for that treaty we wouldn't be
2 here. So you need to learn them treaties. That
3 treaty was ratified by Congress, so it's law, your
4 law. And that's what's really bothersome to me, if
5 us Indians violate federal law, what happens to us?
6 We go to Leavenworth, serve time. These people, the
7 bureaucrats, if they violate it, nothing; transfer
8 it up to another level. That's why my
9 (unintelligible) told me some day he's going to be
10 in Washington, Cabinet.

11 So to keep it simple, just follow that treaty,
12 Article V. That's the way it should be. There
13 should not be a BIE. It's a waste of money. It is.
14 How much money did that cost? How much money did it
15 take away from kids to just change that one word?
16 Because you have to change the letterhead, name
17 plates, everything. That costed money and that was
18 taken away from Indian kids, a lot of them
19 education.

20 I just wonder, is this really going to happen?
21 Is this going to do something? Whether we want to
22 say it or not, I believe in you but in reality,
23 other parts of the United States, other Indian
24 tribes, they live differently from us and they're
25 going to want something else. So how are you going

1 to deal with that? Whose side are you going to
2 pick? I mean, that's what, the reality.

3 When you look at the budgets, you know, this
4 lady said self-determination. I said, BS,
5 self-destruction. When you look at the green book,
6 the federal budgets, the BIA program, they're funded
7 higher, also self-governance, but the 638 tribes,
8 they're way down there. I could go on and on and on
9 how we don't have that.

10 Kind of going back to that pipeline, I was
11 really -- I couldn't believe it. You guys seen it,
12 the (unintelligible) mercenaries concluding with the
13 BIA to hurt our people. Mr. (unintelligible) was up
14 there. He talked to them. They talked to him.
15 They gave him direction. They should have consulted
16 with us tribes to protect our people. That's not
17 right to shoot an unarmed peaceful person with --
18 you get shot with a bean bag. That hurts. You get
19 tear gas. You know, these things happened to our
20 people. The BIA never did get involved. They never
21 helped the Indian people. They only helped us stay
22 in North Dakota.

23 The FBI, too, when that guy drove into that
24 camp with a rifle, what happened? The BIA picked
25 him up, gave him to the FBI, and the FBI gave him

1 right back to North Dakota. These guys should have
2 been standing there protecting that camp because
3 that's on unseeded lands.

4 The old people who are the boss always said
5 that federal lands are Indian lands. And it is time
6 that we need to wake up, tell them what we need. We
7 should never accept what they give us, never.

8 I was told this story by Dave Archambault, Sr.,
9 Little Wound School, Kenny Provost was the
10 superintendent down there. The government came in
11 and said, "We're the boss." He stood up and said,
12 "No, you're not. These four men, these are my
13 boss." They were all old Lakota men. And that's
14 what you guys gotta remember. Trump shouldn't be
15 your boss. The Indian people should be your boss.

16 And I seen the attitude change when Trump got
17 in from these guys. I went to Washington, met with
18 Mr. Thompson. To see a BIA cop take a baton and
19 beat a woman, you guys all seen that on video, what
20 happened to that cop? Can you tell me? Can you
21 tell me? Oh, I'll ask it again: Can you tell me?
22 (Facing the wall) Nobody wants to talk. And I told
23 them cops that, I said, "Wars start because nobody
24 talks." I said, "We should be talking." But nobody
25 talks to the Indians, that whole process.

1 So I'm going to finish how I started:
2 Article V, read it. That's what you guys need to
3 follow if you're going to restructure. And fund it.

4 I remember back in 2002 C.J. Clifford's uncle,
5 Ross Swimmer (phonetic), he was making fun of the
6 Bureau of Indian Affairs how lack of technology,
7 equipment he didn't have. That's because they
8 wouldn't fund it properly, you know. So you guys
9 got to fund it.

10 But hopefully you guys do the right thing and
11 you keep the Indian people in your heart, because
12 you're Indian first. You know, and do it. Help us.
13 Don't come up with another policy.

14 Thank you.

15 MS. A. GAY KINGMAN: I know it's getting to be
16 about noon here, but I wanted to officially read
17 some of the statements or the resolutions out of the
18 Great Plains that reinforce what people have said
19 here this morning, that many of our people have so
20 greatly orally spoken about.

21 My name is A. Gay Kingman. I'm the Executive
22 Director of the Great Plains Tribal Chairmen's
23 Association.

24 I'm going to -- in the brevity of time, I'm not
25 going to read the entire resolution, but our

1 Resolution 12-14-16, December 16th, was -- talked
2 about the mission of the Bureau of Indian Affairs.
3 And I don't know how many of you have read the
4 mission, but they're supposed to be carrying out the
5 mission to enhance the quality of life, to promote
6 economic opportunity and to carry out the
7 responsibility to protect and improve the trust
8 assets of American Indians, Indians tribes and
9 Alaska Natives. That's supposed to be the mission
10 of the Bureau of Indian Affairs.

11 The Bureau of Indian Affairs is and has been
12 since its inception the primary federal agency which
13 is ultimately responsible for providing the tribes
14 with adequate education, law enforcement, burial,
15 tribal government assistance, land and natural
16 resource enhancement and protection, social services
17 and many of their other most critically needed
18 services provided to the tribes under their
19 treaties.

20 These monies and services are not provided by
21 the BIA or the United States as gratuitous grants.
22 They are instead entitlements which the tribes of
23 the Great Plains Region negotiated for in our
24 treaties for the direct exchange of our land we gave
25 up and other rights we were forced to give up in our

1 treaties.

2 This separates these BIA programs and services
3 from the other federally funded programs and
4 services which are currently included in the
5 discretionary budget of the United States.

6 While all the federal agencies of the United
7 States have a treaty and trust responsibility to the
8 tribes of the Great Plains Region, only the Bureau
9 of Indian Affairs is designed, structured, staffed
10 and funded in the manner necessary to insure the
11 provision of these trust and treaty based services
12 on a constant, timely and reoccurring basis.

13 Whereas, the Bureau of Indian Affairs budget
14 has never been adequate to meet the agency's
15 obligations and it has been reduced even further
16 behind the actual need over the course of the last
17 ten years.

18 And whereas, rather than increasing the Bureau
19 of Indian Affairs budget to address this shortfall,
20 the Department of Interior, Indian Affairs, moved
21 many of its services to other federal entities
22 outside of the BIA such as OST, law enforcement and
23 BIE. In addition, these offices are located in
24 places at a great distance from Indian tribes and
25 people that they serve, making it difficult for the

1 tribes to work directly with these divisions at the
2 local level.

3 Whereas, the DOI, Indian Affairs, transferred
4 these core support services out of the BIA and into
5 other divisions and into other federal agencies,
6 creating a maze of services that tribes have to deal
7 with.

8 DOI, Indian Services and Bureau of Indian
9 Affairs and the past administrations have failed to
10 request the funds required to meet the obligations
11 of the United States' trust responsibilities in
12 these core areas, forcing tribal governments to seek
13 an ever-increasing percentage of core funding for
14 law enforcement, courts, roads, education, home
15 repair and provide a variety of other treaty-based
16 programs through competitive grants from other
17 federal agencies.

18 And whereas, this movement away from adequate
19 funding for the BIA and towards the tribe's need to
20 rely on competitive grants has led to a decrease in
21 services for tribal governments. It has undermined
22 the tribe's ability to manage programs and serve the
23 people.

24 Whereas, the tribe and BIA programs most
25 affected by this change in federal policy are core

1 tribal government programs like law enforcement,
2 education, transportation, social services, which
3 need a stable and reliable federal budget to
4 properly operate large, full-service tribal
5 governments.

6 And whereas, the tribal nations most affected
7 are the large tribes like many here in the Great
8 Plains who operate large full-service governments,
9 much like states do with large populations, numerous
10 communities, extensive land base, numerous programs.

11 Competitive grants are not adequate to serve
12 tribal governments and sovereign nations who signed
13 treaties in good faith. All of this is in flagrant
14 violation of the Federal Government's trust
15 responsibility and is not cost effective.

16 Virtually these changes in federal policy have
17 come about without any real tribal consultation, and
18 this failure to consult violates the stated policy
19 of the United States, in particular Executive Order
20 13175 and the stated policy of Interior, Indian
21 Affairs and the Bureau of Indian Affairs.

22 Collectively these decisions have resulted in the
23 diminishment of service and progress of tribal
24 governments.

25 Therefore be it resolved that the tribes of the

1 Great Plains Tribal Chairman's Association call upon
2 the administration and the Congress of the United
3 States to cease this planned massive dismantling of
4 the Bureau of Indian Affairs and the reduction of
5 self-determination, the result of which has been to
6 purposely diminish the trust responsibilities of the
7 Federal Government to Indian tribes.

8 The Great Plains requests the administration
9 restore all the funding and obligations and
10 functions back to the BIA which have been removed,
11 such as BIA administrative and program functions,
12 IT functions, BIE, law enforcement, and to sunset
13 OST as mandated by statute and to return its
14 functions to the BIA; to place BIA functional
15 responsibilities at the regional and local levels,
16 to fully implement the Indian Preference laws in
17 hiring and contracting in BIA positions, to reaffirm
18 Indian tribes are the primary customers and
19 stakeholders of the BIA and not the employees of the
20 Department of the Interior, to reaffirm that the
21 Bureau of Indian Affairs primary responsibility is
22 to provide the services outlined in its budget
23 proposals and strategic plans, to restore
24 self-determination, to honor the treaty
25 responsibilities of the United States, to seek full

1 funding within the department to meet the tribe's
2 actual needs in both program and administrative
3 areas.

4 This was passed December 14th, 2016, but it was
5 a resolution that had been carried over and amended
6 for several years.

7 I'm going to read part of Resolution 4-12-14-16
8 regarding law enforcement. I'm going to start with:
9 Of course the Great Plains Tribes are all treaty
10 tribes within the Great Plains. The Great Plains
11 Tribes inherent sovereign authority to preserve
12 public safety, provide law enforcement and
13 administer justice to make our permanent home a
14 livable home is protected by our treaties, as well
15 as the Supreme Court recognized in Ex Parte Crow Dog
16 109 U.S. 556 which stated, "The pledge to secure to
17 these people, with whom the United States was
18 contracting as a distinct political body, an orderly
19 government, by appropriate legislation thereafter to
20 be framed and enacted, necessarily implies that
21 among the arts of civilized life, which it was the
22 very purpose of all these arrangements to introduce
23 and naturalize among them, was the highest and best
24 of all that of self government, the regulation by
25 themselves of their own domestic affairs, the

1 maintenance of order and peace among their own
2 members by the administration of their own laws and
3 customs." That was Ex Parte Crow Dog.

4 The Supreme Court also held in United States v.
5 Wheeler in 1978, "The sovereign tribal right of
6 internal self-government includes the right to
7 prescribe laws applicable to tribe members and to
8 enforce those laws by criminal sanctions."

9 Now, therefore be it resolved that the Great
10 Plains Tribal Chairmen's Association calls upon the
11 Solicitor and Attorney General and the Secretary of
12 the Interior to come to South Dakota for an
13 emergency summit on law enforcement and public
14 safety to fight the wave of violent crime and drug
15 crime that is now plaguing our Indian reservations
16 and devastating our young people.

17 Be it further resolved that the Attorney
18 General should provide emergency COPS grants and
19 other DOJ assistance to the Indian nations and
20 tribes of the Great Plains to deal with this wave of
21 violent crime and drug crime.

22 Be it further resolved that the Secretary of
23 the Interior should add BIA and tribal police
24 officers to the Great Plains Region and fill the
25 vacancies, and increase Public Law 93-638 funding

1 and increase other law enforcement resources going
2 to the Great Plains tribes and tribal police
3 departments, and recognize the authority of Indian
4 nations and tribes to design, provide and contract
5 for law enforcement training and provide tribal
6 government law enforcement certifications.

7 Be it further resolved that the Attorney
8 General, the Secretary of the Interior, the
9 Solicitor and Congress should work on a tribal law
10 and order statute to provide block grants for Indian
11 tribes that are under federal jurisdiction, have
12 large reservation populations and suffer high rates
13 of violence and crime to provide ongoing tribal
14 police protection.

15 Be it further resolved that the Attorney
16 General, the Secretary of the Interior and Congress
17 should work on a tribal law and order statute to
18 authorize Indian tribes with 5,000 or more members
19 or consortia of tribes to develop comprehensive law
20 enforcement and detention plans for utilizing
21 Interior Public Law 93-638 contracts together with
22 Justice block grants to effectively address violence
23 and drug crimes in Indian country under federal and
24 tribal jurisdiction.

25 And finally I'm going to read from your own

1 study from the Department of Interior that was
2 commissioned, the Bronner Study. It's not been
3 implemented. This study pointed out that Bronner
4 concludes that this must [] be done until full
5 consultation -- this must be done -- that to the
6 extent changes in this report are contemplated by
7 department officials, the change should be
8 implemented carefully to avoid the confusion and
9 frustration and it should be done with full
10 consultation and study with tribal leaders.

11 Shared responsibility: "'Thoughtful, effective
12 implementation is critical'. Bronner cites the
13 failure to consult [Indian] tribal leaders and BIA
14 staff working on the reservation. This is exactly
15 what happened so far with this restructure plan."
16 And this was the last one.

17 Now we're going into another one and this is
18 still a failure to consult. "Do not sacrifice
19 long-term success for immediate term progress. It
20 may take organization several years to fully
21 implement the localization of support service[s] []
22 in the most effective manner."

23 Bronner also found that centralization is not
24 effective, the centralization of full support
25 functions in Washington, D.C. However, Indian

1 affairs rely on personal relationships rather than
2 organizational structure and that would help
3 complete these administrative tasks. The structure
4 is poorly served by wholly inadequate communications
5 and coordination program rendering meaningful
6 long-term collaboration with its customers virtually
7 impossible. And we're seeing that in all of our
8 programs from the BIE to law enforcement.

9 They had found also that budget formulation and
10 funds management should be restructured to regional
11 office level instead of centralized offices.

12 The other finding was supervision of OBM
13 functions should be under regional offices and not
14 central office. The field operation budget analyst
15 and field operation accounting should report to the
16 BIA regional directors.

17 Facility managers need to report to regional
18 directors and BIE should sign Memorandums of
19 Agreements with BIA to provide this service.
20 Personnel management should be realigned to the
21 regional office level.

22 The BIA is the only agency to lose oversight to
23 DOJ Office of civil rights, an EEO function, and
24 this will cost millions of dollars for 17 staff in
25 Washington, D.C.

1 But this was a Bronner study that was
2 commissioned and it has some excellent findings.
3 And what tribal leaders were saying repeatedly here
4 this morning, everything must be local, local
5 control, not from D.C. or Albuquerque or Minneapolis
6 or wherever it is.

7 And the Great Plains Tribal Chairmen's
8 Association will be submitting further testimony.
9 We have other testimony on trust and Bureau of
10 Indian Education. So those will be submitted for
11 the record probably next week.

12 Thank you.

13 MR. ANTHONY MORGAN RODMAN: Thank you,
14 Ms. Kingman.

15 And as Ms. Kingman just mentioned, the
16 comments, the written comments, there are two
17 opportunities for that for the general public. In
18 this Federal Register notice here it shows how to
19 submit those, and that's directly to the White House
20 website, and that deadline is June 12th. For tribal
21 leaders, tribal leaders have longer, until
22 July 15th, and that is in this letter here and
23 that's at Consultation@BIA.gov. So there's still
24 time to get written -- in addition to these
25 statements there were recorded today, transcribed

1 for the record, there are other opportunities
2 through these two channels here.

3 And we are at 12:22 now.

4 MR. HAROLD FRAZIER: I have a question.

5 MR. ANTHONY MORGAN RODMAN: Yes, sir.

6 MR. HAROLD FRAZIER: So once this plan gets
7 completed, are you going to come back and consult
8 with us?

9 MR. ANTHONY MORGAN RODMAN: In the one sheet
10 that describes the process, there will be another
11 federal registry notice published.

12 MR. HAROLD FRAZIER: So will you come back out
13 here to Rapid City and consult with us?

14 MR. ANTHONY MORGAN RODMAN: The decisions
15 haven't been made on the dates and --

16 MR. HAROLD FRAZIER: But you will?

17 MR. TONY DEARMAN: Chairman Frazier --

18 MR. HAROLD FRAZIER: We shouldn't even have to
19 request it. Again, I mean, that's why we said these
20 things. Where is our respect for us Indians? Come
21 on now.

22 Our tribe went to every one of those
23 consultation things that Obama done last fall. What
24 happened? Geez, are we going to get treated like
25 this? We shouldn't have to request anything. You

1 guys should automatically do that. This is the
2 future of our people, this restructuring. That's
3 why we come. We're concerned with the future. You
4 guys should be, too. Man, I can't believe the way
5 you treat us Indian people.

6 MR. ANTHONY MORGAN RODMAN: Thank you, Chairman
7 Frazier. Again, the process after this is that the
8 comments will be reviewed, analyzed, and then the
9 Secretary will submit the plan. And that's -- there
10 will be another federal register notice published on
11 that plan. I don't know -- or we don't know at this
12 time the dates or anything about when those will
13 happen. But what we do know is that the comments
14 that were shared today do have a lot of value and
15 we're appreciative of that.

16 MR. MICHAEL WOLFE: I second Chairman Frazier.
17 I piggyback his thoughts. You tell us -- like we
18 said earlier, you tell us that our comments are
19 valued and heard. How can you prove that to us?
20 Are we going to be involved in these discussions or
21 once again are these going to be shoved down our
22 throat and telling us that we have to like it
23 because that's what's going to happen anyway? When
24 do we got power enough to say and be involved and
25 make decisions for our people? Is there going to be

1 discussions about this stuff? What is going to be
2 presented? We'd like to be involved.

3 Just, I'm sick and tired of it. It's an ugly
4 taste in my mouth. I don't want my kids, grandkids
5 to even experience this thing. You are supposed to
6 have our back.

7 I want to tell you a little bit of a story.
8 The BIA a year and a half ago -- this seems minor
9 but these are the things that's taken place in our
10 world. All we want is a cell tower to help us out.
11 The BIA said a year and a half ago, "Yeah." So we
12 worked with Verizon, and now the BIA is putting a
13 rebuttal against us saying we can't have that.
14 "Those Indian people might be heard if we get them a
15 cell tower." Can you guarantee us we're going to be
16 heard?

17 You sit there and tell us, "These are good
18 comments you guys got for us. We'll take a note of
19 that." Well, how do we know that? It's never been
20 proven to us that somebody is listening to us.

21 I'm tired of this. I mean it. The government
22 sits there and hears "treaty". I'll bet they get
23 sick and tired of hearing "treaty". "I hope they
24 don't discuss treaty today" because then again
25 they'll have to expose themselves as four tongue

1 people, tell us lies again.

2 Involve us. We got until July 15th. Are we
3 going to have any input in this or is it just going
4 to be, This is the way it's going to be and you'd
5 better like it because you're going to have to
6 accept it? I'm one and I have many tribal members
7 on my reservation saying, "Maybe we might have to go
8 back and do something like aim again, or Standing
9 Rock, pipeline."

10 Our governor, Governor Ricketts doesn't even
11 know we exist in northeast Nebraska. He's got
12 \$500 million invested in that pipeline, his family
13 alone. They sent up our troopers on our tax dime to
14 support them and the BIA and their battle against
15 the people, the first nation people. Nobody hears
16 us. You said you do. Take them ear plugs out of
17 your ears and speak for us.

18 I really appreciate what Chairman Frazier said.
19 When do you guys have our back? It seems like you
20 guys are the enemy. And I'm not just saying you
21 three. It's the organization. When are they going
22 to start eliminating some of the things that are
23 involved in your line of work? I know people in
24 your line of work and they don't do shit. They show
25 up for work and sometimes they don't even show up.

1 They can have ten no calls a month and they're not
2 fired. They get promoted. What about us? Throw us
3 a bone?

4 Our children and our elders are relying on
5 what's taking place here. Show me you're hearing
6 us. Don't snow me. You guys keep saying you're
7 hearing me and then you start -- in my mind it
8 starts looking like you're our enemy. You're
9 supposed to be our relatives. You're supposed to
10 have the Native people's best interests in mind
11 here. I don't see that. And I don't think I speak
12 alone when I say that. We're minorites in our own
13 country.

14 Pretty soon the government is going to be
15 happy. What are you going to do when the government
16 eliminates us and we're no longer declared tribes,
17 nations, reservations? What are you guys going to
18 do for jobs? And all of the coworkers you have,
19 what are you guys going to do if you don't have the
20 Indians to represent? Well, give me the bang for
21 the dollar and represent me. I'm a child of God.
22 I'm no different than the light color. Help us.

23 Sorry, I was hoping I came here for a battle
24 and a meeting would break out and solutions would be
25 discussed, but all I'm getting again is, "We hear

1 you; we hear you." Bullshit.

2 That's all I got.

3 MR. C.J. CLIFFORD: You have all of that going
4 on, and last winter I was up in a GOA meeting and
5 they recognized six more new tribes in North
6 Carolina. Are they going to get a piece of this pie
7 that we're currently dealing with, or is there going
8 to be a new type of appropriations, things of that
9 nature?

10 Mr. Chairman, you was in that meeting with us.

11 Where are we at with that particular six -- I
12 mean, because it's going to come into effect on this
13 reorganization. They're moving. The Senate is
14 moving on it now and they approve it from a
15 committee level. So there's six more new tribes,
16 and I don't know the population because they didn't
17 talk the numbers, but I do know that's in the
18 pipeline to be added to your responsibilities.

19 MR. TONY DEARMAN: You know, Mr. Clifford, if
20 there were six more tribes recognized -- and I don't
21 recall that. I might have just been nervous from me
22 being upfront. But they would get a piece of the
23 pie, would be my assumption. But that's just my
24 assumption, because if they're a federally
25 recognized tribe, that would make them eligible for

1 the federal services.

2 MR. C.J. CLIFFORD: And so would it come out of
3 the appropriations or would you ask for new
4 appropriations? How would that work within the
5 system?

6 MS. HANKIE ORTIZ: Sir, I'm not aware of that
7 either, the six tribes you're talking about. But I
8 can tell you in general when tribes are federally
9 recognized, they are funded the first year if
10 they're recognized with what they call new tribes
11 funding. And so -- well, actually it's small and
12 needy tribes filing first, and then they get a share
13 that's identified for new tribes specifically. And
14 that's what becomes their base funding eventually.
15 So that's kind of how it starts out.

16 So we've had a couple of tribes recognized in
17 the past few years, and that's how they were funded,
18 first small and needy tribes. Because the budget is
19 done two years ahead of time, so it takes a couple
20 of years before the funding actually gets into the
21 budget for the new tribes funding. And that funding
22 is for their administrative functions to help start
23 up their tribal government.

24 MR. ANTHONY MORGAN RODMAN: So before we close,
25 I'd like to address again how these comments will be

1 reflected in the steps moving forward. So at the
2 conclusion of the listening sessions -- the last one
3 is in Alaska. I don't think it made it onto the
4 calendar that's in the packet, but it's the very
5 last one -- the Secretary of the Interior is going
6 to submit a report to OMB, the White House, by
7 September 9th. So at that point there will be
8 opportunity to comment on that plan. So you'll be
9 able to see how these comments have influenced
10 whatever that plan is. And then you'll be invited
11 to comment again on what that is. So there is going
12 to be another opportunity to weigh in on whatever is
13 going to be proposed.

14 With that, thank you very much.

15 MR. MICHAEL WOLFE: I'd like to say one more
16 thing.

17 Relatives, please excuse me.

18 You know, when history says this is probably
19 already implemented and how it's going to be shoved
20 down our throats has already been discussed and
21 finalized, this is my opinion, come September none
22 of these comments are going to matter. It's already
23 set. Who has our best interests? We're relying on
24 you. How can we help you help us instead of giving
25 me all of this language that you guys speak? Can

1 you guarantee me the things that we say do have an
2 impact on what we're going to hear in September? I
3 bet you can't.

4 MR. ANTHONY MORGAN RODMAN: I can guarantee
5 that these comments are going to be evaluated and
6 they're going to be part of the development of the
7 report, sir. That's why we're here.

8 MR. MICHAEL WOLFE: You're here to just please
9 us. And it's not about you guys. It's about the
10 system sending somebody down here to make them act
11 like we're listening to them. Our comments won't be
12 implemented in this thing. It's going to be how
13 they want it anyway. I hate to be like negative
14 here, but I've been hearing my relatives for
15 centuries and we're getting told the same thing, now
16 by our own people it seems like.

17 MR. ANTHONY MORGAN RODMAN: Again, thank you.
18 And there will be much more to come on this, on this
19 process. So it's just one step.

20 Thank you very much.

21 (Proceedings concluded at 12:38 p.m.,
22 June 8, 2017.)
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1 STATE OF SOUTH DAKOTA)
2 COUNTY OF PENNINGTON) ss.

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I, CINDY K. PFINGSTON, hereby certify that the foregoing pages numbered from 1 to 135, inclusive, constitute a full, true and accurate record of the proceedings had in the above matter, all done to the best of my skill and ability.

DATED this 7th day of July, 2017.

CINDY K. PFINGSTON
Registered Professional Reporter

My commission expires:
February 4, 2022

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