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BUREAU OF INDIAN AFFAIRS
OFFICE OF THE ASSISTANT SECRETARY

TRIBAL CONSULTATION

POTENTIAL DEPARTMENT OF THE INTERIOR (DOI) REORGANIZATION

HELD AT

NATIONAL INDIAN TRAINING CENTER
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REPORTED BY: MICHELE NELSON
INDEPENDENT COURT REPORTERS
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Los Lunas, New Mexico 87031

A T T E N D E E S

CONSULTATION PANEL MEMBERS:

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

Members of the Audience:

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

A G E N D A

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1 MR. TAHSUDA: I'd like to kick us off with a
2 prayer.

3 Governor Siow.

4 (Prayer offered in Native American.)

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

8 We opened it up with a prayer --

9 Thank you, Governor.

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

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

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

20 I would like to -- we have a slide show
21 presentation, and I would like to go through that first.
22 If you have any questions on something that's in the slide
23 show, you don't understand what it's trying to say, I'm
24 happy to answer those, but I do want to be cognizant of
25 allowing the tribal leaders and other folks that want to

1 make comments, plenty of time to make those. And so, I'll
2 try to get through the slide show as quickly as I can and
3 then, leave plenty of time for your comments.

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

14 I appreciate -- I really appreciate that.

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

24 So does anybody have any questions or anything
25 before we start?

1 Okay. So if you don't mind, I would like to
2 start with each of the governors or the tribal leaders, if
3 you could just get up and introduce yourself, so we know
4 who's here as well as you can see your other tribal
5 leaders who are here as well. And if you would like,
6 introduce other folks from your council or people that are
7 here as well; you're welcome to do that.

8 Governor, why don't you start?

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

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

19 GOVERNOR TENORIO: Good morning, everyone.
20 (Native American.) I'm Glenn Tenorio, governor for the
21 Pueblo of Santa Ana. And I also, have today with me my
22 lieutenant governor, Mr. Nathan Garcia, and also, some of
23 my traditional leaders here with me. I have Leroy Armijo,
24 Emanuel Medina, Timothy Menchengo and Julian Garcia, who
25 also work for our tribal historic preservation office, and

1 also, former war chief, Eugene Lujan, and former governor,
2 Myron Armijo with me today. Thank you.

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

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

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

15 But, if not, thank you.

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

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

23 PRESIDENT BEGAYE: Russell Begaye, President,
24 Navajo Nation (Native American.). We have Council
25 Delegate, Stephen Begaye. Council Delegate, Seth Damon,

1 our speaker, we have Delegate Tom Chee. And then, others
2 that are here: Dwight Witherspoon, Darrick Franklin,
3 Jolene Catron, Jared Touchin, Virgil Pablo, Jonathan
4 Nolan, Luath Nolan, Ben Woody, Jr., Laura Mike, Alysa
5 Landry, Elroy Watson, Rose Graham, Wanda Hweso, Seymour
6 Smith, LaRenad Bates, Pete Aticity.

7 So we have both Navajo Nation governors with
8 concerns about BIA and also, BIE. Thank you.

9 GOVERNOR SUMATZKUKU: Good morning. I'm Leroy
10 Sumatzkuku, and I am the governor of Moenkopi.

11 MS. ANDREWS: Good morning. (Native American.)
12 Malinda Andrews, Hopi Tribe, and I'm here with my
13 executive advisor, Anthony Laban, and the other delegates,
14 if you would please stand?

15 Thank you. (Native American.)

16 MR. JACKSON: Good morning. I am Larry Jackson,
17 and I am the Vice Chairman for the Yavapai-Apache Nation
18 in Camp Verde, Arizona. And I am expecting our Chairwoman
19 Jane Russell to come and also, represent. I would like to
20 express, thank you for being here with us, and I'd like to
21 say good morning to everyone here in the room.

22 MR. JOSE: Good morning. I'm David Jose, Ramah
23 Navajo Chapter. And staff employees, I also have under
24 Ramah Navajo School Board, Darnell Maria and Martha
25 Garcia, Monica Yazzie, Beverly Coho, Nancy Alonzo, Grant

1 Clawson. Are there any others? That's about it. Thank
2 you.

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

6 MR. JULIAN: Ronald Julian, Jicarilla Apache
7 Nation, council member. And good morning, Mr. James.
8 Good to see you.

9 MR. JAMES: Good morning, sir.

10 MR. JULIAN: And I'm here just to get information
11 and make comments later on.

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

15 MS. CUTHAIR-ROOT: Good morning. My name is
16 Colleen Cuthair-Root. I am a council representative of
17 the Ute Mountain Tribe. Good morning.

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

22 MS. ARMIJO: Good morning. I'm Francine Armijo.
23 I'm general counsel for the Pueblo of Isleta.

24 MR. ESTANCI: Darren Estanci.

25 MS. ANGELL: Good morning. Amanda Angell, here

1 on behalf of the Mescalero Apache Tribe. I'm one of the
2 tribal attorneys.

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

5 MR. TAHSUDA: Okay. Thank you, guys.

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

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

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

24 The Department initiated this, shortly thereafter
25 in May, to all of the different stakeholders for tribal

1 input. A letter went out on May 16th, and then six
2 listening sessions were held between May and June of 2017.
3 Since then, we've held two more additional listening
4 sessions. And then, we have begun this consultation
5 session -- these consultations last week -- we held two.

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

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

17 There are other stakeholders who have a very
18 important role in this and are obviously heavily impacted.
19 So it's not just the tribes. It's not just states. But
20 Congress -- part of implementing this will require
21 reorganization of the Department on a budget level, so
22 Congress will sign off on that. So they'll either have
23 input -- obviously, Congress also, has a large role in
24 setting the priorities for the Department, that we don't
25 set ourselves, so they play a role in that as well.

1 Another real big stakeholder, and I want to
2 impress on folks as well, is our employees. This plan is,
3 obviously, to help us work better, more efficiently, more
4 effectively, for who we work. For BIA, BIE. We work for
5 tribes and individual Indian folks.

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

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

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

24 Just land surface area -- because a large part of
25 what we do is land management, well, what is that? That

1 is one-fifth of the United States. 20 percent of the
2 United States, in one way or another, is under the
3 management authority of the Department of Interior. In
4 addition to that, 700 million subsurface acres; we have
5 1.7 million of outer continental shelf acres that we're
6 responsible for; and then, additionally, what is really
7 important for tribes, we are responsible for 25 million
8 acre-feet of water per year.

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

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

23 So we have, within the Department, a great deal
24 of redundancy of services, particularly in our regional --
25 you know, in geographic regions, we have multiple,

1 different bureaus who are doing similar activities for
2 different stakeholders, but they do them separately. And
3 one of the places that this becomes really apparent and
4 becomes a problem for us and for you and the other
5 stakeholders is on our decision-making in these areas.
6 When we have different bureaus all needing to reach one
7 common decision, but they're coming at it from different
8 ways.

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

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

25 Looking across the different bureaus, the

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

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

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

21 So one of the basic concepts that we believe will
22 provide more efficiency and more effective decision-making
23 for the Department is to require that cooperation and
24 coordination among the bureaus, to happen from the
25 beginning. That will be the primary responsibility of

1 this interior regional director. Focused on these three
2 functions, he will make sure that the different bureaus
3 are working together from the very beginning. Almost like
4 a project manager. He will enforce time lines. He will
5 enforce their working together to develop one common
6 decision coming out of that region.

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

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

21 So, on those public lands, the secretary wants
22 those bureaus to cooperate and coordinate so that both
23 people can exercise recreational opportunities, regardless
24 whether they're in a park, moving into a refuge or even a
25 Bureau of Rec property, sort of seamlessly; in their mind,

1 it's an economic benefit to the area.

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

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

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

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

23 Yes, sir.

24 GOVERNOR BERNAL: Going back to your previous
25 slide, we have the three primary functions. Are those in

1 order of priority?

2 MR. TAHSUDA: No.

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

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

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

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

22 And he decided that the best place to start from
23 would be sort of science-based. So we have a bureau
24 called USGS, U.S. Geological Survey, which is basically a
25 collection of scientists. And they do a lot of the

1 scientific work for the Department internally, looking at
2 waterways, animal corridors, et cetera.

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

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

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

20 Administratively, and where this is intended to
21 go --

22 Yes, Governor.

23 GOVERNOR BEGAYE: Yes. I would just like to ask
24 a question on the criteria used. At any point, rather
25 than land, water, state lines, were people considered, in

1 terms of tribes, tribal nations, over against state lines
2 or conservation, those types of things, forestry,
3 watersheds, those types of things. At any time, was there
4 anything considered where the criteria would be people
5 over, against watersheds?

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

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

23 This is not a final. There's still the
24 opportunity to make some adjustments, but I think that our
25 hope is to have this round of consultation first and kind

1 of envelop that into our thought process.

2 GOVERNOR SUAZO: Gilbert Suazo, Governor from
3 Taos Pueblo.

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

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

13 MR. TAHSUDA: Thank you, Governor.

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

21 There is -- believe it or not, there is,
22 actually, a lot of interaction between the different
23 bureaus including the BIA, in the Department. And so, the
24 goal of this is to increase the coordination and the
25 communication, so that decisions that the different

1 bureaus have to make, that require input from other
2 bureaus, are done more effectively and more efficiently.

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

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

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

24 Because we have an overall timeframe of, let's
25 say, one year for BIA to get that decision done on behalf

1 of the tribe. And so, Fish and Wildlife will have to
2 figure out how they're going to give us their input and be
3 there from the beginning, not weighing in at the end,
4 through the process, so we can get that decision done for
5 the tribe.

6 That's sort of the concept of why it's important
7 to have this better interaction amongst the bureaus.

8 Again, this is not to reorganize the BIA, itself,
9 internally. And I made a reference further on, but the --
10 even there would be geographical reorganization to these
11 unified regions, the BIA, itself, will still have all of
12 its staff, all of its agency offices out in the field.
13 There will be no change in that. There will be no change
14 -- I mean, ideally, there will be no change in the level
15 of service, the staffing out in the field.

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

22 Right now, when there's any kind of decision
23 conflict between the bureaus, it comes to D.C., and I
24 think most of you guys are pretty aware when things come
25 to D.C., they don't move fast. So one of the primary

1 functions that this interior regional director would have
2 would be to keep that decision there, force those agencies
3 to work it out. Only if there is a policy-level decision
4 that he can't reconcile, he brings it to D.C.

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

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

21 GOVERNOR BEGAYE: Are you saying then, that
22 these -- the way that you have the map drawn up and all
23 that, that these other departments or other agencies of
24 that department are going to be regionalized like that,
25 but the Bureau of Indian Affairs offices would remain as

1 they are? Is that what you're saying?

2 MR. TAHSUDA: Yes, if I understand you correctly.
3 So the unified regions is sort of like the first step in
4 getting this administrative structure in place. There
5 would be benefits down the road, if we did some
6 co-location of offices, et cetera. That would be some,
7 you know, some budget saving, et cetera. The secretary
8 has made the commitment that any extra resources that come
9 out of this, any budget savings stay in the field. They
10 don't get sucked back up in D.C.

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

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

24 You know, in doing this, we're not going to, you
25 know, cut off business for a year and move people around.

1 Those have to stay there in the short term. And then,
2 we'll consult with the tribes in that region as to what
3 works best for them. Do we keep, essentially, two
4 regional offices? Is there a location that's convenient
5 to them that we could, you know, co-locate one regional
6 office, maybe like Rapid City? But that'll largely be up
7 to them, and the tribes will have a big input into that.

8 Does that answer your question?

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

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

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

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

25 There's several concepts. One, you could have

1 somebody who is sort of a political appointee, and he
2 would have that weight of authority, or we could have
3 somebody who is a career person. And we thought one way
4 to do that would be to have the different bureaus in that
5 region rotate every couple of years, and their regional
6 director would elevate to this interior regional director
7 slot.

8 So I don't think we came to any conclusion --

9 Did we, Jim, from the -- with RDs about that.

10 They had good points, I think, on both sides.

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

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

23 As I mentioned, their function would be to
24 oversee any shared services in the region, really
25 facilitating the interagency conflict and promoting

1 problem-solving before issues have to come to D.C.

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

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

15 Yes.

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

1 we end up having to re-educate that individual. I just
2 want to know what the rationale is for rotating the
3 directors.

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

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

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

24 They will establish and maintain time lines for
25 this decision to be made. They will make sure that the

1 two bureaus or the different bureaus are coordinating with
2 each other from the very beginning. That's their role.
3 Not really to have a deep subject-matter expertise, you
4 know, each of the bureaus in that region. They may over
5 time.

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

17 And so, this kind of follows that same trend even
18 at a higher level, I think. So, again, the idea is to
19 keep, for all the bureaus including BIA, is to keep in
20 that region, the resources, the expertise, that there.
21 We're not moving staff out. We're not moving offices.
22 That would all stay there. It would just be at this very
23 top level, a guy who will facilitate this communication,
24 coordination, and, ultimately, decision-making, amongst
25 the bureaus.

1 But, again, that's why it's really focused on
2 those three primary functions. Again, those are the ones
3 where we have a lot of crossover in decision-making. Ones
4 that don't fall into that, the regional director for us in
5 that region, will still be coordinating that decision, as
6 they are now.

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

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

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

21 So I know that there's been a lot of questions,
22 and it's often a difficult decision for us, you know, when
23 to come out for consultation. If we come out too early,
24 we're kind of wasting your time because we don't have
25 enough information to impart to you.

1 Obviously, if we get way down the road and we
2 come out, and you feel like there's been too many
3 decisions made without your input. So we're trying to
4 find that sweet spot. That's why I want to highlight a
5 couple of things. Really, we're very early in the
6 process. And so, getting your input into this is
7 essential.

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

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

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

23 So if any Indian Country of ours doesn't want the
24 BIA to participate in this, we'll keep the BIA out. If
25 any region -- we've had a lot of good discussion with the

1 Great Plains tribes. We may have a region like that in
2 which they do want to participate in this unified region.
3 So we'll figure a way to work through that where the other
4 BIA regions are impacted by it.

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

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

19 I think that's it.

20 So, Governor, did you have a quick question?

21 GOVERNOR GARCIA: Yeah. Joe Garcia, Ohkay
22 Owingeh.

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

25 The general question for all people that are

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

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

12 MR. TAHSUDA: Thanks, Governor.

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

18 At the end of the day, we have to have -- we have
19 to have a buy-in by the external stakeholders, in
20 particularly, folks like state governors, et cetera,
21 tribal leaders; Congress is a part of that. We also have
22 to have buy-in internally, and you're absolutely right;
23 our employees have to be committed to this as well. They
24 have to understand that it's a good idea, it's something
25 that's good for the future of the Department.

1 And I say that because we understand that this
2 doesn't happen quickly. Even just doing these unified
3 regions and sort of laying over this unified command
4 structure over the top of the regional bureaus and the
5 bureaus' different regions is probably going to take five
6 years to have to get it implemented. And that's just
7 that.

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

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

24 And they do it. So this kind of co-locations in
25 the future could also, you know, contribute a lot to

1 better coordination and better decision-making across the
2 bureau. So that's down the road. That, could take years
3 to implement as well. And we have GSA leases that, you
4 know, we can't get out of. I mean, there's a whole host
5 of other things that come with that.

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

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

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

23 Do -- I'm sorry. Let me ask this: Do you want
24 to -- I'm done with the slide show presentation. Do we
25 want to kind of go down the list of tribal leaders, so all

1 the tribes can get a chance to get their comments on the
2 record, or do you want to just kind of go -- whoever
3 raises their hand?

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

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

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

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

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

25 MR. TAHSUDA: Thank you, Governor Candelaria.

1 So I'd like to start off with Governor of the
2 Pueblo of Laguna.

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

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

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

24 It is clear that, once again, the primary focus
25 of the reorganization drops Indian tribes and Indian

1 individuals below other concerns. Interior's focus on
2 improved service to the American people in recreation,
3 conservation, and permitting, demonstrates that addressing
4 continuous obligations, the tribes are entirely absent.

5 Focusing on recreation, conservation, and
6 permitting, detracts from Interior's mission of respecting
7 and supporting tribal sovereignty. There is no mention of
8 fulfilling the United States federal trust
9 responsibilities to Indian tribes and Indian individuals
10 on how the Interior's reorganization improves or upholds
11 its responsibilities.

12 Interior proposes to bring nine bureaus under 13
13 unified regions, each with an interior regional director
14 who will focus on three indicated functions. There is no
15 mention of the federal trust responsibility, and how that
16 will be carried out. Even more concerning is the fact
17 that the only mention of Indians in this plan is to
18 support tribal businesses on or near other public land,
19 and what does that really mean?

20 Some of our more specific concerns include,
21 number one, the defined primary functions of Interior do
22 not adequately address how the decentralization of nine
23 agencies will consistently uphold the trust responsibility
24 to tribes. In particular, the BIA covers a much broader
25 range of trust responsibilities than land. From the

1 health and welfare of our people, to educating our
2 children, how are those responsibilities to be covered by
3 this reorganization?

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

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

21 Number three, consolidating Interior, bureau and
22 agency staff in faraway sites, will hinder the
23 relationships tribes have developed with the local offices
24 that currently serve them. Expanding the regions so far
25 and wide would impact the level of service a regional

1 office would be able to provide. The needs of Wyoming and
2 Colorado are not the same as the needs of New Mexico. How
3 will these needs be prioritized?

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

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

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

25 This does not take into account the disruption to

1 other federal and state agencies as they try to figure out
2 where and with whom they should be interacting to address
3 issues. This will disrupt the operational efficiency
4 across all levels of government.

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

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

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

21 Number eight, we are concerned that tribal
22 preference for staffing within the BIA will be negatively
23 affected. The current location of the Southwest BIA
24 Regional office allows for tribal preference to work as it
25 was originally intended because of the availability and

1 capability of the Indian workforce near this office.

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

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

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

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

20 MR. TAHSUDA: Thank you, Governor.

21 President Begaye, I think I have you on next.

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

24 The -- I just want to say thank you for the
25 opportunity to speak here at this listening session, and I

1 hope that my words and words of the other tribal leaders
2 will have an influence on the reorganization.

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

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

16 It has been just more than one year since I first
17 spoke at a listening session on this topic. On June 1,
18 2017, I spoke at the BIA listening session on
19 reorganization in Phoenix, Arizona. After that listening
20 session, I made many recommendations. Some I will make
21 again here today, since there has been little change.

22 Last year, I thought this was an opportunity to
23 modernize the BIA and better serve our Navajo people. A
24 year ago, I was optimistic. I said we could use this
25 opportunity to modernize the way BIA handles these issues.

1 One, energy policy, giving tribes more authority over our
2 natural resources. Today it's still driven by state
3 interests and large corporations.

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

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

18 Consolidate functions of other bureaus, transfer
19 Bureau of Reclamation and Bureau of Land Management
20 authority and budget to Navajo Nation, as we are doing
21 with the Navajo Nation Bureau of Indian Affairs. As to
22 transfer road construction from BIA to the Navajo Nation,
23 getting direct funding from the federal highways. And
24 we're saying the same thing: Transfer all authority and
25 budget from BOR and BLM to the Navajo Nation, because we

1 can do this ourselves. If we transferred it into our
2 Division of Natural Resources, would be a start.

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

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

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

24 The current map not only splits the Navajo Nation
25 region, but the BLM and BOR regions we work with. We see

1 the decision-making that usually is made differently in
2 these regions during the Gold King Mine spill, and we know
3 by that experience, that splitting the region harms our
4 ability to respond to urgent problems. We also know that
5 the Navajo area is unique, complicated and larger than
6 some regions already proposed.

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

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

18 Executive Order 13175 25 USC Section 2011 and
19 15-12DM2 all require meaningful consultation with Indian
20 tribes before implementing agency action with tribal
21 implications. This includes both, reorganizing geographic
22 regions and reassigning agency leaders. These
23 consultations must be respectful of tribal sovereignty,
24 incorporate tribal concerns, and involve DOI officials who
25 are knowledgeable and authorized for these actions.

1 DOI must not transfer BIA leaders, modify BIA
2 regions or budgets or otherwise implement reorganization
3 or these reassignments pending meaningful tribal
4 consultation. In our treaty of 1868, we celebrated June
5 1. 150 years ago, we signed this treaty that explicitly
6 requires a federal representative located in the Navajo
7 region. On June 1, 1868, the Navajo Nation held a
8 remembrance for the 150th anniversary of our treaty with
9 the United States signed -- excuse me -- June 1, 1868.
10 This treaty specifically requires our federal government
11 to appoint an agent for the Navajo Nation. Article 4 of
12 the treaty requires the federal government to keep an
13 office open within the reservation at all times.

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

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

24 Also, the Bureau of Indian Education was recently
25 reorganized based on whether schools are managed by the

1 federal government or Indian tribes that serve the Navajo
2 people. The Navajo Nation Department of Education
3 oversees one of the largest, federally-operated school
4 programs with one-third of the BIE schools operating on
5 our nation.

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

14 Funding focuses on facility improvement and
15 repair just in schools. Available funding will continue
16 completion of replacing mid schools on the 2004 school
17 replacement list, and designed for the ten schools on the
18 2016 school replacement list.

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

23 School procurement is handled by the folks in
24 contracting that work under the Bureau of Indian Affairs.
25 They do 80 percent of work that is specifically for our

1 BIE-funded schools, from buying pencils to buses.

2 Roads impact school transportation.

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

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

25 The DOI reorganization, BIA leadership,

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

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

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

20 My closing remarks: This organization could be a
21 great opportunity to bring the old BIA into the 21st
22 century. This could be an opportunity to not only
23 streamline our work with BIA, but also, our work with BLM
24 and the BOR. Unfortunately, by not listening to tribes,
25 our federal government is missing an opportunity. The

1 federal government has already proven it will listen to
2 states when it redrew the latest maps.

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

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

14 Thank you, sir.

15 MR. TAHSUDA: Thank you, President.

16 President Holsey.

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

23 Obviously, my words are not intended to be
24 adversarial, but more constructive. And I appreciate the
25 fact that you've said that there will be a continuation of

1 dialogue and ongoing transparency as we navigate this
2 process. And, obviously, I appreciate the fact that the
3 words that I have to offer today are through a lens of
4 tribal sovereignty and those things that are
5 interconnected.

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

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

22 There is no reason to add waiting periods for
23 trust acquisitions, new requirements for historical
24 connections to the land as a part of off-resident
25 acquisitions and consideration of the economic benefits to

1 parties who are not tribal.

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

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

18 Instead of the current proposal amending the
19 fee-to-trust regulations by placing more obstacles in the
20 way of trust acquisitions, the Stockbridge Munsee Tribe
21 feels the process should be streamlined and appeals
22 processed more quickly. For example, appeals could be
23 limited to one level of administration as compared to some
24 tribes having to go through two layers of administration
25 appeals before the issues appealed into federal courts.

1 This would help to protect tribes when local governments
2 frivolously appeal as a way to game³ the system simply to
3 delay trust acquisitions.

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

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

18 Delays also increase the time period when there
19 is more potential for jurisdictional conflict. These
20 issues with the fee-to-trust process are not addressed by
21 the administration's current proposal, nor are Indian
22 Country's concerns being taken into consideration with the
23 proposed BIA reorganization. The administration has yet
24 to present any information substantiating the efficiencies
25 to be gained or the greater protections of treaty rights

1 or the furthering of federal government's trust
2 responsibility that will be accomplished by the proposed
3 restructuring.

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

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

23 This may be an interesting management regiment
24 change exercise for the administration to undergo while it
25 chases its goals of reducing the size of the federal

1 government. However, tribes are left paying the price for
2 this experiment while the needs of their memberships go
3 unmet. There are very few details of the reorganization
4 plan, but it is clear that the BIA functions are far from
5 the focus.

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

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

22 Finally, all this is happening without the
23 confirmed Secretary of Indian Affairs despite rapidly
24 approaching the mid-term elections for this
25 administration. Indian Country deserves to have this key

1 position filled before such changes are contemplated, much
2 less implemented.

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

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

11 Thank you.

12 MR. TAHSUDA: Thank you, President Holsey.

13 Governor Chinana.

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

25 And then, you were stating a while ago that after

1 we talk to the regional director, we state our comments,
2 needs, and then, we go to the deputy director. So does
3 that mean after all this -- all these meetings with the
4 proposal that we're having now, do we have that same right
5 to go to any one of the departments in D.C.?

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

10 Thank you.

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

16 MR. TAHSUDA: Governor Vigil.

17 GOVERNOR VIGIL: Good morning, again.

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

1 years we, as Aamodt tribes, have been in conversation.

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

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

17 On to the land base of my community: we have
18 17,000 acres: Pinon, Juniper, and then, of course, forest
19 properties. Our Department of Natural Resources have been
20 heavily involved in the RTL process. And just to kind of
21 showcase our relationship with other federal state
22 agencies, we entered into a Memorandum of Understanding
23 with Santa Fe National Forest, the understanding that
24 these are aboriginal lands of our people, that we want to
25 showcase to those agencies that we are effective in our

1 forestry management perspective.

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

16 And the uncertainty is the transformation. What
17 if Southwest Regional area gets closed? Now, we, as
18 tribal nations here in the state of New Mexico, have to
19 travel to other areas to have a dialogue with the regional
20 administrator. And I think in the framework of what
21 you're detailing, you should provide an overview of the
22 current bureaus, its capacity in working with Indian
23 Country more specifically here in the Southwest Regional
24 Office. That would tailor the pros and cons of how that
25 bureau is truly working with Indian tribes.

1 And, again, the bigger picture: How do we look
2 at appropriation working with this Congress, working with
3 this administration? We've already seen the negative
4 impacts by this administration, cuts in all areas of
5 Indian programs. So truly, do you call that trust
6 responsibility of the federal government?

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

16 And as a tribal leader, when you're looking at
17 the Bureau of Indian Affairs, BIE, any other federal
18 agencies, look at its budget framework. What's the best
19 budget framework that we can work with? You know, for
20 Tesuque being a very small tribe with almost 550 members,
21 17,000 acres, our need is as great as anybody else. And
22 that's where it puts the Pueblo of Tesuque in a
23 disposition because we have to work with pennies, and
24 that's why it ain't for us and the Pueblo of Tesuque.

25 We went out to create partnerships, to look at

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

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

18 And that's where in conclusion, in this
19 presentation, hopefully, you'll give us that framework of
20 understanding these bureaus. And truly, as for the Pueblo
21 of Tesuque, we validate that, to where how effective have
22 these bureaus been to the Pueblo of Tesuque, likewise, my
23 sister communities? Because as Governor Siow mentioned,
24 this fit doesn't fit one tribe only. We're diverse. Our
25 priorities are different.

1 So with that understanding, hopefully, you can
2 get to talk to Secretary Zinke, that he be more proactive
3 in working with us, tribes. Because remember, having
4 realized that we were the first inhabitants of this
5 nation, to where a visit out to Bluff, Utah, a gentleman
6 from the Ute Mountain made a comment: How many of our
7 Native American men and women served the country? They
8 stand right before the United States flag for their honor
9 of serving the United States. Yet now, as tribal nations,
10 the giving of their lives are now still being suppressed.
11 So that's another insight that leadership in D.C. better
12 understand, that many of our men and women have been
13 involved in armed forces, and many of them are now tribal
14 leaders in our respective communities.

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

18 MR. TAHSUDA: Thank you, Governor.

19 Governor Ortiz.

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

25 And a lot of concerns that we have as tribal

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

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

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

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

23 Education, religious practice, and values --
24 ancestral tribal land, protection of water, people and
25 NAPPR -- while improvements are needed to allocate how

1 Department of Interior agencies uphold their trust
2 responsibilities and provide services to tribes, cutting
3 funding, instead of redrawing lines with no consideration
4 to the tribes within the regions. And further, opening
5 public land, which is ancestral Indian land, industry will
6 not improve the lives therefore of Native Americans, and
7 therefore, will not meet the stated goal of improving
8 services for the American people.

9 With that, Assistant Secretary Tahsuda, as I said
10 earlier, I have a lot of concerns about reorganization.
11 And I know and I understand and I've seen the document
12 talking about, long overdue, that needs to be reorganized,
13 150 years. And then, the whole purpose, I would think, is
14 the way I perceive this, is cutting down on staff, not
15 spending that money from the federal government.

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

23 So -- and then, with all the experience here, and
24 I hope that nobody in here takes anything of my statement
25 here in any defensive way, but we're experiencing a lot of

1 negative challenges faced with that from the BIA. Talking
2 about law enforcement. San Felipe's one of the
3 traditional pueblos, which we have not gone into 638 law
4 enforcement.

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

17 And I know I spoke earlier about reconnection.
18 We're faced with that, a lot of challenges. And it's sad
19 to say that -- you know, that it's happening. And
20 everything that's having to do with reorganizing, changing
21 ordinance, policies, amending -- the way I perceive this
22 is it leads to breaking of Mother Earth, having to do with
23 drilling for oil and gas. I understand the need to bring
24 in revenues, but should you have to take the frac on
25 mother earth?

1 Because what I have learned in Dallas when there
2 was an EPA gathering there, one of the tribal leaders from
3 Oklahoma, himself, gave us information about what all
4 initiates earthquakes. And he spoke of that, and they've
5 experiencing a high volume of earthquakes recently. So he
6 had asked us tribal leaders if they had come to us or
7 brought to our attention about any of the events, to not
8 accept that.

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

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

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

23 MR. TAHSUDA: Thank you, Governor.

24 Governor Garcia.

25 GOVERNOR GARCIA: (Native American.) Good

1 morning, everyone. Joe Garcia, Head Councilman of Ohkay
2 Owingeh.

3 I want to start off with a preliminary thought,
4 and it goes all the way back to 2017. Executive Order
5 13781 -- President Trump signed Executive Order 13781
6 calling on federal agencies to examine ways they could
7 reorganize to improve efficiency, effectiveness, and
8 accountability.

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

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

24 But it also says, "his vision." Never mind the
25 vision of the Indian people, never mind the vision of

1 Indian Country. We are all part of this. We are part of
2 the United States. And those are actually right from the
3 very get-go of the executive order, so it's an odd place
4 to start. And so, we need to put that on record for Ohkay
5 Owingeh, anyway.

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

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

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

25 The trust responsibility of the United States

1 government via the Department of Interior via the BIA.

2 There's not a mention in there. We should be talking
3 about health, education, welfare, water rights.

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

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

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

22 And from what we've seen, the plan does not
23 appear to address issues relating to interbureau conflict
24 of interest. And so, we're talking about the number of
25 how many bureaus in the Department of Interior. There's

1 potential conflicts, and there are continued conflicts.

2 And that ought to be in the weakness side of the
3 assessment had you done the assessment.

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

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

17 The impact to Indian Country of this proposal,
18 the Department currently has 2,400 operating locations,
19 and about 70,000 employees. I think you said that. But,
20 in addition, the shifting from regional and state
21 boundaries to a system based on eco systems and
22 watersheds, it will result in thousands of positions being
23 relocated, and the elimination of potentially 4,000 or
24 more full-time employees. And not to mention the number
25 of federally-recognized American Indians and Alaska

1 natives that will be impacted, and that's over three
2 million.

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

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

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

1 this reorganization takes place. Where will it come from?
2 Tribe needs to protest that it ain't coming from BIA.

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

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

1 flow to the tribes and to tribal leaders.

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

5 Jim, you were there.

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

8 MR. TAHSUDA: Thank you, Governor.

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

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

15 First of all, I'm Lorenzo Bates, Speaker of the
16 23rd Navajo Nation Council, the governing body of the
17 Navajo Nation. I have before me, a resolution that was
18 approved by the Navajo Nation Council, CAP-40-18.

19 And I'll leave this with you. It reads as
20 follows: Relating to the emergency for the Navajo Nation
21 objecting to the reorganization of the Bureau of Indian
22 Affairs, as planned by the United States Department of
23 Interior, particularly as it affects the Navajo Nation,
24 and objecting to the failure to observe the
25 government-to-government obligations required of Bureau of

1 Affairs, in particular, and the Department of Interior at
2 large. So I'll leave that with you.

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

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

14 Second question: What is the projected cost?
15 Leadership from before spoke to one point, \$1.7 billion
16 and to the Indian Affairs for the planned reorganization.
17 If it is such the amount that was put out there in excess
18 of 1.3 million, I can envision that as having a ripple
19 effect down to Indian Country. Dollars are already
20 competitive enough as it is. And with that added cost of
21 1.3, that ripple effect, in terms of dollars that would
22 otherwise go to Indian Country, is going to be reduced.
23 It is already been reduced, as we speak.

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

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

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

13 Dividing the Navajo Nation as represented through
14 the maps clearly -- clearly, leads to inefficiency and
15 does not represent streamlining. You have the Nation in
16 region eight and region nine, and the way it is set up, as
17 we speak today, all of what as you've described,
18 recreation, conservation, permitting, is housed in one
19 building as one region. That's efficiency, in terms of
20 how the nation is able to work government to government.
21 When you have two different regions, eight and nine, that
22 efficiency, unless you're able to prove to the Navajo
23 Nation that it improves that efficiency, it becomes more
24 effective; as it is now, I don't see it because you're
25 dealing with two regions.

1 And when you have to deal with two regions, and
2 all the moving pieces within those two regions, you deal
3 with jurisdictional issues that may not exist in one
4 region versus another region. The U.S. Department of Ag,
5 BLM, all those other moving pieces, you're dealing with
6 two regions that may have a different policy, in terms of
7 moving forward on their initiative by a nation.

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

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

22 You indicated it'll take up to five years to get
23 through the process. I'd be interested on what Congress's
24 position is on this. Give all of the comments that you
25 have heard, not only in previous weeks, but from this body

1 here, and the next meetings that you're going to have.
2 It's obvious to me, as we speak, as you hear today, that
3 Indian Country opposes this, as it exists, as you're
4 presenting it.

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

14 MR. TAHSUDA: Thank you, Speaker.

15 I have the Apache Chairwoman.

16 CHAIRWOMAN RUSSELL-WINIECHI: (Native American.)
17 Good morning, Assistant Secretary Tahsuda and Deputy
18 Director James.

19 I want to also recognize all the distinguished
20 Indian leaders and staff in the room. Thank you very much
21 for this opportunity to speak.

22 My name is Jane Russell-Winiechi. I'm the
23 chairwoman of the Yavapai Apache Nation of the Camp Verde
24 Reservation in Camp Verde, Arizona.

25 We chose Albuquerque to come and speak and be

1 part of this listening session because we align ourselves
2 with the Southwestern tribes as opposed to the coastal
3 tribes. And as we viewed the map that was presented to
4 us, as so many people here today, and I've heard objected,
5 we, also, are not in support of the way that the 13
6 districts have been assigned.

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

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

23 So there's several areas of general concern that
24 the proposed reorganization we must consider. First, DOI
25 must focus on ensuring that a new decentralized,

1 region-based organization is geared to effectively honor
2 the federal trust responsibility to tribes, first and
3 foremost. How will they achieve this?

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

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

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

23 Third, in managing land, water and natural
24 resources, protecting cultural properties, planning for
25 economic development, providing for law enforcement, and

1 in carrying out the entire range of tribal government
2 responsibilities, the tribes regularly work with other DOI
3 bureaus and agencies that will be affected by any general
4 reorganization. Because of these long-standing
5 intergovernmental relationships, the tribes should be
6 involved in the DOI's reorganization plan, generally, and
7 not just with respect to the BIA.

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

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

22 Current BIA funding allocations must not be
23 reduced by reorganization. It is our view that this
24 administration, in addition to reorganization and
25 efficiency would also cut into the allocations.

1 So possible approaches to reorganization. First,
2 organizational changes that increase efficiency and
3 simplify cumbersome processes may be welcomed by tribes,
4 us included. However, changes must be developed and
5 implemented in consultation with tribes, and must not
6 undercut the Department of Interior's ability to, one:
7 satisfy its trust responsibility. Secondly, honor treaty
8 rights; and third, strengthen tribal sovereignty.

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

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

19 The need for such leadership argues strongly, so
20 strongly, that the secretary designate an undersecretary
21 of Indian Affairs as authorized by Section 303 of the
22 Indian Trust Asset Reform Act. In our view, the
23 undersecretary would be responsible for first, reporting
24 directly to the secretary at a higher organizational level
25 than the assistant secretary of Affairs, and other

1 Department of Interior non-Indian land management
2 agencies, such as Reclamation, the National Park Service,
3 and the BLM.

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

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

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

25 The Department of Interior reorganization should

1 consider how best to reorganize non-Indian bureaus to
2 help facilitate home management of resources with Indian
3 tribes and with respect to conservation and recreation
4 priorities.

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

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

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

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

1 purpose.

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

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

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

25 A clear statement of the Department of Interior's

1 reorganization proposal is essential to this
2 understanding. As stated above, any cost savings from
3 reorganization should be used to augment tribal programs
4 and services provided by the BIA as well as other
5 Department of Interior agencies.

6 In summary, the tribes need to clearly understand
7 the proposed reorganization. We urge the Department of
8 Interior to clearly set out its proposal as a prerequisite
9 of further development of any proposed reorganization.
10 The development of any reorganization plan must be done
11 through careful and in-depth consultation with the tribes,
12 since any miscalculations in restructuring will have a
13 negative impact on all of the tribes.

14 Any reorganization must fully respect and honor
15 the United States' trust responsibility to the tribes, and
16 must strengthen tribal sovereignty and economic
17 opportunity. The Yavapai Apache Nation urges the
18 Department of Interior to proceed cautiously and with the
19 utmost consideration of the views of all the tribes.
20 Thank you very much.

21 MR. TAHSUDA: Thank you, Chairwoman.
22 Governor Bernal.

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

1 close to lunch.

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

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

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

24 The comment period needs to be extended until
25 such time as a proposed plan is presented, and tribal

1 consultation sessions occur. With regard to elevation and
2 streamlining, do not reorganize only for the sake of
3 reorganizing. We have a long-established relationship
4 with our regional office. It is chronically understaffed
5 and mired in bureaucratic processes, but it is here and
6 works for us and our sister pueblos.

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

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

21 Each tribe and their lands must be in only one
22 BIA region rather than divide and separate tribes that
23 have common interests; look at how tribes have reorganized
24 themselves geographically. Streamline delivery of
25 services by looking at inherent federal functions to

1 expand ability of tribes to directly perform more federal
2 functions if desired.

3 Personnel changes, any regional reorganization or
4 BIA leadership reassignments must advance, rather than
5 impair, fulfillment of DOI trust responsibilities to more
6 efficiently and effectively address tribal needs, manage
7 Indian trust assets and increase economic opportunities.
8 Potential personnel transfers from central office to field
9 offices suggest that DOI is already taking steps to
10 implement a DOI reorganization they have not shared with
11 or communicated to tribes.

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

21 MR. TAHSUDA: Thank you, Governor.

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

24 GOVERNOR TENORIO: The Pueblo of Santa Ana -- we
25 will submit our comments before the deadline date of

1 August 15th.

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

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

6 MR. TAHSUDA: Okay.
7 Governor of Taos.

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

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

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

22 My interest here today is the operation of the
23 Bureau of Indian Affairs, the BIE, and the most efficient
24 way to serve Indian tribes, just as you've been hearing
25 here today. The reorganization of tribes for tribes, BIA,

1 BIE, it should be done on its own, not a part of this
2 other departmental agency reorganization.

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

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

15 So, you know, the tribe's -- my observation has
16 been that for a long time we've been kind of like in the
17 wrong bureau, you know, lumped in with all these other
18 agencies. We're sovereign tribes. We're people. We have
19 governments. We have communities that we're taking care
20 of. But yet, we're part of a bureau that includes Fish
21 and Wildlife, BLM, BOR. You know, these are agencies that
22 have particular responsibilities. And these
23 responsibilities, you know, that they -- us, tribes, we
24 all -- we work these agencies, not just the ones that are
25 in the Department of Interior, but we work with other

1 federal agencies. And as sovereign tribes, we have a
2 right to do that. And that's how we should be set up is
3 to work in that way. And I just can't help but feel that
4 rather than being lumped into an organization like that
5 with agencies that have different responsibilities, while
6 we have governmental and people responsibilities, it's
7 about time that we have a Department of Indian Affairs
8 just as an important as all the other governmental
9 offices, if not more, there in Washington D.C., a
10 government-to-government office that we would have to
11 maintain our relationship with the federal government,
12 rather than just being part of an organization that has
13 all of these other agencies that have different kinds of
14 responsibilities.

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

21 So you need to set up meetings that are
22 particularly, specifically, for how the federal government
23 is going to work with Indian tribes in the most efficient
24 way that it can work, and not how it's going to relate to
25 these other agencies that we're talking about. Like I

1 said, we work with these agencies, and as tribes we work
2 with all of these agencies. We don't have to be in the
3 Department of Interior to work with any of these agencies.
4 We already work with them. So we need to have a special,
5 stronger relationship with the federal government with an
6 office that is there for Indian tribes, for sovereign
7 governments, not going through all the different channels
8 that we have to go through, but a direct relationship with
9 a federal government like we need to have.

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

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

22 And, again, I just want to say that we are here
23 representing our people, our governments, our communities.
24 We have people back home that rely on us. They depend on
25 us with the different things, different needs, that we

1 have out there. And with the State of New Mexico
2 government, you know, we have the Department of Indian
3 Affairs. Why not the same kind of an office in Washington
4 D.C. for tribes, sovereign tribes, that we can work
5 directly with the federal government or some office that
6 is there for government-to-government relations.

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

9 MR. TAHSUDA: Thank you, Governor.

10 Are there any other governors?

11 Governor Chino.

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

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

20 The Department's proposing a reorganization of
21 the Department of Interior, an effort that is expected to
22 take several years and will most certainly cost tens of
23 millions of dollars. I believe the figure we've heard is
24 around 17.5 million in fiscal year 2019, money that is
25 desperately needed by the various subdivisions of the

1 Department, BIA, BIE included, as well as BLM and others
2 for basic services.

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

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

21 This does not meet the minimum requirements for
22 meaningful consultation with an Indian tribe. Ideally,
23 the consultation on this proposed reorganization, which is
24 of major magnitude would have started last year with
25 meetings at the agency and regional levels of the BIA and

1 other subdivisions of the Department, and culminating with
2 larger meetings. The approach that has been used, for
3 lack of a better word, is an insult to every Indian tribe
4 in the country.

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

16 For instance, the All Pueblo Council of Governors
17 is the successor to organizations that have been in
18 existence for at least 500 years or more. Through these
19 relationships we create and protect our own interests.
20 The present BIA and BIA agencies and regions reflect and
21 give weight to our approaches to governance. The proposed
22 13 unified regions do not do that. There is absolutely
23 nothing unified about the new proposed regions.

24 In theory, there is some sense of reorganizing
25 the Department of Interior along divisions that deal with

1 natural resources, such as river basins, eco systems, et
2 cetera. That was an idea that was proposed a hundred
3 years ago. It wasn't acceptable then, and we don't
4 believe is acceptable now to the people in other
5 territories, so it's understandable that it would not be
6 acceptable to Indian tribes for a lot of similar reasons
7 that were shared a hundred years ago.

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

19 The primary and overriding component of the
20 federal trust responsibility to Indian tribes since the
21 early days of the United States government has been the
22 protection of Indian tribes from overreaching state
23 assertions of control. The federal relationship with
24 Indian tribes is not to be dictated by state entities.
25 The proposed regions when combined with the new regional

1 director positions that are clearly expected to
2 accommodate such gatekeepers, are much more likely to
3 pander to state interests at the great expense of tribal
4 interests.

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

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

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

24 And number four, while the actual cost of the
25 reorganization of the agencies are being minimized, no one

1 is speaking about the cost to the stakeholders,

2 particularly, to the Indian tribes.

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

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

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

25 So in conclusion, the proposed reorganization

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

6 MR. TAHSUDA: Thank you.

7 Are there any other spokesmen or governors?

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

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

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

16 Yes, sir.

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

20 I have a statement, then I also, have a Chapter
21 Resolution that was passed in May of 2018. To understand
22 the concerns of the Ramah Navajo people, it is important
23 to first understand our history. Ramah Navajo Chapter has
24 approximately 3,500 members, and is located in
25 northwestern New Mexico, east of Zuni Pueblo, and about

1 100 miles from the main Navajo Nation Reservation.

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

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

23 Due to our remote location and great distance
24 from the Navajo Nation, we were neglected for many years.
25 We had dirt trails for roads, very poor educational

1 opportunities, substandard housing, no healthcare
2 facilities, and 99 percent unemployment. In 1972,
3 however, the Bureau of Indian Affairs established an
4 independent Ramah Navajo Agency and placed that agency not
5 within the Navajo regional office, but within the regional
6 office now known at the Southwest Regional Office, serving
7 other tribal communities in our area.

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

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

22 Indeed, in 1991, the Albuquerque area director,
23 Sidney Mills, sent a letter to the BIA central office
24 stating that the Ramah Band of Navajo Indians must be
25 considered a quasi tribe.

1 In submitting these statements here today, we
2 want to ensure that any reorganization does not threaten
3 Ramah Navajo Band's status as an independent community or
4 negatively impact its established relationship with the
5 Southwest Regional Office and other tribal communities and
6 partners within the area. The Ramah Navajo Chapter
7 vehemently opposes any plan that would eliminate or reduce
8 funding for the Ramah Navajo Agency, consolidate the Ramah
9 Navajo Agency with any other local agency, or that would
10 move the Ramah Navajo Nation from the oversight of the BIA
11 Southwest Regional Office.

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

20 The Ramah Navajo Agency is now operating on
21 approximately 40 percent of its pre 2013 funding levels.
22 This is not enough to operate the agency, and further cuts
23 would require closure. Second, the local BIA road
24 maintenance was transferred to another area office, which
25 caused significant delay in provision road maintenance,

1 services to our remote community. On account of high
2 elevations and severe weather conditions, it is essential
3 that the Chapter retains a local road maintenance program
4 to provide access to scattered and rural residences
5 through the community for purposes of health, social and
6 community services, and to provide open and safe roads for
7 school buses.

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

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

20 The BIA Ramah Navajo Agency's staff may be small,
21 but the work is tremendous. Ramah Agency oversees,
22 monitors, and has signature authority for all PL 93-638
23 contracts with the Ramah Chapter and the Ramah Navajo
24 School Board Inc. The Ramah Navajo Chapter has three
25 mature contracts, seven projects, specific contracts with

1 the Bureau consisting of 15 programs, with a total of 56
2 regular full-time employees and 28 temporary employees.

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

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

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

20 For these reasons, the Ramah Navajo Chapter needs
21 a separate and independent agency to address its needs.
22 Three, need to maintain placement within the Southwest
23 region. Ramah Navajo Chapter opposes any proposal that
24 will move the Ramah Agency from the Southwest region to
25 the Navajo region. As recognized for many years, and as

1 confirmed by historical and current organizational
2 structure, Ramah Chapter is geographically closer to, and
3 its interests are more aligned with other tribal entities
4 of the Southwest region than the Navajo Nation as a whole.

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

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

25 Five, consistency of Ramah's positions with the

1 goals of efficiency affecting the accountability. Most of
2 the direct services to tribes and tribal members occurs at
3 the agency level. Because the local agency has direct
4 contact and relationships with community members, it can
5 more efficiently and effectively serve their needs when
6 compared to a central or a regional office. The central
7 and regional office do more bureaucratic and
8 administrative work that, in our experience, can take
9 weeks or months to complete.

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

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

20 MR. TAHSUDA: Thank you.

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

24 I want to mention a few things, but I want to
25 thank our colleagues and our tribal leaders, presidents,

1 governors, and others for their eloquent statements. And
2 I do agree with many of the points made by them.

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

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

20 But the better thing to do is to support tribal
21 responsibility and trust responsibility. I would even say
22 that, you know, for the treaty tribes, I think, you
23 know -- the U.S. government needs to consult with the
24 treaty tribes on that treaty on those treaty provisions.
25 And we like to think that our treaty was approved by the

1 U.S. Senate and it is housed where other foreign treaties
2 are at. You know, and it's one of the -- it is the
3 supreme law of the land, and that needs to be abided by,
4 and right up there with the Constitution. All you have to
5 do is read the Constitution to say that the treaty entered
6 pursuant thereto is the supreme law of the land. And so,
7 we respectfully ask for that.

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

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

22 We ask -- for myself, I'd like to call upon the
23 Bureau of Indian Affairs to discard this plan and truly
24 come back with a different plan based on tribal
25 consultation as stated by other tribal leaders here, that

1 supports self-determination and economic opportunity and
2 enhances tribal sovereignty and trust responsibility. And
3 thank you very much.

4 MR. TAHSUDA: Thank you, Councilman.

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

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

13 Are you a tribal leader, ma'am?

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

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

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

20 MR. TAHSUDA: Okay.

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

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

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

1 healthcare.

2 MS. ALONZO: Good morning and good afternoon.

3 I'm not sure where the time is at. My name is Nancy

4 Martin Alonzo. I'm the executive director for the

5 Albuquerque Area Indian Health Board. And our

6 organization was established since 1980, and we serve the

7 27 tribes that are in the Southwest region. And our

8 health services are maintained under the Albuquerque area.

9 And so, my question is, just listening to this

10 discussion about the regionalization of the services under

11 the federal government for Indian tribes, some of the --

12 some of our communities also have health services that are

13 situated in similarly, like how it is on the Navajo Nation

14 or under the Southwest region. And so, I'm just wondering

15 to what extent that would impact if one portion of our

16 tribal governments are served in another region, how will

17 the other component of the services for health be

18 addressed? Would they be separated out? Because the

19 health funding and services come under the health and

20 human services side.

21 And so, that was just, you know, a question that

22 I'm sure at some point in time when you look at the

23 overall services and programs, our Indian reservations and

24 lands, we like to keep things pretty comprehensive and

25 streamlined. And when you move these pieces like puzzles

1 around different locations, to me, it would cause more
2 funding to be able to interact and travel to different
3 parts of the nations for the kind of services that has
4 been given to us through the trust services.

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

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

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

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

1 of just BIA, IHS specific. It's not at all part of the
2 larger department reorganization ideas.

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

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

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

24 The one thing that we probably -- we will have to
25 work on to make sure would be that there's no interruption

1 for administration or facilities' work that BIA does for
2 the BIE locations' facilities. So we would just have to
3 work hard and make sure that doesn't happen.

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

16 I think that's also -- I know there were a couple
17 of comments raised about having an undersecretary. So I
18 guess, my comment to that one -- well, one, I think
19 there's no plans for that at this time. I don't think
20 that the leadership department feels like it's necessary
21 at this point. And that's sort of a notion, I think, in
22 many ways, is superseded by this unified region interior
23 regional director because that regional director is
24 ultimately tasked with doing what the concept of the
25 undersecretary was supposed to be, which was to make sure

1 that all the different bureaus were provided adequate
2 consideration to the Indian Affairs component of that
3 decision.

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

11 I also want to touch on the idea of budgets, and
12 I kind of hear two questions. And so, one is about what
13 is the budget? What does it cost for this reorganization?
14 The other sounds, to me, and I've heard it at the other
15 consultations -- I understand, you know, sort of the
16 historical, you know, understanding or fear of past
17 reorganizations, which have been styled as sort of getting
18 rid of inefficient officers or inefficient offices, et
19 cetera, which resulted, ultimately, in a shrinking of the
20 budget.

21 That is not the goal of this reorganization.
22 This reorganization is aimed at better decision-making
23 across the bureaus, and there's -- the goal is not trying
24 to achieve, you know, process efficiencies. It's to
25 achieve efficiencies, I guess. I don't know. So there is

1 no plan -- it's not intended to shrink any budget. It's
2 not intended to, you know, move -- in fact, the
3 secretary's ultimate goal is to, as he says it, "Put more
4 resources to the front line," which means in the field, in
5 the agency office with the staff that are there.
6 As was said, you know, the folks who are actually
7 performing the services.

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

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

1 money, but it also costs you that.

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

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

1 Cheaper for you, ultimately, cheaper for us.

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

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

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

24 So that can all stay in the region. If there is
25 something -- if he can't get an agency to act as he wants,

1 this regional director, again, has the direct line to the
2 deputy secretary who can crack the whip and make it
3 happen. So that's the idea behind it, is to get that
4 decision-making efficiency, if you want, not budget
5 efficiency or things like that.

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

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

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

20 -- to look at Alaska, specifically. And look at
21 sort of like it's a pilot project, how they can work with
22 the other bureaus to share services, since they're
23 essentially in a unified region already. Things like HR
24 functions are a prime one, and I can't -- I'm trying not
25 to space -- there's other functions on the top of my mind.

1 So now, I did hear that raises -- I know that
2 raise questions in people's minds about how it will impact
3 the bureau's employees, how it will impact Indian
4 preference, et cetera, and it doesn't. I mean, we have
5 Indian preference. It's part of our law and regulation.
6 If there is a shared HR office, they have to deal with
7 that. That's just part of their job, and I don't know of
8 any other way to put it. But I mean, as it stands now,
9 not everybody in our HR offices around the country are
10 Indian people, they're not tribal members. We have a lot
11 of non-Indian people. They have to abide by the law, so
12 it would be the same thing. It would be an office. They
13 would have to apply for positions that have Indian
14 preference. They would have to apply the rules. So I
15 don't foresee any real issue there.

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

20 Was that -- are we moving any yet?

21 Nothing's come up to me. So, and at some point,
22 I think it would come up to me. So as part of the
23 reorganization, there's no plan to move any agency
24 offices. And as I said at the beginning, there's not even
25 a plan, really, to move sort of regional offices or

1 anything like that. You know, we would have to look at
2 that on a going-forward basis. Obviously, we would be
3 consulting with the tribes in that region. But we have
4 office space that we have leased. We have this beautiful
5 building in Billings that I just got to go to last week.
6 I had never been there. It was only built five years ago.
7 So we have all this space here. We have these beautiful
8 buildings here. I mean, we can't just abandon them and go
9 somewhere else. That would be irresponsible as well,
10 right?

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

24 So the only -- and this is not related to this
25 regional restructuring or reorganization; the secretary

1 does want to get more resources out of D.C., and out into
2 the country, into the field. So we have -- we have part
3 of that -- again, this is part of -- if you want to think
4 of it as a minor reorganization internally for BIA, we're
5 looking at doing that, looking at moving even BIE, moving
6 more of those folks. It seems less necessary that they
7 have the level of staff they have in D.C., move it out
8 maybe here to Albuquerque or somewhere out west where it's
9 closer to the focus and the schools that we have.

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

17 Yes, ma'am.

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

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

1 MS. CONE: -- how you're doing it?

2 MR. TAHSUDA: Right.

3 MS. CONE: So --

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

14 Yes.

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

20 MR. TAHSUDA: So I understand, Governor. That's
21 a good comment. I think that -- I mean, our thought was
22 to do this initial round of consultations, get you this
23 information, and you can chew on it, and you can have
24 additional questions. I'm getting good feedback and
25 comments. You know, it gives us a chance to pull together

1 information. It sounds like it would be helpful for
2 further discussion. And, again, this is all at this
3 initial level for, really, for tribal leadership to think
4 about; is this something that you even want to continue
5 the discussion on? Because if you don't, I don't know
6 that we want to waste a whole ton of our time or yours.
7 You know, not to -- or going through, you know, discussing
8 it further.

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

25 So, yes, Chairwoman.

1 MS. WINIECHI: Jane Russell-Winiechi, Yavapai
2 Apache.

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

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

14 MR. TAHSUDA: Deputy secretary.

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

21 As a leader of a nation, I know how it works. I
22 have divisions, and all kinds of different organizations
23 underneath me. And as you step up the ladder, and you
24 must realize that, too, it doesn't -- it will not
25 eliminate a form of bureaucracy or a part of bureaucracy

1 because that individual will not be able to personally
2 field calls from 13 directors.

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

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

20 MS. WINIECHI: No.

21 MR. TAHSUDA: I mean, he has four -- I think four
22 attorneys that work for him. He's got two associate
23 deputy secretaries, right. So he's already geared up to
24 handle the multiplicity of decisions that come to him.
25 But, again, so --

1 MS. WINIECHI: So you're going to add another 30
2 percent to that?

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

20 MS. WINIECHI: Right.

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

22 MS. WINIECHI: So early on, I heard you mention
23 that, if I heard you correctly, that policy would be made
24 with those regional directors. And so, the first thing I
25 think of is: Does that mean with the ability that they're

1 given at that regional level, the policies could differ
2 from one region to another because we're all different,
3 because we all have different cultures and different
4 needs. So there's another caveat to that. And I heard
5 you say that they would be creating policies for their
6 areas, for their regions. So another devil there.

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

22 So they still get, you know, 99 percent of their
23 policy direction from their assistant secretary; they do
24 their stuff. Different, other bureaus have -- allow more
25 or less flexibility. Like, you know, BLM has a fair

1 amount of flexibility in their regions. I don't know
2 about Fish and Wildlife so much, but -- or Park Service,
3 they have a lot of flexibility park to park. So each of
4 these bureaus has their own kind of way of dealing with
5 that.

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

19 So one of the effective leadership tools, if you
20 want to call it that, that he brings from his military
21 background, he wants to bring to us, is this notion if you
22 give clear direction and authority to the field, then they
23 can make the decisions, and they make better decisions
24 than somebody way up the chain makes, right? They
25 understand the situation on the ground. So as long as

1 they have -- in our situation, as long as they have clear
2 policy direction, and then, they can have the authority to
3 make those decisions, you know, and you have to -- I mean,
4 you have to have some boundary, right? There is the
5 policy. They can't just go way off, right?

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

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

18 MR. TAHSUDA: Thank you.

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

21 PRESIDENT BEGAYE: All right. Thank you.

22 Referring to the last page 12, not page -- the
23 before -- well, page 12, where it says, "Next steps,
24 review tribal input." The second line on that pilot
25 project of shared services' approach in Alaska, I believe

1 it's last year, Alaska natives won a court case in turning
2 land into trust, and there's a lot of discussion. Land
3 status in Alaska, there's a lot of authority that the
4 state exerts over traditional Alaskan native land in terms
5 of taxation; the policies of the state of Alaska is
6 controlled -- is controlling a lot of the villages. The
7 policing that takes place and Public Law 280 is what is
8 being used to say the state police can arrest people,
9 enforce laws on tribal land, trust land in Alaska.

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

21 And so, I hope that by the last word, "Pilot
22 Project of Shared Services approach in Alaska," does not
23 mean redefining trust land, putting more jurisdiction over
24 trust land, giving those jurisdictional authority to
25 states and local government, like counties, like they do

1 up in Alaska, that if the same things happen, as far as
2 jurisdiction of the state and county in Alaska is used in
3 the lower 48, then we're talking about a completely
4 different concept of what trust land is and fee land that
5 say it's not Indian Country up there. Here, fee land is
6 Indian Country, lower 48, but in Alaska it's not.

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

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

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

25 GOVERNOR SUAZO: We're talking about -- you're

1 talking about Secretary Zinke's vision. And I was just
2 wondering what sort of input did you as Native Americans
3 and the staff, what input did you have in drawing up the
4 map that regionalizes like the tribes. What sort of input
5 did you have? And hearing what you've heard here today,
6 what might you recommend to Secretary Zinke to change what
7 is there, that is according to his vision, just hearing
8 what you've heard today?

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

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

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

25 The -- I don't know -- I think the California

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

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

24 So one of the things he's suggested is we could
25 continue to have them sort of virtually in the other

1 region. And so, basically, the IRD for region eight would
2 sort of turn them over to region six, and they would
3 interact with that region because they -- would have
4 common issues, et cetera.

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

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

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

25 And so, the secretary has made this sort of

1 30,000 foot level commitment that we're going to hold the
2 tribes harmless. We're not going to affect budgets,
3 cetera. But practically, we're going to have to, you
4 know, very quickly figure out how that would work because
5 our budget's really unique. You guys have seen the BIA
6 budget, et cetera, it's kind of crazy. There's like
7 200-some budget lines. I don't know. It's ridiculous.

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

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

25 MS. GARCIA: Yatahey. My name is Martha Garcia.

1 I'm with the Ramah Navajo -- Band of the Ramah Navajo, and
2 a member of the Navajo tribe, also.

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

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

21 And that would set that relationship apart where
22 you would be dealing with them on a government -- a true
23 government-to-government relationship. And then, you
24 don't have to put them in boxes where you don't have a
25 government-to-government relationship with the Fish and

1 Wildlife or with the Land Department or whatever. But
2 you're dealing with humans here, and I'm throwing that out
3 there because I think then, that by doing that, you would
4 really be setting your relationship, as a federal
5 government, with the indigenous people, that has had their
6 own government long before the -- before, you know, the
7 United States was found. And that's food for thought.

8 I think we would be taking a big, major step in
9 the direction that would finally really recognize the
10 people, the indigenous people, for -- and recognize their
11 government. And I think we would be able to sit at a
12 table by ourselves saying, "This is who we are. This is
13 what we want," and our relationship would be a lot
14 stronger.

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

1 MR. TAHSUDA: Thank you.

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

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

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

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

14 (The consultation concluded at 1:20 PM.)
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C E R T I F I C A T E

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

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

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

Michele Nelson



YVONNE GONZALES
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