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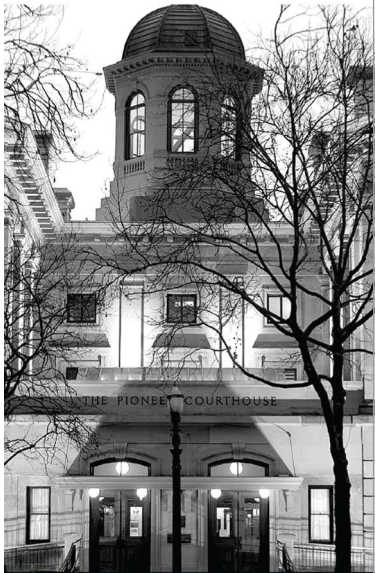
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TRIBAL MEETING

JUNE 27, 2017

9:00 A.M.

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1 **MS. ORTIZ:** All right. Good morning,
2 everyone. First I wanted to apologize to every
3 single person here. I know that there was a lot of
4 running around, trying to find the proper location,
5 and I'm glad that you-all made it here. I hope that
6 everyone else that's looking for it is able to find
7 it. We found it by calling the phone number on the
8 dear tribal leader letter, so if people do that, I
9 know they'll end up in the right place. So that's a
10 good thing.

11 My name is Hanke Ortiz, and I am the
12 acting Deputy Director of Field Operations for the
13 Bureau of Indian Affairs. And this is a formal
14 listening session. And so we're going to just do an
15 overview, and then we are going to give you an
16 opportunity to make any comments you want.

17 We have a court reporter here who is
18 taking notes for us. Everything you say will be on
19 the record. When you make a comment, we'll just
20 need you to please state your name and spell it for
21 the court reporter. Because if you don't spell your
22 name or say it where she can understand it, then you
23 won't be identified properly in your comment.

24 So we really need you to do that. That's
25 extremely important because a lot of times when

1 we're looking at these comments that we have
2 questions and we need to go back to you, we know who
3 to go to to make sure that we've captured your
4 comment correctly.

5 So at this time, before we get started, I
6 think that I will just give my colleague here an
7 opportunity to introduce himself.

8 **MR. STEVENS:** Good morning. My name is
9 Bart Stevens. I'm the Deputy Bureau Director of the
10 Bureau of Indian Education. And I too apologize for
11 the confusion. I was downtown at 7 a.m. trying to
12 find a spot, so I really understand what confusion
13 can cause.

14 And I'm just happy we're getting started.
15 And we will admit to running later than what it says
16 on the agenda in order to record all the comments
17 you-all want to share with us.

18 As Ms. Ortiz said, everything is being
19 recorded by the court reporter so it becomes part of
20 the record. In previous listening sessions it was
21 told about the executive order issued by the
22 President and followed through with Secretary Zinke
23 on the reorganization of the Department of the
24 Interior. Mr. Zinke also says that it hasn't been
25 done in over 100 years, so he's moving forward with

1 that initiative.

2 Mr. Black has also said several times that
3 nothing is put in writing. Nothing is -- there's
4 ideas floating, but tribal input and comment is
5 critically important in moving forward so that we
6 can base and build what that looks like for Indian
7 Affairs within the Department.

8 And so we're anxious to be here, to hear
9 from you-all, document your comments, and then go
10 back and begin the hard work of pulling it all
11 together.

12 There were a handful of listening sessions
13 in the past. This is the last and final listening
14 session. But in the documents that you have, you'll
15 also see that there's an electronic site to also
16 submit comments in writing if you choose to do that.
17 And there's a deadline for that. I'm not sure what
18 that is, but we can get that information for you.

19 **MS. ORTIZ:** Okay. So the reason we're
20 here is that we are looking for recommendations with
21 regard to Executive Order 13781, the comprehensive
22 plan for reorganizing the executive branch. That
23 Executive Order was issued on March 13th, 2017.

24 And it requires that within 180 days,
25 which is by September 9th, 2017, the head of each

1 agency shall submit to the director of OMB a
2 proposed plan to reorganize the agency, if
3 appropriate, in order to improve the efficiency,
4 effectiveness, and accountability of that agency.

5 The Executive Order calls for soliciting
6 input and/or suggestions on improvements in the
7 organization, and we believe strongly that tribal
8 leader input is critical to the development of any
9 proposed changes to the organization.

10 So we're here to listen to tribal leaders
11 who -- you know, to -- this is your opportunity to
12 express your concerns and put them on the record.

13 So what's going to happen now is we're
14 recording and transcribing this session. All the
15 comments are going to be collected in writing.

16 Copies of the transcript that is developed here at
17 this session will be available at www.bia.gov.

18 So after she gets them transcribed, then
19 we'll post those on the website and you'll have an
20 opportunity to look at them. And then your
21 comments, ideas and suggestions will be used to
22 guide the administration in discussing how Indian
23 Affairs can meet the needs of Indian Country in the
24 future.

25 The transcripts are written and analyzed

1 and then they're reported to the Assistant Secretary
2 of Indian Affairs and to the Secretary of the
3 Interior. The Secretary of the Interior is going to
4 develop and submit a plan to reorganize the whole
5 department to OMB by September 9th, 2017. OMB will
6 publish a Federal Register Notice inviting public
7 comment. And then within 180 days of the comment
8 deadline, so whatever that deadline is going to be,
9 then as it states in the Federal Register, OMB will
10 submit a proposed plan to reorganize the Executive
11 Branch to the President. So all of that is going to
12 be submitted to the President.

13 So some of the things that you might want
14 to talk about is does the structure of the
15 Department of the Interior and Indian Affairs
16 currently meet tribes' needs.

17 And we're going to work you through the
18 organizational charts. Bart and I will take you
19 through those organizational charts so that you
20 understand. If you have any questions and you need
21 clarification on the organizational structure,
22 please feel free to ask us. We'll be happy to
23 clarify.

24 But the primary purpose for us here is to
25 listen to you because we want to make sure that your

1 input is gathered. We want you to also consider
2 what structure will improve effectiveness, is there
3 another way that will better meet the tribes' needs
4 or better promote self-determination or self-
5 governance, and what structure will make the
6 Department and Indian Affairs more accountable.

7 Those are the kinds of things that you're
8 -- that we would like for you to put on the record.

9 So with regard to Indian Affairs, the
10 overall structure of Indian Affairs is that the
11 Assistant Secretary oversees several offices
12 underneath his own authority or her own authority,
13 whoever the Assistant Secretary is, and also
14 oversees the Bureau of Indian Affairs and the Bureau
15 of Indian Education.

16 So there are sort of three branches under
17 the Assistant Secretary currently. Under the
18 Assistant Secretary directly is the Principal Deputy
19 Assistant Secretary. And the Principal Deputy
20 really assists the secretary and helps oversee all
21 of those three branches also.

22 But then there's a Principal Deputy
23 Assistant Secretary -- the Deputy Assistant
24 Secretary for Management. And that person oversees
25 all of the management activities, including the

1 financial office, facilities, property and safety
2 management, budget and performance management, human
3 capital, all of those kinds of management offices.

4 And then there's a Deputy Assistant
5 Secretary for Policy and Economic Development. And
6 that office primarily oversees energy and economic
7 development and the Office of Self-Governance. And
8 so there are a lot of activities under that deputy
9 also.

10 There's also -- so then under the Bureau
11 of Indian Affairs, there are -- there's the BIA
12 Director. Underneath the BIA Director there are
13 four deputies. The first one is the Deputy Director
14 of Field Operations, and that's the position that
15 I'm currently acting in. And that position oversees
16 all 12 BIA regional offices. So if you look at your
17 chart on the left, all of those offices are
18 identified underneath the field operations. The
19 closest one here is Eastern Oklahoma, but also
20 Southern Plains is in Oklahoma. There are also 10
21 other regional offices that I've been supervising.

22 I'm going to skip over here because my
23 permanent job is Deputy Bureau Director for Indian
24 Services. And under that position I oversee five
25 different divisions, including human services,

1 tribal government services, transportation, self-
2 determination and workforce development.

3 And then there's also a Deputy Director
4 for Justice Services. So as you can see, this --
5 the structure is -- is a little bit complicated, but
6 the basic -- the basic facts of the Deputy Director
7 for Justice Services oversees -- the programs they
8 oversee are law enforcement and tribal courts. So
9 all of the things that have to do with law
10 enforcement activities or tribal court activities
11 are underneath justice services.

12 Underneath trust services there are eight
13 different divisions including real estate services,
14 probate services, forestry and wildfire management,
15 Indian Energy Service Center, the Division of Land
16 Titles and Records, natural resources, water and
17 power and the Division of Program Management and
18 Coordination.

19 So those are -- that's the current
20 structure of the Bureau of Indian Affairs and the
21 Office of the Assistant Secretary.

22 And so now I'm going to turn it over to
23 Bart to talk about the Bureau of Education.

24 **MR. STEVENS:** As most of you may know, the
25 Bureau of Indian Education just recently went

1 through a reorganization, and we are completing
2 phase two, the final phase of that reorganization.
3 So I just want to go quickly over our organizational
4 chart. It doesn't drill down into -- it's similar to
5 BIA's. It doesn't drill down into the individual
6 office and so forth, but it is overarching
7 responsibilities and discussing those.

8 As Ms. Ortiz said, we are -- our director,
9 Tony Dearman, who came on board November 2016,
10 reports directly to the Assistant Secretary and one
11 of the principal deputies, I believe is how that
12 falls down. But under the Director, there are a
13 number of positions.

14 Then we have the Deputy Bureau Director,
15 the position of record for myself. The Associate
16 Deputy Director Division of Performance and
17 Accountability, and that position oversees all the
18 \$250 million we receive annually from the US
19 Department of Education for compliance and
20 monitoring our schools in properly expediting or
21 expending those dollars.

22 Those two positions are encumbered by Dr.
23 Hamley and myself. On the opposite side we have the
24 Division Chief For the Office of Sovereignty in
25 Indian Education. That is a new position, an SCS

1 level position that -- correct me, that's not an SCS
2 level position, but it's a position that was created
3 in the reorganization. And as I've said, that
4 position is vacant.

5 The Office of Research, Policy and Post
6 Secondary. That's also a vacant position that was
7 created within the reorganization that we just
8 completed. And then, of course, the President of
9 Haskell Indian Nations University and Southwest
10 Indian Polytech Institute.

11 Part of the reorganization is the position
12 below that, the Chief Academic Officer, that is a
13 new SCS level position that was created in the last
14 reorganization of the formal administration of the
15 Bureau of Indian Education.

16 Below that CAO we have three associate
17 deputy directors. These are not new SCS level
18 positions but they have been reassigned to oversee
19 specific regions of the Nation. One is based in
20 Minneapolis and oversees all the tribally-controlled
21 grant schools. The Associate Deputy Director for
22 the Bureau-operated schools is based in Albuquerque,
23 and that position is vacant. And then we also have
24 the Associate Deputy Director for Navajo Schools
25 which has both bureau-operated and tribe-controlled

1 schools.

2 Then under each one of those respective
3 ADDs are the education resource centers. These were
4 formerly education line offices that were renamed,
5 reconfigured and given general responsibility of the
6 reorganization that was just completed.

7 And there were some locations that are not
8 quite established, as you can see the disclaimer in
9 the center, there are litigious issues in the North
10 and South Dakota on the reorganization. So those
11 ERCs in those two states are on hold and remain to
12 be education line offices until that is resolved.

13 So that's it for the Bureau of Indian
14 Education.

15 **MS. ORTIZ:** So as we mentioned earlier, we
16 were supposed to start at 8:30. And we started at
17 9:10, so we started about 40 minutes late. And it
18 was supposed to end at noon. So we're willing to go
19 until 12:40 because that's the latest that the court
20 reporter can remain here. And she's -- she has
21 another meeting scheduled at 1:30. So we'll make
22 sure we get the comments that we can.

23 Also, I want to remind you that if you're
24 not able to get your comments in or if you want to
25 do this in addition to the writing verbal comments,

1 you can submit written comments to
2 consultation@bia.gov. And you can do that until
3 Saturday, July 15th. So you have a little bit of
4 time to gather additional thoughts you might have or
5 maybe some conversations or discussions that we'll
6 have here will spark something that you want to
7 submit.

8 You're also welcome to submit the same
9 comments on the record here and also submit them in
10 writing. However you want to do it. I just wanted
11 to make sure that you know those options are
12 available to you.

13 So anything else?

14 **MR. STEVENS:** I don't.

15 **MS. ORTIZ:** Okay. I think with that, we
16 want to say that there's nothing on the table or
17 nothing off the table. We're kind of coming here
18 looking for your thoughts before the plan is put
19 together.

20 So at this time, I think we'd like to
21 welcome you to step up to the microphone and provide
22 your comments on the record. And please remember to
23 introduce yourself, your name, the tribe you are
24 representing and also spell your name for the court
25 reporter. Thank you.

1 Anybody want to get started?

2 **MR. PEERCY:** And with respect -- I have
3 comments but I would welcome tribal leaders to speak
4 before I speak.

5 Sometimes it's like the BIA, it needs a
6 good beating. Again, I would like to welcome any
7 tribal leader to speak before me out of respect.

8 Mickey Peercy, Choctaw Nation, Oklahoma.
9 We welcome the opportunity to be able to come and
10 speak in this listening session. We appreciate the
11 opportunity, even though it's not where we thought
12 it was going to be, but that's a different thing.
13 And I've always asked the great Wayne Wylie, over
14 here with Choctaw Nation, not to ever let me speak,
15 but he's not good at his job so...

16 **MR. WYLIE:** That's true.

17 **MR. PEERCY:** Quickly, I have on my board
18 in my office -- and Wayne may have seen it -- if you
19 don't know what to do, you reorganize. So, you
20 know, maybe that's what -- that's maybe what we're
21 doing. First of all, the BIA -- DOI, BIA, totally
22 underfunded and has been forever. One of the least
23 funding systems in the whole of the government.

24 There's nothing right about that. So we
25 would ask the Secretary to take that on in the

1 charts and talk to his bosses and those around him
2 to provide additional funding. More funding for
3 programs that assist the Tribal Nation and Tribal
4 Country.

5 And also in my role as Executive Director
6 of Self-Governance for Choctaw Nation -- I've been
7 there since '81, and would request in the
8 organizational chart that the Office of Self-
9 Governance be elevated to the Office of the
10 Secretary. Tribal self-governance involves the DOI,
11 on that side, and follows much, much money to run
12 the program -- and it's a large part of the budget -
13 - it needs to be at a higher level than down -- down
14 the food chain and as far as it is.

15 So we request that that be elevated. We
16 request that according to what self-governance is
17 all about, is that the relationship between the
18 tribal leaders and the President of the United
19 States. And the President of the United States
20 delegates that to the Secretary.

21 That does not diminish the role of the
22 Tribal Nations and Tribal leaders and having input
23 to the President of the United States. For him or
24 her to take the treaties of the lands given,
25 sacrifices made, and they need to be dealt with in a

1 very modest and sincere -- sincere way.

2 And so we would ask also that -- I guess I
3 have one question for later on for the -- for the
4 education. I don't understand why the Office of
5 Self-Governance -- and I forgot the title, but I
6 don't know what that role is. Later on, if we can
7 explain that.

8 We ask that funding, again, continue to
9 grow. We ask that the -- in looking at the
10 organizational chart is a little scary because it is
11 difficult -- extremely difficult to get movement
12 from the top to the bottom to the tribes in funding
13 and in communication, and now we seem to be adding
14 layers of hierarchy that will be more and more
15 difficult. And in those layers of hierarchy come
16 salary. So the overhead of the Bureau means that
17 less money comes down for the tribes.

18 So we really need to take a look at how
19 we're building a hierarchy, new positions to have
20 filled and new positions that are out there and
21 waiting to be filled, because those are -- you have
22 13, 14, 15, whatever, and the benefit packages. So
23 the money needs to come to the tribes and not built
24 into a hierarchy system.

25 And I'm going to allow other people to

1 speak. And I'll probably be back, but that's kind
2 of the start. And I would ask that we all
3 participate and let -- these listening sessions are
4 there for a reason. And they're being recorded.
5 Let's get it out there. This is our one shot at it.

6 Thank you.

7 **MS. ORTIZ:** Thank you, Mickey.

8 **MS. WOLFE:** Good morning. I just wanted
9 to -- my name is Edwina Butler-Wolfe. I'm the
10 Governor of the Absentee Shawnee Tribe. And I just
11 wanted to say a few words about what was the mass
12 confusion this morning for, you know, we were told
13 that it was going to be at the civic center, and
14 then as a tribal leader, you know, we're pressing
15 our time to get to where we're supposed to be, and
16 then -- and I didn't like to have to be there at the
17 civic center and then was told that we had to drive
18 someplace else for this.

19 So that kind of gives me a clearer picture
20 of what is being done in DC and us tribes having to
21 operate and listen to what you're supposed to -- us
22 listen to you on what's supposed to be done. So I
23 don't really appreciate that this morning as a
24 tribal leader that, you know, we wasn't given any
25 notice. And so, you know, I'm the type of person

1 that I've got to know where I'm going and what's
2 going to be said and be prepared.

3 But as leaders we have many things on our
4 plates and not have to worry about what's going to
5 happen when we get to where we're supposed to be.
6 So I don't appreciate that much because I ran into a
7 gentleman here somewhere and it was by the grace of
8 God that I ran into him that I followed him over
9 here because I didn't know my way through Tulsa.

10 But, you know, after that had happened --
11 but I did make it, so I'm here. So I just didn't
12 appreciate that at all.

13 I will send my comments in like I normally
14 do as a tribal leader, and that's my responsibility
15 for my people that elected me as their governor.
16 And I apologize for not being on top of things, but,
17 you know, in our tribe we have elections every two
18 years, so it's -- I just came from an election.
19 Just got reelected last Saturday for my third term.
20 And I'm the first woman governor there. So
21 everything is kind of there.

22 So but I do want to say that, you know, as
23 far as being in the education field, I want to get a
24 clearer picture on what's in store for us. And we
25 have a Head Start Program too in Shawnee that the

1 Sac & Fox is -- the Absentee Shawnee Tribe and the
2 Kickapoo Tribe of Oklahoma, we all have ties into.

3 And we just want to make sure that all of
4 our small and Head Start Program is going to be
5 taken care of in DC and with the funds coming in.
6 And that's -- that's a need -- that is a need here
7 in Oklahoma. We're facing a lot of things that's in
8 our public school system.

9 But I just wanted to say that I would like
10 the United States to respect and fulfill its trust
11 responsibilities to the tribes. We depend on it as
12 tribal leaders, and hope that people in BIA --
13 change is good, but let's do reorganization change
14 that's going to benefit and not to hurt services for
15 our tribes, you know.

16 Because I'm all for change. But let's
17 take a real good look at this reorganization that
18 we're trying to do in the BIA and let's just carry
19 on with -- across Indian Country of taking care of
20 our people. Because that's what I'm in here for.
21 That's what I'm in here for. For my people.

22 So I just wanted just to give my concerns
23 about this meeting this morning. And, like I said,
24 I will be making my comments like I normally do for
25 everything that I go to the consultations, so thank

1 you for allowing this time. And I just didn't like
2 the confusion this morning. Thank you.

3 **MS. ORTIZ:** Thank you for your comments,
4 Governor. And again, we apologize about the meeting
5 mistake. And we can't say we're sorry enough
6 because I know -- I was right there with everyone,
7 so I know exactly how everyone was running around.
8 And it was not fun at all, so we are sorry about
9 that.

10 **MR. MOSELY:** Thank you. My name is Palmer
11 Mosely. Chickasaw Nation Sac & Fox for self-
12 governance. And I guess my biggest concern
13 concerning this possible reorganization is that the
14 tribes really have nothing to work with because we
15 really have no information from the Bureau of Indian
16 Affairs.

17 First of all, I will say that it is good
18 in certain situations, but when you have an agency
19 in DC that we're very dependent upon, telling the
20 tribes that we have no plan, we're not discussing
21 the plan publicly with anyone, it's hard for the
22 tribes to sit back at home and try to develop, you
23 know, good comments to submit to the Bureau of
24 Indian Affairs.

25 And that's been the biggest challenge the

1 last couple of weeks that I've had. Govern
2 Anoatubby has asked me to take a look at this, and
3 I'm telling him, Governor, I really don't know how
4 to respond to the Bureau of Indian Affairs because I
5 don't know what their plan is, what they're telling
6 us. We have no idea.

7 So it's very hard for me to try to help or
8 assist the Bureau of Indian Affairs in a possible
9 reorganization. And again, when assistant -- well,
10 acting Assistant Secretary Mike Black a couple of
11 weeks ago had spoke in Washington and basically told
12 us we have no plan, and we're not -- we don't have
13 anything on the table, like I said.

14 So it's hard for me to come to this
15 meeting and leave here with a good frame of mind
16 knowing that we're going to feel comfortable with
17 the possible reorg. I can tell you in my position
18 there's two key things that Chickasaw Nation, as
19 well as most tribes in this room, our two biggest
20 concerns is the flow of information between Bureau
21 of Indian Affairs and the tribes; and, number two,
22 the timely flow of federal funding.

23 That's two of the biggest challenges that
24 I fought almost on a weekly basis in my office. And
25 I know the Bureau of Indian Affairs is in a tough

1 spot. I was a former BIA employee for 14 years, all
2 in law enforcement. And I know that's difficult.
3 You have 567 tribes that you have to liaison with.
4 That is not an easy position. You can't please
5 everyone every single day. I understand that.

6 I know that Bart and Hanke, both of you
7 are in tough positions as well. And the current
8 climate of politics in DC right now, we've never
9 seen this before in our history, to be quite honest
10 with you.

11 But I understand that, again, things are
12 happening more recent. I think some decisions that
13 have already been made are already written down
14 somewhere in DC. I know that for a fact.

15 But, again, I have to agree with Governor
16 Wolfe as well as Mickey in reference to we have to
17 do a better job of communicating and getting federal
18 funding to the tribes.

19 And we're looking at some very drastic
20 cuts to Indian Country. The Bureau of Indian
21 Affairs is looking at \$303 million decreased budget
22 in 2018 if the President's budget is passed. And,
23 of course, we all know that that's probably going to
24 be a tough fight in the next couple of months.

25 But the issue is this, we -- Congress

1 doesn't have a lot of days left before October 1,
2 2017, gets here. And that's kind of the day that
3 I'm waiting for to see where we're going to be at
4 money-wise concerning federal funding.

5 We've already taken some steps to plan for
6 worst-case scenario, and I encourage other tribes to
7 do the same. There's a time and change in Indian
8 Country. It's coming. I don't know if it's going
9 to come soon or if it's going to come later, but
10 it's happening. So all Indian tribes need to be
11 aware of that. And we need to prepare for that
12 change as well.

13 But, again, I guess the only two things
14 that I would want Hanke and Bart to take back is
15 let's try to do what we can to improve our lines of
16 communication. And, again, I know it's hard. But
17 whether it -- it's an individual office within the
18 Bureau of Indian Affairs that deals with that
19 specifically or whether it's a new policy and
20 procedure, I don't know what the answer is. If I
21 had the answer, I would -- I would share it with
22 you.

23 But we need to do a better job of opening
24 up those lines of communication between the tribes.
25 And, again, I know it's going to be a difficult

1 thing to do because there's so many tribes and we
2 have so many different issues. There's not a one-
3 size-fits-all template out there, but we need to do
4 a better job with communication.

5 And, again, the other issue is the flow of
6 federal funding. That is -- that's a big issue for
7 my particular department. The federal funding not
8 being down to us in time. And I know that there's a
9 lot of other little things that play a part in that,
10 but, you know, we're willing to do what we can to
11 assist the Bureau of Indian Affairs because at the
12 end of the day, you represent us in Washington, DC.
13 You're the voice of the tribes in Washington, DC.

14 And we understand that. And some of us
15 have the opportunity to have individual voices, but,
16 again, that's very important. And we're very
17 blessed in Chickasaw Nation because we have the
18 great regional director, Mr. Eddie Streeter, and we
19 have the great superintendent, Ashley Large. And
20 they work very well with us. Our lines of
21 communication are great. We probably couldn't get
22 any better.

23 But where I see the problem is DC flowing
24 down to the regional office and the regional office
25 having to try to figure out what's going on and then

1 trying to get that information to us. That needs to
2 change. Plain and simple. DC needs to do a better
3 job with communication.

4 Another thing -- and, Mr. Stevens, I'm
5 glad that you're here. I'm looking at the work
6 chart and I don't see anything concerning the
7 proposed national JOM office there in Oklahoma City.

8 Back in March I had a short meeting with
9 Director Dearman. I've known Tony Dearman for a
10 very long time and I've worked with him personally
11 when I worked in Anadarko. I can tell you he's the
12 type of guy that believes in having boots on the
13 ground. And he actually worked with me on several
14 issues at Riverside Indian School.

15 But I can only speak on behalf of the Five
16 Civilized Tribes to some degree in reference to what
17 we have requested concerning the BIA reorg and
18 keeping a national JOM center or some type of office
19 there in Oklahoma City, because our biggest concern
20 is that if you move that particular office to North
21 Dakota or South Dakota, wherever it's proposed to
22 be, that line of communication is going to change.
23 And it's going to change in form because most of the
24 tribes need a local voice; they need a local
25 contact.

1 And if you move those offices and
2 positions to another state, say, South Dakota, then
3 you don't have people there to understand the unique
4 needs of Indian tribes in Oklahoma. We are a unique
5 set of tribes. Very different from the tribes out
6 west. Very different from the tribes in the eastern
7 side. Very different from the tribes out north.

8 And I can tell you from my experience with
9 the BIA in working in over 17 different Indian
10 relations, I can tell you that every little area is
11 a little bit different. Especially how they see
12 things and how they do things.

13 And I think that when you move the office
14 from Oklahoma City, that you're going to see on the
15 education side that we're going to have some
16 problems. And I certainly would not want that to
17 happen because the Johnson O'Malley Program for the
18 Chickasaw Nation is extremely important because the
19 majority of our children attend public schools.

20 And I understand that it's not the BIE's
21 responsibility, per se, but it's a form of
22 supplemental federal funding that greatly assists
23 our school districts. We have 52 different school
24 districts in the Chickasaw Nation that receive tribe
25 funding and we're trying to figure out ways to get

1 that funding to them sooner and streamline that
2 process, keeping in mind that we have federal
3 regulations that we have to go by.

4 But we certainly need a local voice and a
5 local point of contact concerning that. We don't
6 really have any BIE funded schools. In fact, I
7 think there's only three in Oklahoma, if I'm not
8 mistaken. But that's been a major topic I've
9 discussed with Director Dearman.

10 And I understand that politics at the end
11 of the day rule, but, you know, there needs to be a
12 voice saying that Oklahoma is unique concerning our
13 -- our health care, as well as our education and our
14 American students. And there needs to be a local
15 voice somewhere that we can contact, because, again,
16 I -- I don't -- I don't see the plan of moving that
17 office to South Dakota working, to be quite honest
18 with you.

19 And I'm trying to keep an open mind. But
20 to be quite honest with you, knowing how the
21 Government works and having been a long-time federal
22 employee, I know that things get lost in translation
23 very quickly. So we certainly need to look at that.

24 And, again, I'm more or less waiting for
25 the written comments section to try to give my laws

1 governing a better feeling about this, because,
2 again, we simply don't know what to respond to right
3 now. We don't know what you guys are thinking. We
4 don't know what's going on in DC.

5 Again, Mr. Black has said there is, quote,
6 no plan, close quote. So if there's no plan on the
7 BIA side, how are you expecting the tribes in
8 Oklahoma to give you a good feedback when we don't
9 know what to respond to?

10 Now, I guarantee you everyone in this room
11 that is an Indian tribe member or representative
12 could probably come up here and complain about
13 something. I know I could, but I'm not going to do
14 that today. We simply need to try to figure out the
15 best possible way to -- to make things streamline
16 and clearer for the tribes to interact with the
17 Bureau of Indian Affairs.

18 And even though the Bureau of Indian
19 Affairs hasn't been officially reorganized or the
20 Department of the Interior hasn't been reorganized
21 in a very long time, the Bureau of Indian Affairs
22 has changed over the years. I've seen it
23 personally. And I think that's due to the
24 leadership of Mr. Black. I think he's done an
25 excellent job since he came into office in 2010, but

1 we need to continue to do those things to make
2 things better.

3 We don't need to become stagnant. I've
4 worked for the Federal Government and it was
5 stagnant. It's not a good thing because at the end
6 of the day, our Indian citizens are the ones that
7 are hurt by that.

8 I've always been a -- a field level first
9 line BIA employee. I've always been that my entire
10 career. And I took that responsibility very
11 seriously. But then when you start dealing with DC,
12 that's where things start to get a little muddy and
13 things become very unclear.

14 So, again, please improve the lines of
15 communication you have with the tribes. And I think
16 that would be the biggest takeaway.

17 Thank you for coming here. Thank you for
18 your time. And we look forward to other comments.

19 **MR. STEVENS:** Thank you very much for your
20 comments. I just want to address the issue with the
21 JOM office. Keep in mind that this is just the
22 first cover of a 15- or 16-page organizational chart
23 for the BIE that drills deeper.

24 And on those other pages is the JOM
25 center. And it will be staffed in Oklahoma.

1 Although we serve hundreds of JOM contracts peppered
2 throughout the United States with a couple of
3 hundred in Alaska alone, the commitment has been
4 made and it is on the other pages of the
5 organizational chart.

6 **MS. ORTIZ:** I did want to make a few
7 comments too because Secretary Zinke has made some
8 comments with regard to what kind of ideas he has
9 had. And generally those are what is the BIA going
10 to look like in 100 years. He wants to support
11 self-determination and self-governance.

12 And he also believes that in providing
13 resources to the front lines, as he's put it,
14 because he has a military background, and that means
15 funding, staffing, those kinds of things, I think,
16 as far as resources.

17 So those are just some of the thoughts
18 that he has shared publicly and the ideas that I've
19 heard. So thinking in those terms and building on
20 that however you think would be helpful, perhaps
21 that's something that might be helpful to give you
22 some things to think about.

23 **MR. MOSELY:** You have to agree, that's an
24 extremely broad statement. Very, very broad. I've
25 watched all the hearings that Secretary Zinke has

1 been testifying to lately. And, of course, Senator
2 Udall from New Mexico last week got onto him very
3 quickly about what we're talking about is how can
4 the tribes give you feedback when we have really no
5 idea what's going on.

6 So, I mean, I understand your statement,
7 and I understand what Secretary Zinke has been
8 saying, but -- he said it multiple times, but yet
9 I'm still trying to interpret that. And I don't see
10 anything coming back in our direction to -- to give
11 me a good interpretation.

12 I mean, we're all sitting in our offices
13 trying to figure out, you know, what's the best plan
14 to go forward, but we have very few statements to go
15 off of. And then we have very few -- very little
16 information to work with. So, again, yes, he has
17 made those statements. They're extremely broad. I
18 don't know what they mean. They sound great. But
19 is that his mind-set going forward? I hope it is.

20 But, again, we need, I think, more
21 information to try to make an informed decision on
22 our side to try to give the Bureau of Indian Affairs
23 the best type of feedback we possibly can. And
24 whether or not we accomplish that today, I don't
25 think so, but we certainly need that line of

1 communication to be clearer and to be on point
2 concerning what the future plans of Indian Country
3 are.

4 Because, again, the proposed budget, it's
5 -- it's scary. I've talked to a lot of people, and
6 I have yet to get any positive feedback. So, again,
7 if -- if -- if the budget was a lot better, I
8 wouldn't be as concerned, but with what the
9 President has proposed for Indian Country, it's
10 going to create some drastic hardships in Indian
11 Country when we all know that things in Indian
12 Country are not great right now.

13 There's never going to be a day where the
14 BIA is going to fully fund things to get Indian
15 Country back on track. We know that. That's where
16 its incumbent upon the tribes to do what we can at
17 our local level to make things better for our tribal
18 citizens. But, again, I'm all for these political
19 statements. They sound great, but let's see some
20 action at the end of the day.

21 Thank you.

22 **MS. ORTIZ:** Thank you for your comments.

23 **MS. RHOADS:** I'm Kay Rhoads. I'm the
24 Principal Chief of the Sac & Fox Nation. And I
25 agree with everything that's been said here this

1 morning that you're asking us to do consultation
2 with going into consultation blindly.

3 And we have no idea what you're proposing,
4 but we have heard some rumors. And one of the
5 rumors was to get rid of the OST office and, you
6 know, the -- we need to make sure that that is kept
7 in place, certainly with the problems that we're
8 having with trust lands and everything else, that
9 we've got to be able to have somebody that is
10 willing to work on those particular areas for the
11 tribes.

12 There's just too much of that -- that
13 information is being pushed aside and the problems
14 continue to rise among Indian Country regarding land
15 and the trust issues and settled lands and so on.

16 We just settled some big cases with Cobell
17 because of mismanagement, and, you know, if we do
18 away with some of these offices, we're going to run
19 into the same kind of problems again as we already
20 had.

21 In this particular region, the Oklahoma
22 region, you know, I know that there's funding
23 shortages and everything else, but we just received
24 notice that our probate office has been moved to
25 Albuquerque; that we're not going to staff our

1 probate office in the Oklahoma City area anymore.

2 We've been without an administrative judge
3 there for over a year, yet tribes' probate cases are
4 backed up. And then that ties right back into the
5 OST issues. How are we supposed to deal with the
6 sale of lands when we've got probate issues sitting
7 out there that can't be solved, and you can't do
8 anything with selling of the lands or buying of the
9 lands, whatever, until those probate issues are
10 resolved?

11 But you've got so many tribes here in
12 Oklahoma and yet you don't feel the need to have a
13 probate office in the state?

14 So I think that's -- that's an issue. The
15 location of the self-governance offices. The word
16 we've also got is that the hallways of the Interior
17 has already been -- are being cleared of BIA offices
18 and BIA officials; that they're being moved to other
19 areas throughout the DC area.

20 And that adds an extra cost to the
21 nations, the tribes that are coming in there.
22 Because if we go into Washington, DC, to meet with
23 these different group and then we're told that we've
24 got to go to Virginia or Maryland or somewhere else,
25 you know, that's an additional cost for us to be

1 traveling all over the place to meet with these
2 different agencies that are spread out throughout
3 the metropolitan area, you know, that Office of the
4 Interior was supposed to be there for the Nations --
5 the Indian Nations. And yet it's a dismantlement
6 already without any consultation.

7 Somebody mentioned the regional offices.
8 And we've already seen separate cutbacks there and
9 how much the tribes have suffered as a result of
10 that. Limited services. We -- the staff down there
11 are -- are overworked. And we just don't have much
12 staff to take care of all of the tribes that are in
13 those particular areas that it is right now.

14 We talked about the deduction in funds.
15 We're being hit right now with one of our self-
16 governance conferences. We were told by some of the
17 agencies that they were not going to be able to
18 attend some of the self-governance meetings because
19 of budget cutbacks and yet that is the meetings
20 where so many of the tribes get the information
21 about what's going on with the Interior.

22 And if that individual isn't there or the
23 staff aren't there to present that information to
24 the tribes, then how are we going to get that
25 information?

1 Because as was said by numerous people,
2 you can't get the information straight on the
3 location of a meeting here in Tulsa much less how
4 else are you going to assimilate information?

5 And then, you know, cutbacks. I think the
6 President wants to, you know, reduce the government,
7 and I understand that. And I look at the
8 organizational chart that you handed out and it is
9 pretty overwhelming to see all of these different
10 branches out there and everything.

11 And we understand that there's a huge cost
12 for administrative overhead back in DC; however,
13 giving the responsibilities of Indian tribes to
14 different agencies throughout the United States,
15 such as the EPA, such as transportation, other areas
16 of education, that's not the answer. You know, we
17 are nations. We're not just citizens of the United
18 States. We're individual nations.

19 And we have treaties with the United
20 States of America. And those treaties need to be --
21 be followed. You know, we need to make sure that --
22 that those obligations that were made to our people
23 years and years ago were -- are being upheld. You
24 know, Trump talks about the need to get our -- these
25 illegal aliens out of here.

1 Well, I'm sorry, these are the ones that
2 are not illegal aliens in here. We're the original
3 people. And yet they're willing to help other
4 countries first before they're willing to help the
5 citizens and the tribes of the United States.

6 And they're doing this by saying let's --
7 let's cut the BIA, let's cut the funding in that
8 area and let's give it to these other agencies.
9 That is not acceptable.

10 **MS. ORTIZ:** Thank you for your comments. I
11 appreciate them.

12 **MR. PRATT:** My name is Bruce Pratt. I'm
13 the President of the Pawnee Nation. B-r-u-c-e, P-r-
14 a-t-t.

15 **MS. ORTIZ:** Thank you.

16 **MR. PRATT:** A lot has already been said.
17 And this morning just trying to get here was a --
18 was a chore. And it just -- it's kind of business
19 as usual sometimes. These things shouldn't happen.
20 They shouldn't happen like that. Enough on that.

21 One of the things that we've always stated
22 to the Federal Government as Tribal Nations is that
23 we want a seat at the table. Having a proposed
24 budget from the President's budget with \$380 million
25 cuts to the BIA and then the reorganization, then

1 the tribal consultation, it's backwards.

2 It's backwards. It's -- it's like it's
3 already said, it's already done, but we need to
4 rubber stamp it. And we need to say we met with the
5 tribes and then we'll have that documentation and
6 meet with Congress and say we met with the tribes
7 and through consultation we're going to go on with
8 this proposed budget.

9 Once again, I will -- I will restate what
10 has already been stated is we are citizens of the
11 United States, but unlike the other members of the
12 United States, we are different. And we are
13 different because of the treaties and the trust
14 responsibilities that the Federal Government has
15 signed.

16 And we all have the documents still yet in
17 our archives that the Federal Government has said
18 that it would take care of our health, they would
19 take care of our housing and they would take care of
20 our education. And it was also in there that they
21 would take care of our food in the beginning.

22 And so these -- these treaty obligations,
23 these trust responsibilities have not gone away and
24 they will never go away because all these great
25 metropolises and all these -- all these places that

1 our people inhabit now in the United States were
2 once settled by Tribal Nations. Indian people were
3 there.

4 And -- and we gave those up willingly,
5 unwillingly, however it was, but we have a signed
6 document that said that because we gave these things
7 up, these responsibilities will be met. There's no
8 end date on there. Not until, you know, an end
9 date. There is no end date.

10 The presidents at those times signed those
11 documents to the Tribal Nations with no end date.
12 And so we, as Indian people, look at our treaties
13 and we say, well, they're still in force. And so I
14 stand here before you and remind the Federal
15 Government that those treaties are still in force
16 and that the United States Government still has the
17 obligation to -- to uphold those treaties. Our
18 health. Our housing. And our education.

19 I will say here that the Pawnee Nation
20 does not agree with these cuts to the BIA budget.
21 Now, you can reorganize all you want, but don't cut.
22 Don't cut. We are severely underfunded. You know,
23 my fear is this, my fear is this, is that the things
24 that happened there in the great plains with IHS,
25 that Congress and that the US Government are taking

1 those happenings there -- and they were some bad
2 things, but the bad things that happened there on
3 the IHS side was due to underfunding.

4 And those folks just tried to do the best
5 that they could with what they had, and it wasn't
6 enough. And there were serious problems that
7 happened there. And I feel like the Federal
8 Government is taking those things now and putting it
9 on everything. Well, nothing works.

10 We are so underfunded in everything. We,
11 as tribal leaders have stated that and restated
12 that. And the President's proposed budgets for 2018
13 is -- they're going to have some terrible
14 consequences to the Tribal Nations.

15 I would also -- would also add that we
16 also have trouble by removing the office of OST.
17 That is vitally important. Trust land is -- is
18 sacred to our tribal people, to our Indian Nations.
19 We have all undertaken with great sacrifice to -- to
20 return back to our peoples lands that -- that have
21 been taken. And -- and we -- we -- we do all that we
22 can to try to make the sacrifices to bring those
23 lands back under the Indian tribes.

24 And -- and, you know, we have, we have
25 already heard of the Federal Government of the DOI

1 and statements made by the higher-ups of looking at
2 the resources, looking at the minerals, looking at
3 those things, once again, that the Indian tribes
4 own, the lands that are there, trying to make them
5 public, and then taking those resources too.

6 And -- and that's just wrong. The -- the
7 -- the words and the things that have been spoken,
8 that have been said. And so, you know, with -- I
9 agree with every -- everyone that has already stood
10 up here and -- and it's -- it's a hard thing to --
11 to try to figure out what's -- what's being done,
12 what's -- what's being proposed.

13 And, you know, it's a nice word,
14 reorganization, but what does that mean? What does
15 -- what is it actually going to mean to us? What's
16 the impact going to mean for us?

17 And so I -- I -- I will restate just like
18 has already been stated that it's hard to come here
19 and consult, it's hard to come here and to provide,
20 you know, oral testimony to something that -- that --
21 -- that it's hard to understand. And really it feels
22 like it's something that's already been done. It's
23 already in place.

24 It's already been done. And you-all are
25 just fulfilling your obligation and -- and that's --

1 that's a bad feeling for -- for myself and maybe for
2 others here in this room.

3 And so, you know, I'll go on record as
4 saying, you know, that I'm not -- I'm not -- I'm not
5 happy about how these proceedings are going. I'm
6 not happy that we're going to -- we're going to be
7 cut so severely. I'm not happy that, you know,
8 offices that we have always had and -- and, you
9 know, the thing about it is -- is that there --
10 there are offices that are functioning, but they're
11 so understaffed that they are behind.

12 And, yeah, things move at a snail's pace
13 at times, but I have to say this for the BIA, I
14 think that they do all that they can with what they
15 have. But when you've got piles and piles of things
16 that you've got to take care of and you just don't
17 have enough time in the day, how can you do it?

18 And so it does move at a snail's pace, I
19 believe. And so, you know, my thing is, well, you
20 don't need to get rid of them and you don't need to
21 move them, what you need to do is answer them and
22 help them out to be able to move what needs to be
23 moved. Because that movement helps the tribes. That
24 movement, that paperwork that gets done, those
25 things that get settled, that helps the tribes.

1 And isn't that the responsibility of the
2 Bureau of Indian Affairs is to -- is to help the
3 tribes? To foster our -- our -- our movement and to
4 move us? Isn't that the responsibility of the BIA?
5 That's my question to the Federal Government.

6 Is what you're going to do, is it going to
7 help the tribes or is it just going to save money?
8 Money that's going to be spent elsewhere. I would
9 say this, remember the trust responsibility that the
10 Federal Government owes the Indian tribes, the
11 Tribal Nations here.

12 You know, like was said earlier, I don't
13 like the feeling of what's coming. I don't -- I
14 don't like the feeling of not knowing. I don't like
15 the feeling of looking at these documents here that
16 you have given us and say what is this. How are we
17 supposed to comment on that? Move this box over
18 here. Move this box over there, you know, get rid of
19 this box, add more boxes. What is that?

20 Tribal consultation and -- it -- it's
21 supposed to be done in -- in good faith. Good faith
22 back and forth. Now, having a seat at the table,
23 who from the tribes -- who from the tribes -- other
24 than these listening sessions and these
25 consultations, who from the tribes is seated at the

1 table with -- with you-all having input to what's
2 happening to us?

3 To us. It's about us. Should we have our
4 people, our tribal leaders there with you at the
5 table discussing our future? It's our future.
6 We're just not dollars and cents. It's our future.
7 Should we have people from select areas of the
8 country sit there with you discussing our future,
9 our families, our kids, the generations to come, the
10 impact that's going to significantly impact all of
11 us? Shouldn't we be there with you?

12 Never got an invitation myself. I don't
13 know if anybody else has. So tribal consultation is
14 -- you know, it has to -- it has to be real. It has
15 to be real. Real dialogue. Real dialogue.

16 And so I look at you two and I know it's
17 not you two. It's not you two. You know, it's the
18 higher ups. I understand that. It's -- I just hope
19 that this isn't overspent. Let's move on. 380
20 million; they'll be all right.

21 No. No. Take the message back that at
22 least the Pawnees and some of the others here, that
23 we're not in favor of this. We're not in favor of
24 this. And if you really want to move forward, then
25 invite me up there and I'll sit down with him and

1 I'll discuss it with him and try to be really,
2 really nice.

3 Thank you.

4 **(Applause.)**

5 **MR. KEMPER:** I'm Dr. Kevin R. Kemper K-e-
6 m, as in Mary, p, as in Paul, e-r. I'm an attorney
7 from Norman. And I come because I represent
8 numerous individuals, Native Americans, and their
9 cases involve tribes and the BIA. So I hope that
10 the tribal leaders and I hope the BIA will give some
11 leave for me to speak up with the people.

12 I agree with what I've heard, that tribal
13 leaders should have a place at the table and should
14 have tribal consultation which is required by
15 federal law. But what I want to ask is if anybody
16 in Washington, DC, is out there with the elders.

17 Well, there were some elders out there
18 wandering around looking for someplace at the Tulsa
19 Convention Center. They wanted to be heard. And so
20 I want to speak up on behalf of -- of the people who
21 I represent and get to a fundamental issue about
22 transparency.

23 The BIA has an abysmal record of
24 transparency. Just look at what the district court,
25 the appeals court said in the Cobell litigation, how

1 it upgraded BIA for it's terrible records
2 administration. You can't even get right a notice
3 on your web page about where this is.

4 I was a successful plaintiff against the
5 Department of Interior when I simply asked for a
6 copy of the tribal constitutions and articles of
7 incorporation. The tribal leaders here need to know
8 that I have a list of people -- of tribes -- the BIA
9 doesn't even have your constitution on file. So
10 it's not going to consult it when it deals with your
11 tribe because it can't find it.

12 Where were some of these constitutions?
13 They were in some boxes scattered across the
14 country. And I was successful in a lawsuit to get
15 that under the Freedom of Information Act. Right
16 now BIA is putting lots of records in archives in a
17 limestone case in Kansas. Some tribes are running
18 compacts to get those records.

19 What I want to ask the Bureau of Indian
20 Affairs is what are you going to do to preserve the
21 records for the tribes? Because individual tribal
22 members need that when they work out probate cases.
23 Like some of my clients. They need those kinds of
24 records. I have one client who can't even really
25 find out what's in her IIM account.

1 And so when you have tribal consultation,
2 I understand that you're dealing directly with
3 tribal governments and I respect that. And I don't
4 want to take time from -- from the leaders who are
5 here to speak up on behalf of the tribes, but I do
6 take this opportunity, as I said, to speak up for
7 the elders and aunties and the little kids who are
8 out there in Indian Country, who when they try and
9 deal with BIA, they can't get a clear answer about
10 anything.

11 Are we only going to learn about Indian
12 policy through tweets? Information flow ought to be
13 that a tribal government ought to be able to access
14 the records involving that tribe. It ought to be
15 meaningful dialogue.

16 And so I want for the record to show that
17 the BIA's documented history of -- of failure to be
18 transparent is going to even get worse if this
19 reorganization takes place. I think the job got so
20 big that you just simply don't have the funds to do
21 it. And it's a funding problem. And that's a
22 political problem. And that's -- that's beyond my -
23 - my expertise or my knowledge.

24 But I -- I appeal to the Bureau of Indian
25 Affairs to please be transparent with the tribal

1 governments, please be transparent with individual
2 American citizens and Alaska natives who need to
3 access information. Because you have requirements
4 under the Freedom of Information Act to disclose
5 records and under the Federal Records Act to
6 maintain those records.

7 And, again, there is so much that you need
8 to hear and so much needs to be said. And I'm going
9 to defer to those who are here. But I'm going to
10 tell you that the real information that needs to be
11 brought to the BIA and then to President Trump is in
12 Indian Country. Come to Indian Country. Come to
13 the communities and listen. Because if you don't,
14 that just tells us you really don't care. And why
15 is anybody surprised?

16 And I'm going to go back and share with my
17 clients that I think that the BIA is doing just what
18 I've been saying the past couple of years; it wants
19 to get out of the Indian business. And I think that
20 summarizes the policy that's already planned and
21 already being implemented in Washington, DC.

22 The tribes who are strong are maybe going
23 to make it. The tribes that are struggling, we're
24 not sure. This is a serious concern. And I -- I
25 defer to the tribal leaders to engage on those kinds

1 of topics.

2 Thank you for hearing me.

3 **MS. ORTIZ:** Sir, before you leave the
4 microphone --

5 **MR. KEMPER:** Yes?

6 **MS. ORTIZ:** -- can you specifically state
7 which tribes you're representing or which tribe you
8 represent?

9 **MR. KEMPER:** What I said in the beginning
10 was that I have clients who are individual Native
11 Americans who all the way from the members of
12 Chickasaw Nation, members of Black Creek Nation,
13 members of Choctaw. I have different clients. And
14 so these are individuals. So I'm speaking on behalf
15 of them and not on behalf of a particular tribal
16 nation.

17 **MS. ORTIZ:** Okay. Thank you.

18 **MS. TEEHEE:** Good morning. I'm Kimberly
19 Teehee with the Cherokee Nation. I just wanted to
20 talk a little bit about maybe some unintended
21 consequences resulting from reorganization,
22 resulting from the most recent reassignments that
23 we've read about in the Washington Post and
24 elsewhere.

25 The inner tribal counsel of Five Civilized

1 Tribes signed a letter this week that was
2 transmitted to James Cason just expressing some
3 concern that these decisions are decisions that are
4 taking place prior to reorganization listening
5 sessions being completed.

6 So my hope is that, one, that we have
7 consultation sessions, not just listening sessions,
8 but once a reorganization plan is actually rolled
9 out; two, that my hope is that there's also an ASIA
10 nominated by that time as well. As you know,
11 there's much delay in policy development and
12 implementation because we don't have an ASIA in
13 place or solicitor or deputy solicitor or key
14 positions in place.

15 And I for one know that we also have, you
16 know, legislation that the administration has been
17 asked to form its views on where, you know,
18 obviously tribes want the administration to support
19 them. And it's very difficult to move legislation
20 for a tribe now in Congress because our trustee --
21 the primary trustees have not been in place to sign
22 off any particular positions regarding that.

23 I also want to talk about -- a little bit
24 about the fact that I know Cherokee Nation, the Five
25 Civilized Tribes, the tribal counsel have a very

1 strong and effective relationship with the Eastern
2 Oklahoma Area Office; that there's 20 tribes in that
3 office. Not to put Ed Streeter on the spot, but we
4 have a strong relationship with him.

5 It's very important, this point is, I
6 believe, because if you recognize at least the five
7 tribes, we have very unique laws that apply to us.
8 And there will be considerable delay in any
9 decisions that get made regarding the five tribes
10 because those laws and regulations are very unique
11 to us. They're very thorny. There are issues that
12 even the experts often have to research and come up
13 with some opinions. I'm looking at one here myself
14 from the tribes.

15 I think in addition to that, if there's
16 any consideration of consolidation of regional
17 offices, I'm not certain that the Eastern Office has
18 the resources to bring in other tribes into its fold
19 either. Twenty tribes is overwhelming enough.

20 I also want to talk about the fact that
21 funding decisions -- I know that as we look at the
22 President's budget, that we're seeing the Housing
23 Improvement Program being proposed for elimination.
24 We're seeing BIE, a replacement facility
25 construction, getting cut drastically, as well as

1 the program being suspended entirely.

2 We have one of those BIE schools, Sequoyah
3 High School, that's in desperate need of replacement
4 and could use those dollars, but yet we're not even
5 on the list, and now the program is proposed to be
6 suspended.

7 There are law enforcement cuts, higher
8 education cuts. You know, I once served in the
9 administration and I once worked for Congress. And
10 I understood that a lot of these programs, if you're
11 not used to these programs and aren't used to Indian
12 Country, can appear to be duplicative.

13 Housing Improvement Program can appear
14 duplicative to NAHASDA and HUD, when, in fact, it is
15 not. The neediest of neediest, the poorest of poor
16 are oftentimes the only recipients of the Housing
17 Improvement Program. And while it's a small
18 program, the fact is that if you look at Indian
19 Housing as a federal pot of money in the puzzle, it
20 requires each piece to make that puzzle complete.

21 And so eliminating that is -- really would
22 be -- do a great disservice to those individuals, as
23 would the other programs for construction and others
24 and such.

25 And so as we talk about reorganization,

1 you know, aligning ourselves with what the
2 Chickasaws said earlier, too, BIE functions, Johnson
3 O'Malley, I'm pleased that there is an intent to
4 keep the office in Oklahoma City, but we want to
5 make sure that our unique needs are addressed and
6 that the current structure in Eastern Oklahoma
7 remains intact and that the funding component here
8 too not be forgotten in the process; that there is
9 the people that have the appropriate expertise and
10 the guidance to help defend these programs that are
11 being targeted for drastic cuts and elimination; and
12 that we have nominations -- key nominations that
13 impact us, and that those take place in -- with all
14 deliberate speed.

15 And that, finally, our Eastern Office, the
16 leadership remain intact as well.

17 Thank you.

18 **MS. ORTIZ:** Thank you, Kim.

19 **MR. MOSELY:** One last comment. Palmer
20 Mosely with the Chickasaw Nation. When I first
21 become a supervisor, a very wise man told me -- he
22 said, Palmer, always look for the easy win when you
23 first get into a division that you're supervising.

24 I'm about to give you an easy win, Hanke.

25 Please get with somebody that maintains

1 the BIA website because I can tell you I'm on it
2 right now and I've already found several
3 discrepancies.

4 **(Applause.)**

5 **MR. MOSELY:** This goes back to what I was
6 -- what several people have said about flow of
7 information. Y'all even have the Executive Order
8 number wrong on the website. And I even called Mike
9 Black's chief of staff last week and corrected her.
10 It's not the number that you're showing.

11 And the tweet about the meeting change
12 happened two hours ago. And then there's no
13 information concerning the 2017 ticket meetings.
14 And we're now two meetings ticket-wise past. So,
15 again, this is an issue with the BIA. If you can
16 have someone that's good with social media there at
17 the BIA, have them update this on a regular
18 occasion.

19 Because, again, I'll be honest with you, I
20 check the BIA website every single morning when come
21 to work. My associate is here today. I inform him
22 to do the same thing. So that's an easy win for
23 BIA, and it will serve of the utmost importance.

24 **MS. ORTIZ:** Thank you.

25 **MR. JOSE:** Thank you. My name is David

1 Jose, D-a-v-i-d, J-o-s-e. I am the Ramah Navajo
2 Chapter President in Ramah, New Mexico. And Ramah
3 Navajo Chapter is also known as Ramah Band of
4 Navajos Tribe.

5 So I have -- we have a delegation from the
6 Ramah Navajo, our now the Executive Director of
7 Ramah Navajo Chapter, Martha Garcia, is the
8 development officer that is on the Ramah Navajo
9 Chapter side. And then under Ramah Navajo Chapter
10 Organization is Ramah Navajo School Board,
11 Incorporated. Marlene Martinez. Raise your hand.
12 Then also Maxine Coho is the Vice President of Ramah
13 Navajo School Board.

14 So we are here as a delegate here to make
15 comments on these issues on reorganizations and the
16 Executive Order of President Trump.

17 I was just listening to several comments
18 this morning that I'm sure that all Indian tribes
19 are concerned. As we all know, tribes, at some
20 point in time, the Department of the Interior was
21 called the department of war, and that was pretty
22 well known throughout the Indian wars.

23 And to this day I believe the Department
24 of Defense has been replaced with the Department of
25 the Interior. But the Department of Defense has a

1 large budget to this day. And the reason why I say
2 that is because I'm a veteran during the Vietnam
3 era, and I had served for two years and had to get
4 out of the US Marine Corps because of my disability.
5 I was retired. So for that reason, I said this is
6 department of war.

7 But the reason why I say that is because
8 on Indians, Indian lands and Indian tribes across
9 the nation, we have not rebuilt our territories, our
10 Indian communities. And as far as economic
11 development, because there's really short funding
12 for Indian tribes. And it does seem to be the cause
13 of all these problems on Indian lands because of
14 short funding or lowered federal funding to tribes.
15 That's one of the major issues that we have so far.

16 And that is the reason why at one time
17 besides the Cobell case, they had to file suit
18 against the Department of the Interior. So we had
19 finally made settlement out there about 25 or 30
20 years in the legal lawsuit case that we had to
21 finally settle in 2016.

22 So that's where I come from. And what I'd
23 like to address today is that with the Ramah Navajo
24 Chapter or the Ramah Navajo Tribe, we are under the
25 Southwest Region because we have not been so far all

1 this time that we have been working with the
2 Southwest Region and never under the Navajo Region
3 because we are a distinct Navajo Tribe, a small
4 Navajo Tribe with about 3,500, and our land base is
5 about 25 square miles.

6 And it's hard for any economic
7 development. And we are struggling with our
8 infrastructure. And our only community development
9 is what we concentrate on, on our land, so that is
10 the main reason that we would like to maintain the
11 Southwest Region, because the Navajo Nation has --
12 we have a big population, but the tribal government
13 has not been able to help us out to the full extent
14 with any type of services that they have.

15 So we like to be identified as the Ramah
16 Band of the Navajo Tribes, and one day to be
17 recognized, but at this point in time that we are
18 only recognized by an act of Congress, and then it
19 was that we were able to get about 21 sections of
20 land -- of federal land at one time in 1983.

21 So the population that I represent, as I
22 said, we have been struggling. At one point in time
23 back in 1970, that our school was a public school
24 that had closed, and from that point in time, our
25 elders had gathered and started trying to build

1 another school within the area.

2 So that's how the Ramah Navajo School was
3 formed, to serve as a school. So we have a contract
4 at this time with our school. And from that point
5 on, we were able to do some contract with the
6 Federal Government under 638 Indian Self-
7 Determination and Education Assistance Act. So for
8 that reason, we have a school, at this time, within
9 the community.

10 And then, after several years, this was
11 after we -- when the Self-Determination and
12 Education Assistance Act was -- was formed back in
13 1975, from then on, we were able to do some
14 contracting with the Bureau of Indian Affairs. And
15 the Ramah Navajo Chapter has -- has contracted a lot
16 of programs and services under its local government
17 to where we are able to operate these programs for
18 our local children, the Navajo people, or our
19 population.

20 So we are in the -- in a good position as
21 far as we are operating these programs and services.
22 So we hate to -- we hate to -- to have
23 reorganizations that will affect us, the Ramah Band
24 Navajo Tribe, because of the reorganizations or
25 reduction or funding to our agency and the Ramah.

1 We have a local Ramah Navajo Agency that
2 we are working with. And we work as a government-
3 to-government relationship just within a few yards.
4 The agency oversees and monitors the chapter, as
5 well as Ramah Navajo School Board.

6 So we hate to lose that agency because of
7 the reorganization, but rather that we would have
8 this agency in place under the Southwest Region and
9 we would not like to lose our agency anywhere else
10 or under the Navajo Nation -- Navajo region. So
11 that's the concern that I have at this point in
12 time.

13 And so for that reason, I guess this is
14 where I would like to have -- this is all the
15 comments I would like to make. And that in the
16 written comment that we have here, I'd like to read
17 verbatim that in submitting these comments here
18 today, we want to ensure that any reorganization
19 does not threaten the Ramah Navajo Band's status as
20 an independent community or negatively impact its
21 status relationship with the Southwest Regional
22 Office and other tribal communities and partners
23 within the area.

24 So with that, I thank you very much. I
25 was late by half an hour. I'm sorry.

1 Thank you.

2 **MS. ORTIZ:** Thank you.

3 **THE COURT REPORTER:** I'm having a hard
4 time hearing. Every time someone goes in and out of
5 the room and the door slams, the microphone is
6 cutting out.

7 **MS. MARTINEZ:** My name is Marlene
8 Martinez. M-a-r-l-e-n-e, M-a-r-t-i-n-e-z. I'm the
9 President of Ramah Navajo School Board.

10 **MS. ORTIZ:** Hold on one second.

11 The court reporter was just saying that
12 she's having a difficult time hearing when that door
13 shuts back there. So if you could please be really
14 careful to make sure that the door is not making a
15 lot of noise because it makes the microphone cut out
16 a little.

17 **UNIDENTIFIED SPEAKER:** Maybe if they move
18 the microphone closer to the front of the room.

19 **MS. ORTIZ:** Yeah, can we move the
20 microphone? That's a good idea. Let's move it up
21 here.

22 **(THEREUPON, a brief pause.)**

23 **MS. MARTINEZ:** My name is Marlene
24 Martinez. I am the President for the Ramah Navajo
25 School Board. And the Ramah Navajo School Board we

1 not only operate educational services, we also
2 receive IHS clinic and we also run a service that's
3 38 programs, as well as programs like the wheel
4 programs and other programs that are funded directly
5 from the Federal Government from various offices.
6 And our direct relationship with the Department of
7 the Interior extends back to 1970. So it's almost
8 47 years ago.

9 And the families of the Ramah Navajo
10 School Board, with Congress and the Department, to
11 establish the first tribal controlled and operated
12 school in the nation. We are proud to inform you
13 that our school operates and manages the Pine Hill
14 Schools and other community programs under the Self-
15 Determination and Education Assistance Act.

16 We recognize the uncertainty regarding the
17 organization of the federal agencies following
18 presidential secretarial directives. While we
19 understand the bureau officials, there is no fund
20 yet for the reorganization in spite of the fact that
21 the Secretary of Interior has shuffled around many
22 of the BIA officials and the federal senior
23 executives about tribal input or communication
24 consultation.

25 We urge that you consider the federal

1 directives to downsize in order to receive budget
2 and also that you give serious consideration to its
3 agency performance consistent with the trust
4 responsibilities and the principles of the Self-
5 Determination and Education Assistance Act.

6 Under the Indian self-determination
7 policy, the commitment to maximize Indian
8 participation and services more responsive to tribal
9 community means the federal bureaucracy cannot
10 reduce, limit, or maximize our participation and may
11 not recognize -- and may not reorganize services or
12 delivery in ways that ignore or disregard our needs.

13 These principles must guide the
14 Department's implementation of the Executive Order
15 and any further restructure or reorganization.

16 We request that in recognition of the
17 trust responsibility and policy of self-
18 determination and self-governance, the Department of
19 Interior BIA work directly with the Department and
20 not an auto reorganization on any efforts to
21 reorganize, reduce budgets, budget requests and
22 otherwise make changes or staffing or services.

23 In order to maintain efficient
24 communication with the BIA, we urge that
25 reorganizations not impact our longstanding

1 relationship with the Southwest Regional Office of
2 the BIA.

3 Our Ramah Navajo School Board remains
4 committed to continuing and working through that
5 office, as well as through the BIA global BIE based
6 out of the Albuquerque regional offices.

7 The Ramah Navajo School Board has recently
8 had substantial engagement with the BIE
9 reorganization efforts that consume considerable
10 energy over the past several years. We believe that
11 the Department should consider lessons learned
12 through that process.

13 In particular, the BIE reorganization
14 process has made clear that moving boxes around on
15 the Department provisional chart does not change
16 organizational performance, rather, a targeted focus
17 on improving services is what will make a
18 difference.

19 In order to supplement listening sessions
20 and consultation on policy changes, we strongly
21 encourage the Department to establish an advisory
22 committee for the education program of the local
23 tribal school officials whose schools operate under
24 public law.

25 In order to supplement listening sessions

1 and consultation policy changes RNB strongly
2 encourages the Department to establish an advisory
3 committee for its Indian education programs that is
4 made up of the local tribal school officials whose
5 schools operate under Public Law 93638 and tribally-
6 controlled grant schools act 100-297 and other
7 authorities.

8 Such an advisory body will help foster
9 school-based reforms that would benefit students.
10 Additionally, on an ongoing basis, an advisory
11 committee will help improve communication,
12 organization and policy direction for school
13 education -- Indian education.

14 In closing, we must urge the Department to
15 remember that the trust and treaty responsibilities
16 are both moral and legal obligations. We
17 respectfully remind that it is incompatible that
18 these obligations to treat the BIA & BIA budgets as
19 resources to give in order to fund the shipping
20 policy priorities from administration to
21 administration or to be critical BIA/BIE services as
22 simply programs to be made part and parcel of other
23 departmental changes.

24 Sincere consultation and informed consent
25 are the standards the Department will supply to

1 change the services or programs that serve native
2 people. On behalf of the Ramah Navajo School Board,
3 I would respectfully call on you to view our
4 concerns carefully and consult with us as the
5 process moves forward.

6 Thank you.

7 **MS. ORTIZ:** Thank you for your comments.

8 **MR. BERREY:** My name is John Berrey. I'm
9 the Chairman of the Quapaw Tribe and the Quapaw
10 people of Northeastern Oklahoma, Arkansas, Kansas,
11 Missouri. And we're excited about reorg. It's been
12 a long time coming. We're ready for a bunch of
13 shake-up and changes made to make our world more
14 efficient.

15 Some of the biggest drags we have on
16 economic development are dealing with the
17 bureaucracy of the bureau of the Interior and the
18 Department of the Interior -- the Bureau of Indian
19 Affairs and the Department of the Interior.

20 And we want to see changes made that will
21 make efficiencies in helping us create economic
22 development for our people in the communities that
23 we live in.

24 We propose that they block grant all
25 appropriated funds to self-govern the tribes and use

1 the efficiency created by block grant and published
2 funds to help tribes that aren't prepared for self-
3 governance. Direct service tribes. Use those
4 efficiencies to better serve the direct service
5 tribes and their needs.

6 The tribes in mind -- we just want the
7 money. With the money, we'll take some of the
8 liability. We'll negotiate the liability, but we're
9 willing to take the liability for taking the money
10 and managing the money ourselves.

11 We just don't want to have to wait for the
12 secretary to make decisions that affect how we spend
13 our money and how we want to move forward as an
14 independent domestic sovereignty. We think self-
15 governance tribes should have access to funds
16 immediately. We should have a tribal employee
17 that's in charge of the title plants. We need to
18 include the language in the new 151 acquisitions
19 that protect the Secretary of the Interior from
20 future liability for a period of time to make these
21 transactions go by quicker.

22 Because when you listen to Mr. James, our
23 main concern is, you know, that he was saying in the
24 trust, that we turn around and sue them. That
25 creates some sort of a moratorium on the liability.

1 For a period of time, let the tribes take over and
2 manage it, and let them adopt some of the liability
3 for the management of the land.

4 We want to look at rebudgetting in Indian
5 preference and use it in the way that it's meant to
6 be used under the law. We want the best employees
7 of the Department of the Interior that are out there
8 in the business world to make decisions. And they
9 don't have to be Indians. They don't have to be
10 anything except the most qualified people to do the
11 jobs.

12 By the turn, we believe that there should
13 be job training, job creation activity within the
14 Department of the Interior that helps tribal
15 members, those in the Department of the Interior, to
16 be trained to provide the services that are
17 currently being provided by the Department of the
18 Interior to those people so they can go back home
19 and help efficiently provide the services for the
20 appropriated funds from each tribe.

21 I think we need to also look at the
22 legislative mandates that are treated with the DOI,
23 the BIA, and that the other agencies in the Federal
24 Government are obligated under law. Just do those
25 and get rid of all the other stuff that is not

1 really mandated by law to do. And create some
2 efficiencies and save money and shore up the
3 programs that they're mandated to do.

4 In the '80s they did a relook at the
5 reorg. In the '90s they did a relook at the reorg.
6 In the early 2000s I was in a group that did the
7 relook at the reorg. They need to go back and look
8 at some of the -- the executive summaries from those
9 -- those well-thought-out and well-put-together
10 plans. They need to look at the recommendations and
11 the executive summaries of those instead of
12 reinventing the wheel.

13 We've already done this before. Let's do
14 it now. Let's take advantage of this opportunity of
15 a lifetime to make our relationship with BIA much
16 better than it has been.

17 They need to create an Undersecretary of
18 Indian Affairs within the Department of the
19 Interior. It's in the law. It's there in the law.
20 It was passed last year. I know that they're not
21 considering it right now, but I think they should be
22 considering it so anytime there's an Indian issue
23 within all the agencies of the Department of the
24 Interior, whether it's fish, reclamation, Indian
25 affairs, they have someone that is overseeing that

1 development over the laws; that it doesn't get hung
2 up with different agencies.

3 I also think we need timing to get rid of
4 the special trustee. I mean, come on, that job is
5 supposed to be sunsetted. Let's get rid of it.
6 They do a great reorg at the Office of the Special
7 Trustee, but let's fold that under the Office of
8 Special Public Trust Services instead of the BIA and
9 get rid of some of the fat and the management that's
10 unnecessary and ongoing under the agency.

11 I'm not saying get rid of all the work
12 they do. I'm just saying get rid of the office --
13 the Special Trustee and the Deputy Special Trustee
14 and put it under trust services like it was supposed
15 to be done.

16 And I just think that we should look at
17 this instead of an attack on tribes, instead of --
18 we're always wanting change until they say, hey,
19 let's make a change, and everybody is like, oh, I
20 don't know if I want change. We want change. We
21 want it to work better. We want to grow. We don't
22 want to be struck down and slowed down by these
23 archaic -- well, you know, ways that the BIA does
24 their business.

25 It takes us months to get answers to

1 letters. Can't get people to call you back. You
2 know, you can't get them to do their job. So let us
3 do our job. Give us the money and we'll take care
4 of it ourselves, and we'll take the liability with
5 it.

6 So we're prepared to hang in it for the
7 long run. You'll be hearing more and more from us.
8 We'll provide some written statements, but we're all
9 about reorg. Let's change this whole monster and
10 make it something that we can all be proud of and
11 live into the future for our kids.

12 **MS. ORTIZ:** Thank you very much for your
13 comments.

14 **MR. FOLLIS:** John, you took a bunch of my
15 words out.

16 I'm Chief Bill Follis, Modoc Tribe. And I
17 understand -- I come to this meeting with the
18 understanding that you're trying to restructure the
19 BIA to make it more --

20 **MS. ORTIZ:** It's actually all of Indian
21 Affairs, which is BIA, the offices under the
22 Assistant Secretary and BIE.

23 **MR. FOLLIS:** Okay. Are you familiar with
24 the study that was done in the early '90s by
25 Interior Secretary Lujan?

1 MS. ORTIZ: Yes.

2 MR. FOLLIS: You are?

3 MS. ORTIZ: Yes.

4 MR. FOLLIS: Do you have the book -- the
5 report?

6 MS. ORTIZ: I personally don't have it,
7 but I know about it, and it's available.

8 MR. FOLLIS: Anyway, this task force spent
9 four years going all over the United States and
10 Alaska listening to tribes like this, having
11 meetings, and getting the true value of
12 restructuring the Bureau from the tribes.

13 Like Gentleman Berrey said, reinventing
14 the wheel, that's what you're here for. The wheel
15 is always there. It's in that book. And when Bill
16 Clinton got to be president, he appointed Babbitt.
17 And he did not do a thing for that book.

18 And we had a meeting here in Oklahoma
19 City, and we explained to Secretary Babbitt that we
20 needed that looked at. Well, we heard nothing. So
21 in the meantime, Wendell Chino, Mescalero Apache,
22 Ernie Siva, and the Pueblos -- a representative of
23 the Pueblos, myself, and Chief Bill Fife of the
24 Creek Nation got an audience with Secretary Babbitt.

25 And we went up there, and he said, I'm

1 going to look at this. He said, when the session is
2 over here, I'm going to go home and look at this
3 book. And he said, I'm going to get me a glass of
4 bourbon and I'm going to digest this. We never
5 heard anything else from then on, to now.

6 And all we have was the performance,
7 accountability and being an advocate for the tribes.
8 That's what the restructuring amounted to. And it
9 has never evolved. And here we are sitting here
10 wondering what we're going to do. What we are going
11 to do. All we can do is get up here and listen and
12 talk and tell our pay -- our downfalls of the tribal
13 nation.

14 Okay. Another thing is tribes have a hard
15 time getting land and trust. A tribe has to jump
16 through a bunch of loopholes. And that is -- if
17 they have a clean title to the property, I think
18 that decision ought to go down to the superintendent
19 of that agency where the tribes are.

20 And that -- that superintendent knows the
21 tribes, he knows the location, he knows the country,
22 and it would be that simple. And that's what we
23 suggested back then. But that is a big stumbling
24 block for tribes, the loopholes that they have to
25 jump through.

1 So I hope you take this message back. And
2 don't get your glass of bourbon. Just look at it.
3 Okay?

4 **MS. ORTIZ:** Thank you.

5 **MS. VANN:** Yes, my name is Marilyn Vann.
6 I'm a member of the Cherokee Nation and a member of
7 the South Coffeyville Community. One of my concerns
8 here about this reorganization is a worsening of
9 issues.

10 I am -- myself and Mrs. LeEtta Osborne
11 Sampson, who is a council member of the Seminole
12 Nation of Oklahoma, we went to Washington, DC, and
13 had a meeting that had been scheduled for September
14 the 29th, 2015, with Mr. Jensen. We had difficulty
15 getting this meeting. We had to work with Mr.
16 Langford's office to get it.

17 And then when we got there, this -- there
18 was no one there to meet us, and so other people
19 started coming in for another meeting. And one of
20 those people said, well, we'll go and find this
21 person. So then he came back and said, oh, you
22 canceled this meeting.

23 Well, you know, we had worked to get this
24 meeting set up. And so we don't know what happened.
25 The council person had planned to be here, but

1 something came up, so I'm just speaking for both of
2 us here. So we were scheduled to have a 30-minute
3 conference and instead it wound up being five
4 minutes because he had to meet -- he said he had to
5 meet with someone else.

6 Now, I don't know what happened. I don't
7 know if some higher-priority person needed his time
8 or he got a call from Oklahoma not to have the
9 meeting or what happened, but I do believe that it
10 is the BIE's trust responsibility not to just meet
11 with the chairmen and chiefs, but also council
12 people and community leaders.

13 And so anything that deals with the budget
14 that is going to have fewer people, less access, you
15 know, is something that people out in the
16 communities are definitely opposed to. And it's
17 great to have these listening sessions.

18 And of course other people have gotten up
19 and talked about concerns because of what happened.
20 I feel there's probably some people who never got
21 the word to get here, and because I know as I was
22 coming in, I saw a lot of cars in that garage and I
23 think there's fewer people than actually had planned
24 to be here.

25 But as I said, I believe the trust

1 responsibility is for all the tribal members and
2 that the BIA should welcome input because I think
3 that's just the way it is.

4 Anyway, thank you-all for coming here.

5 **MS. ORTIZ:** Thank you for your comments.

6 **MS. THOMAS:** I'm Kadey Thomas with the
7 Osage Nation. And do I need to spell my name? K-a-
8 d-e-y, T-h-o-m-a-s. And I just want to respond to
9 the remark that was just brought up about people not
10 being here today. I was an hour and a half late to
11 this meeting because I went down to the civic center
12 and paid a \$9 parking ticket.

13 If I had been told the meeting was changed
14 -- two days ago we get a forwarded e-mail from the
15 region to our agency and forwarded to us with no
16 address change, no information. So as far as
17 transparency goes or even meeting the consultation
18 requirements, I too feel like there's a lot of
19 people that aren't here because they didn't know
20 about the meeting change.

21 So I missed a lot of the comments. And I
22 apologize if I'm repeating some of those, but we
23 have some concerns about participation not only of
24 these meetings but other meetings like the
25 negotiated rule meetings for our mental state.

1 We've had some issues being able to be allowed in
2 those meetings and make comments. And we've had to
3 go back many times and redo that to make it
4 acceptable to us.

5 I'm agreeing with the consolidation of the
6 website. And we're a self-governance tribe. And we
7 can't see our APOs, we can't see our funding
8 agreement, we can't see any amendments to our
9 funding agreement. We've had a very slow response
10 to requests about financial shortfalls of certain
11 programs.

12 I understand that the self-governance
13 department from the annual conference has had a
14 decrease in staff and an overload in requests, so
15 I'm trying to be patient with them, but we were --
16 we have money outstanding that we're not getting
17 answers on. So that's another one of the issues.

18 The other issue is probably pretty
19 specific to the Osage Nation, but in 2006, we went
20 from a tribal form of government to a free branch
21 form of government. And our chief, under the
22 executive branch, is an authorized official and
23 every grant request that comes out of any department
24 of the DOI requires a tribal resolution as to be
25 included in the document.

1 And our -- the way our system works is to
2 do that, we have to call an Osage Nation
3 congressional session -- and we only meet twice a
4 year -- to do a tribal resolution, which is not
5 bound by any law; it's just the recommendation so we
6 can meet that requirement to send it in.

7 And all the other funding agencies that we
8 deal with will accept a letter from the chief
9 showing and quoting the constitution; that he is the
10 authorized official man able to make those
11 determinations. And I've been through the CFR.
12 We've had a CFR.

13 And assistant needs an additional wording
14 change. That says tribal resolution or authorized -
15 - some authorized official, but it's been a real
16 headache with several agencies to try to get that
17 resolution, and it has delayed us in our process
18 because we have to have special congressional
19 meetings to get those. And so I'd just like you to
20 look into that.

21 We've had other delays with our request
22 that has been in DC for quite a while. We can't get
23 that on the register so we can actually implement
24 it. We've had some delays, also, as well as trust --
25 management trust issues.

1 So it just seems like it takes a long time
2 to get things done with the DOI and the BIA.

3 Thank you.

4 **MS. ORTIZ:** Thank you for your comments.

5 Again, we apologize for the difficulty in
6 finding the meeting. We understand. We were over
7 there lost too. So I apologize, and I wish that
8 didn't happen. It kind of got us off to a bad
9 start, and I know people are probably still mad and
10 will stay mad. There was nothing we could do about
11 it.

12 **MR. BRAY:** I can tell you how you can make
13 it up to us. Just kidding. My name is Joe Bray.
14 I'm the chief of staff at the Sac & Fox Nation. And
15 the things that I wanted to kind of reenforce during
16 this listening session and bring up a couple of
17 items that I think are specific to the Sac & Fox
18 that we want to draw your attention to.

19 One is that our tribe is located in the
20 center of the state of Oklahoma. It's the center of
21 a lot of oil and gas activity, specifically the
22 natural gas and oil pipeline cross-section of North
23 America is located within our boundaries.

24 As a result of that, we have borne the
25 brunt of a lot of earthquakes, various other impacts

1 due to fracking and the fuel and water ejection
2 wells that are occurring on our lands. And the
3 cross-section of pipelines makes it nearly
4 impossible for us to give authority to build, design
5 and improve our infrastructure just on the deeds of
6 our tribal members alone. This impacts our water,
7 our quality of life issues that are very important
8 to us every day.

9 We rely on the BIA to provide some of the
10 natural resource issues that are really to the
11 Department to achieve to address these issues. And
12 as a compacted tribe, the burden is hampered by the
13 level of budgeting funding that we get. And so when
14 we hear discussions about system-wide cuts in
15 Interior, specifically Indian Affairs, that impacts
16 the natural resources of our people of being able to
17 maintain them, manage them. It -- it calls back to
18 a time not too long ago when the US Commission on
19 Civil Rights produced a report back in 2004.

20 Is that right, Chairman Berrey?

21 Around '4 or '5 called a Quiet Crisis. The
22 quiet crisis was responding to massive budget cuts
23 that were coming in the Interior department during
24 the Bush administration that questioned whether or
25 not the trust responsibility was actually being

1 fulfilled through -- through less appropriations
2 each year.

3 And every year they were able to document
4 how much the BIA was unable to perform its
5 responsibilities to Indian people, Indian Country,
6 as a result of that. And I -- I hope that you can
7 find that document. It was a product that was
8 adopted by the BIA tribal budget task -- TBAC is
9 what it used to be called -- and as a working
10 document to generate some discussions on how we
11 wanted to move -- move past those points where we
12 were just -- we weren't coming together to discuss
13 anything more important.

14 And if you want more money, where do you
15 want to take it from? In other words, Indian
16 Country is being forced to make Solomon's choice in
17 terms of the consultation. And we were never able
18 to advance very far regarding -- regarding funding
19 issues. And so I hope that we don't go down that
20 path again, and we can avoid that.

21 The biggest thing that we -- that we come
22 to you with as tribes across the country -- and I'm
23 sure you're going to hear this again and again -- is
24 that we have to redefine what success looks like.
25 The Indian Country doesn't want to define success as

1 just hanging on to what we got. We want to move
2 forward. We want to be empowered.

3 And if we could just maintain the levels
4 of appropriations, let's work towards scaling back
5 some of the more archaic policies of the past that
6 don't reflect the current situation of Indian
7 Country and certainly doesn't represent federal
8 Indian policy today.

9 We're in the era of self-determination and
10 self-governance, yet we find ourselves handcuffed
11 from time to time due to policies that were written
12 and still in place prior to that period of time.
13 That is still holding Indian Country back.

14 And so the last thing I wanted to mention
15 was that this really is no time to scale back on
16 trust responsibility, but rather do it in a way that
17 builds up tribal capacity that takes into account a
18 long, uneven history of Indian policy that still
19 hangs over, like a cloud, over this agency.

20 And if we can have an honest conversation
21 about the mistakes that were made in the past and
22 work towards avoiding those, repeating those in this
23 administration, you would do a wonderful service to
24 Indian Country.

25 **MS. ORTIZ:** Thank you.

1 **MS. GILES:** If there are other tribal
2 leaders, I would defer.

3 I'm Marcela Giles. I'm representing the
4 Indian Land Working Group. And our group is
5 predominantly focused on individual landowners,
6 original allottees.

7 Particularly I'm happy to have heard
8 Chairman Berrey and others talk about past
9 structures that have been created through
10 consultation. I think in 2004 -- ITMA, starting in
11 204 -- 2004, I believe 12 consultations throughout
12 Indian Country occurred. Those consultations induced
13 a plan. They are available still.

14 And our hope would be that those
15 consultations from the Intertribal Monitoring
16 Association would be reviewed and looked at and
17 brought back again. I think for the individual
18 allottee, I'm charged with the task of attending the
19 hearings in Washington, DC, from ILWG, and two
20 hearings have been of concern.

21 One is the first hearing from Secretary
22 Zinke using the word off ramp, and in his first
23 testimony in January his commitment to uphold the
24 trust responsibility and to sovereignty of the
25 tribes was followed quickly like, however, we should

1 get together and discuss off ramps.

2 No one knew what off ramps were. I don't
3 know if people here know what an off ramp is. We
4 all looked around the room and asked what an off
5 ramp was. What are these discussions for off ramps?
6 And we've not heard it today.

7 I raised the issue at the Oklahoma
8 Sovereignty Symposium to a representative, and that
9 -- he also talked about an off ramp. Afterwards he
10 wasn't able to give an answer but used that as a
11 point of discussion.

12 For individual allottees, I know that
13 we've been told many times if you're not at the
14 table, you will find yourself on the menu. And as
15 individual landowners, we've oftentimes found
16 ourself saying, well, we have an oil and gas problem
17 over here or a probate problem that certainly is a
18 concern to the tribe.

19 We don't want to be on the menu as
20 individual landowners. So we'd like to find out
21 what the definition Secretary Zinke meant by use of
22 the word off ramp.

23 And also, Mr. Cason, in his testimony, he
24 was the only witness in front of the House
25 Subcommittee of Natural Resources, and his proposal

1 that the 60 million left from the Buy-Back Program
2 be utilized -- be given over to the Department of
3 the Interior and not be utilized by the Buy-Back
4 Program as was identified in the settlement.

5 Legally, I guess once an order has been
6 issued to approve the settlement, we -- we're
7 waiting for individual allottees who had been
8 looking through the Buy-Back Program to look at
9 different issues there, and certainly looking to the
10 Buy-Back Program for the use of the monies that were
11 left. And how that gets into the Interior's
12 department, \$60 million that was meant to go
13 otherwise is -- is a major concern for our
14 association, for ILWG.

15 Two things have been identified as issues
16 from when Chief Gray was President of ITMA, again,
17 the last one I saw was -- that mentioned all of
18 these statements, I think Chairman Berrey was there,
19 and others. Fractionation, certainly. We know that
20 that's an issue. But appraisals. And rights-of-way
21 as impediments to economic development.

22 If OST is going to be reorganized, a
23 grassroots issue is how do we deal with appraisals.
24 Where do appraisals go to? Do they go back to the
25 Bureau? Are appraisals going to be any faster,

1 rather than a year? We rarely have appraisals
2 returned in less than a year.

3 Oftentimes negotiations occur with out-of-
4 date appraisals. I believe the shelf life -- what
5 is the shelf life of an appraisal? A year?

6 **UNIDENTIFIED SPEAKER:** Six months.

7 **MS. GILES:** Six months or a year.

8 Negotiations can't occur until, you know, far after
9 that time. So you're dealing with an out-of-date
10 appraisal.

11 The records. Again, as Chairman Berrey
12 mentioned, looking for records for oil and gas and
13 pipelines, whether they're going to be in Kansas or
14 down in Fort Worth or where we can get access to
15 TAMS has been a continual problem.

16 And allottees are oftentimes, I guess, at
17 the end of the line, but going in and ask for the
18 records and trying to access those records becomes a
19 problem, particularly for us here on the eastern
20 side where our probates are in the state district
21 court and looking at past wills where there wasn't a
22 will, what kind of probates are gathered together.

23 Our association is particularly focused on
24 rights-of-way. Rights-of-way that have been in
25 place for over half a century. Oftentimes they

1 overlap each other. I happen to have one to where
2 the response to me, oh, this is not as problematic
3 as some we've seen where sewers have been put in,
4 and, yes, it's 50 years old and there hasn't been a
5 PIG -- what is that, a pipeline inspection graph,
6 where they look at the strength of a half a century
7 old pipeline.

8 The grassroots impact of reorganization to
9 individual landowners is very, very -- I won't say
10 scary. We believe in looking at solutions; working
11 with solutions. And we would like to offer, if we
12 can put this in the record, past conferences where
13 many, many allottees and landowners wanting to work
14 with tribes, wanting to work with the tribal leaders
15 for economic development and self-determination.

16 There have been plans and reorganizational
17 structures that we've offered solutions to. We
18 would like to address these in a positive dialogue,
19 and we look forward to being able to have that kind
20 of discussion.

21 Thank you.

22 **MS. ORTIZ:** Thank you.

23 **MS. GARCIA:** Good morning.

24 **MS. ORTIZ:** Good morning.

25 **MS. GARCIA:** I'd like to read to all of

1 you tribal leaders that are here today, members of
2 the different tribes, Ms. Ortiz, Mr. Stevens, and
3 your staff members that are also present here today.

4 My name is Martha Garcia, G-a-r-c-i-a, of
5 Ramah Navajo. I'm currently the development
6 officer, as I was introduced by our president, but
7 I'm also past tribal leader within my community over
8 the past 40 years.

9 So I have seen a lot of changes, a lot of
10 things that have happened with the tribe and with
11 the -- with the Federal Government. And this
12 morning's confusion of the location of the meeting,
13 when I look at it now, I hope that's not a sign of
14 things to come.

15 All of us, including the BIA and ourselves
16 as tribes, we were not informed of the location or
17 the changes that had been made, so we were all
18 wandering around.

19 So going forward, we need to make sure
20 that we are all on one page and that we are much
21 informed. Communication is very, very important.
22 Otherwise, we're going to miss out on a lot of
23 things and we're not going to -- we're going to be
24 left behind again, even though we said no one should
25 be left behind. We are left behind many times

1 because we are not informed.

2 But going forward we have to work together
3 as a tribe, as the Federal Government, as our
4 representative, as the BIA. We need to address what
5 has come down as an Executive Order from the
6 President at this time which is to cut out the
7 unnecessary services and cut out the duplication of
8 services.

9 We, as we look at this statement,
10 immediately comes to mind that all the services and
11 all the programs, whether it's BIA operated or BIA
12 funded under 638 or self-governance programs, all of
13 these services are necessary.

14 And remember that, as you are so much
15 closer to the people that are asking you to put some
16 plans in place, that all these services are
17 necessary; especially those of us that have to
18 implement them on the frontline on a daily basis.

19 Because our people want that demand. Not
20 the demand, but it's a service that we have to
21 provide to sometimes meet their basic needs. Things
22 that are happening out there where our law
23 enforcements are people that have to be there to
24 address whatever is happening. Our social workers
25 that are throughout. Our tribal leaders that are out

1 there on a daily basis communicating with our
2 community people and the Federal Government. And we
3 have to work together to ensure that these services
4 remain intact.

5 And that includes -- don't cut the
6 budgets. Over the years I've seen, through various
7 actions of the Federal Government, our funding
8 within the Bureau of Indian Affairs has come down
9 every year. There's less and less money just because
10 someone had to propose it.

11 And this -- whoever is going to be
12 appointed, whether Mr. Black is going to remain and
13 be speaking on behalf of the Indian tribes, needs to
14 maintain and ask for an increase in our funding for
15 the Bureau of Indian Affairs.

16 I've seen where the Indian Health Service
17 has proposed increases over the years, within
18 probably the last eight years or so, where their
19 funds have increased tremendously. Why can't that
20 happen within the Bureau of Indian Affairs?

21 We really need to maintain that we need
22 more instead of listening to someone that says you
23 need to reorganize and cut these services. No, you
24 have to stand your grounds for your people and say,
25 no, we're not going to cut, instead requesting for

1 increases. That's what we need to do.

2 The central office and the regional office
3 must remember that you, as our administrators, that
4 you remember us at the agency and as contractors of
5 those federal governments, as 638 or self-governed.
6 We are the ones that they're providing the services.

7 And we try to be accountable and be as
8 transparent as much as possible through our annual
9 meetings with -- with you as the Federal Government;
10 and that you need to advocate for us in order to
11 continue to help increasing our funding instead of
12 being cut.

13 One of the main concerns that I have right
14 now is we're looking at the upcoming budget FY-18
15 and the proposed budget that came out in the green
16 book as facts that are not -- they're just proposed
17 based on what, I guess, people thought was going to
18 be FY-17 budget, which was based on FY-16.

19 So that's what it looks like right now,
20 but the actual appropriation is not -- not the same
21 as the -- there's more increases in the FY-17 actual
22 appropriation. Somehow the green book of the
23 fundings that are proposed there does not -- it
24 should be based on what was the actual appropriation
25 for this year.

1 And that has me very much concerned
2 because even though there are cut -- there are
3 proposed for some increases, but based on FY-16,
4 we're going to be deeply affected, especially where
5 we see some of the cuts. We're going to be deeply
6 affected. And it's going to render some of our
7 services almost useless.

8 We're not going to be able to operate
9 because of -- the fundings are going to be -- the
10 cut is going to be so deep. And something has to
11 change. I know that PTACs will be meeting in July.
12 I hope that they see us and they be able to
13 advocate. Let's change this and make it match.

14 I realize that the budget came out late,
15 but that's going to have a major impact. And we
16 need to work to ensure that -- that something is
17 done about it. And then this reorganization that's
18 coming, if it's based on that kind of funding, is
19 going to further demote our funding and our service
20 that is provided by the Federal Government.

21 So we need to work together to ensure that
22 doesn't happen. As it was stated, over the years
23 I've seen reorganization realigned or streamlined,
24 whatever you call it, happening.

25 And I remember -- bless his soul -- the

1 late, great leader Wendell Chino stating, at one of
2 these organizations where we were working really
3 hard to find out what we can do, stated that, you
4 know what, this is something that happens every once
5 in a while. It comes and it goes. And we develop
6 something, and it's never fully implemented. So
7 it's really a waste of our time until we see a full
8 implementation of what the tribe really wants. Then
9 you can say you've done your job.

10 But it never happens. And I remember that
11 -- him saying that the Federal Government doesn't
12 listen, and it just comes and goes. And that
13 shouldn't be the case.

14 And I remember during the time of the Bob
15 and Ed period. That's when I had my first
16 involvement. And I was really serious. We're going
17 to make this work. And it seems to be a status quo
18 after all of these realignment and whatever is
19 proposed.

20 And the latest one was in 2012, 2013 where
21 we have to downscale what we had federal employees
22 that had to leave, early buy-outs and stuff like
23 that because there was going to be less funding and
24 it just fizzled out.

25 So we need to make sure that this time, as

1 we go forward, that we work together and design a
2 service, a structure that's really going to work for
3 the betterment and for improvement of and enhance
4 our tribal government which would also enhance our
5 community to have service that will provide --
6 provide them with a better lifestyle, especially the
7 area of economic development. That's the next step
8 that we all have to go.

9 So with that, the other thing that has --
10 that kind of like -- I look at these budgets every
11 year and I see special projects, pilot projects,
12 special initiatives. But it just benefits a few
13 tribes. Maybe four, five tribes. And it doesn't go
14 across the board for the rest of the tribes. And we
15 -- we can't do that. We have to work with all the
16 tribes.

17 And then the other one is the funding to
18 come down in a timely manner. So if we're very
19 serious about this realignment, that has to be part
20 of it. We can't allow the budget officer to be
21 sitting on it and not do anything. I think they now
22 call him sitting on the budget.

23 So we know we haven't gotten our CR-3 and
24 we haven't gotten our actual appropriation for this
25 year. And it really defeats the purpose as a 638

1 contractor that we don't get these fundings in a
2 timely manner. And by the time we get it, we have
3 to scramble to see service that is needed to be
4 provided. We have to do it in a short period of time
5 or we have to, knowing that this is coming, that we
6 have to save it in case the fundings do not come
7 again in a timely manner. So that's the other one
8 that we need to address.

9 And there's so many other -- other things
10 that are within the reorganization that I know will
11 be proposed, but the thing is we need
12 communications. We tell you this is what we need.
13 This is what we would like to see. The feedback
14 needs to come back to us, so we would be aware of
15 what's happening, not just something that as it's
16 stated, we have researchers and listening sessions.

17 And where did those plans go? Are they
18 just sitting on the table? Let's not do that.
19 Let's see what happens. I remember we worked so
20 hard with an organization and we sent boxes back to
21 central office.

22 And we were talking at another session,
23 and I asked about that, what happened to that. We
24 sent you boxes of what we wanted from our southwest
25 area, what happened to those? And I was told it was

1 mislabeled, so it's just sitting in the storage
2 area. I said, why?

3 So we don't want for this to be going in
4 that direction. If you're serious about it, we need
5 a response, a timely response on anything. We've
6 asked for a response to Office of Justice Service
7 about our funding, and we -- to this day, we have
8 not heard anything. We have not seen anything.

9 We've contracted the roads maintenance
10 department and we said we wanted upfront funding for
11 legal services and other things that needed to
12 happen. We never heard a response. So that
13 shouldn't be happening.

14 And I strongly support our statements. We
15 have a written statement, and I'm sure that we'll
16 have an official statement and resolution by July
17 15th.

18 And, thank you.

19 **MS. ORTIZ:** Okay. Thank you.

20 **MS. GOMEZ:** (Speaking language other than
21 English.) My name is Darlene Sam-Gomez. And I am
22 here from the Cherokee Nation. I represent not just
23 one nation, but all nations. I had an ordeal with
24 the elders for the health care. I don't know why
25 they call me, but I guess that's the creator's

1 decision. I am called all the time. Why can't I
2 get this health care? Why am I being denied? Why
3 can't I do anything about it? Why do I have to not
4 be seen?

5 Well, I went through a lot of my great
6 uncle's papers and I found a book of archives of
7 both treaties, treaties that were to be met for the
8 rest of our lives, our offsprings, and, et cetera,
9 et cetera. I want to read a little paragraph here
10 that I have that I found.

11 It says trail of broken treaties and it
12 states in here No. 14, abolition of Bureau of Indian
13 Affairs, BIA, by 1976, a new structure. The
14 foregoing are title two proposals advanced in the
15 series of study -- of study discussion. The issue
16 workshops conducted by several hundred Indians from
17 numerous diverse Indian communities and joined in
18 the trail of broken treaties caravan.

19 The proposals are discussed with minimal
20 essential detail. Together they provide concrete
21 proposals and a positive, constructive and necessary
22 change for America's relationships and dealings with
23 the first people of the American land.

24 They present an outline for Indian and
25 non-Indian actions and an agenda for the next

1 Congress and administration of the United States
2 Government, an agenda that must be accepted and
3 acted upon if the basic obligations of the
4 government to a people are not to be forever denied.

5 So I went to call the BIA in Muskogee. It
6 was a disconnected number. I called the BIA in
7 Okmulgee, Oklahoma. It was a disconnected number.
8 I went through my phone and I -- I prayed about it.
9 Who do I call to help this elder that needs help?
10 Who do I call to get him his health care taken care
11 of?

12 And my answer was, okay, call Washington,
13 DC. So I called Washington, DC, and that's where
14 the Bureau of Indian Affairs was located.

15 Okay. I understand all that. I got ahold
16 of this woman. April, I believe was her name. She
17 told me to contact the Claremore Indian Hospital
18 contract health. So I contacted them and they told
19 me I needed to contact another person and another
20 person so that this person's health care will be
21 financially taken care of.

22 So my thing is, we do not have a lot of
23 people here. My chief is not here. I am from the
24 Natchez. We are a nation -- federally recognized
25 nation from the Natchez Tribe in Mississippi,

1 Keetoowah and Cherokee and Creek. I'm also adopted
2 into the Kiowa Tribe.

3 So as I said, I speak for all nations, not
4 just one. And my thing is, Oklahoma is land of the
5 red man and Choctaw. So why do we have to be
6 segregated into 14 counties, and the people that
7 live outside of the 14 county areas do not get any
8 help at all? They are called, at large, Native
9 Americans.

10 So my thing is you're Native American.
11 This whole United States is -- was our home at one
12 time. So why can't we just be able to get help from
13 the Bureau of Indian Affairs no matter where we are,
14 what state we're in?

15 And what we're doing is trying to live,
16 trying to keep our cultures, trying to keep our
17 heritage, trying to teach our children, trying not
18 to let things die out that they wanted to die out in
19 the past before the trouble tiers began.

20 And my thing is listen to the elders
21 because the elders are the ones that have all the
22 knowledge of everything that has gone on in the
23 past. I am just a spokesperson. I am no one. I am
24 just a woman that they call. Help me. Can you help
25 me?

1 I've gotten this far. I've gotten to the
2 point to where I've become close to the Chief of the
3 Cherokee Nation. The councilmen call me from the
4 Keetoowah Tribe. They ask me, well, what should we
5 do?

6 Well, I don't know what to do. I'm not a
7 part of Congress. I'm not a part of anything. I'm
8 just a native woman. But I do know a lot of things
9 about treaties that have been broken. And I think
10 it is unfair to our people that we do want to
11 change.

12 People like you want to help us, but help
13 us. Don't just sit there behind the desk. And like
14 the other ladies say and the other gentlemen in this
15 room, do something about it. Speak for us. If you
16 are here to speak for us, then do it. Don't sweep
17 us under the rug.

18 We are here and we are going to remain. As
19 long as we have heart and soul and we love each
20 other and we are going to get along as one nation
21 and fight against whatever is going to be happening
22 in the future, we will stand and fight as one nation
23 under God.

24 But I want to help these elders and speak
25 for these elders that need health care and this

1 paper that I have found. And I have several other
2 papers that I have found in my care. And if I have
3 to go as far as the President, myself, I will try to
4 do so. I might not make it there, but I will try to
5 do so.

6 That is what you people are for; to speak
7 for us. And that's what I wanted to say. That's
8 why I'm here today. And the CBC, the Tulsa -- the
9 Cox Business Center wants to express their apologies
10 for the misprint in the paper, because I also went
11 down there. I was late. And they said please tell
12 the people at the convention that we apologize.
13 This was a misprint; that it was not our fault. So
14 that comes from the CBC, the Cox Business Center.

15 So, please, as a lady, a native woman
16 standing here in front of you, and for all these people
17 in this room that are great speakers, take care of
18 us. Do what you have to do. Take whatever you have
19 to take to the President.

20 We've already been swept under the rug
21 once. Let's don't let it happen again. Please. We
22 implore you. All these people that have made it
23 here today, and for the people that have not made it
24 here today, help our people. Help our nations.

25 I thank you very much. We're glad to have

1 you here.

2 **MS. ORTIZ:** Thank you.

3 **MS. STEVENS:** I'm here on behalf of the
4 Keetoowah people. I'm on the corporate board for
5 the United Keetoowah Band. My name is Eldine
6 Stevens. And I worked for the Bureau of Indian
7 Affairs until December 30th of 2016.

8 I just have three points to make. The
9 first point is that Indian treaties are all
10 different. I learned that working for the BIA. For
11 the most part, treaties in one part of the country
12 have nothing to do with the treaties in the other
13 part of the country, so all of us even within the
14 state of Oklahoma, we all have different treaties.
15 And it's very hard for the BIA to know all of those.

16 I know that firsthand because I've had to
17 dig deep and find treaties sometimes to know how to
18 deal with different people across the country.

19 So as you reorganize or think about
20 reorganizing, you want to bear in mind that those
21 treaties are all different and it's just almost an
22 overwhelming job to try to keep straight what has to
23 be done.

24 The second point I want to make is that in
25 your rework, you have all these boxes, and they all

1 represent something different. Different jobs,
2 different duties, different responsibilities. All
3 that kind of thing.

4 And if you can make it somehow -- I know
5 you've already done all the consultations you're
6 going to do except for this one, and this is the
7 last one, but if you can come back to the tribal
8 leaders somehow and try to help them understand what
9 this is going to mean to them in the long run, it
10 might go a long ways in helping them to not feel
11 like they were left out; that they were
12 misunderstood or that things were swept under the
13 rug again or, you know, however we feel about it.

14 Because I know I've gone -- I've been to a
15 lot of consultation meetings over the years, and one
16 of the main things I hear all the time is that
17 tribes feel like they are just shoved aside and
18 forgotten and left out, and, you know, somebody at
19 the top makes the decisions and everything they say
20 is just forgotten.

21 So if you can somehow include them and
22 make them feel like that you have responded to their
23 requests and their fears, it, I think, will go a
24 long way in helping. That's just my suggestion.

25 And then the third thing I want to say is

1 more to Mr. Stevens. I've looked up the dropout
2 rates for minorities in the last few years. For
3 blacks -- and this is from the national -- from a
4 national survey. For blacks there's an 8 percent
5 dropout rate. For whites there's 5 percent. For
6 Asian Americans there's a 4 percent dropout rate.
7 For Hispanics there's a 9.2 percent dropout rate.
8 And that's partially due to the fact that Hispanic
9 students have increased 50 percent over the last 10
10 years. Native American dropout rates are 33
11 percent.

12 I would encourage you-all to do whatever
13 it takes to reorganize the BIA so that this shameful
14 number of dropouts goes down considerably.

15 Thank you.

16 **MS. ORTIZ:** Thank you.

17 **MR. STEVENS:** Thank you.

18 **MR. HARJO:** I'm Leonard Harjo. I'm
19 Principal Chief for the Seminal Nation of Oklahoma.
20 And the last name is spelled H-a-r-j-o. Years ago I
21 was a counsel of the listen before you speak method.
22 And it's been really hard trying to organize
23 thoughts on an item that I just received this
24 morning, and that is the concept of trying to
25 reorganize the Bureau of Indian Affairs.

1 When the Interior -- many years ago I sat
2 in a room with a Creek leader by the name of Rod
3 Cox, and we were -- the Bureau told us, hey, we're
4 going to reorganize and do all these things for you
5 and everything will be great and better.

6 And he stood up and said, you know, I've
7 been through several of these in my tenure as
8 principal chief and reorganizing the Bureau of
9 Indian Affairs is like rotating four bald tires.
10 When you're finished, you still have the same four
11 bald tires.

12 I make that statement for the following reason:
13 In November, we elected -- this nation elected
14 someone who was supposed to be a business person.
15 And he's bringing all these people out of Wall
16 Street and out of corporate America in to run our
17 government.

18 The first thing they teach you -- or they
19 used to teach in business school about organization,
20 corporate America, is strategy -- structure follows
21 strategy.

22 The President has issued an order to
23 restructure and even said you're to achieve these
24 dollar cuts in order to achieve greater efficiency
25 through this structural change. Every leader here

1 today has said in one form or another we have not
2 heard the strategy on which the future operational
3 structure in your -- in the federal relationship of
4 Indian Country is to take place.

5 The strategy in the organizational
6 structure in IC reminded me of something that I was
7 keenly reminded of about a year ago. A year ago we
8 attended -- my Nation attempted to inquire about an
9 acre and a half of excess highway right-of-way from
10 the state of Oklahoma. And we were told upon our
11 inquiry that we did not -- were not the owner of
12 record of trust property that was supposedly ours.

13 And after I thought about it a little bit,
14 I thought, well, basically, that's true. The
15 underlying owner -- the real owner of that property
16 is the United States Government. It is not the
17 Seminole Nation of Oklahoma; it is the United States
18 Government.

19 Everything in that organizational
20 structure is geared around an archaic concept of the
21 relationship with the Federal Government to Indian
22 people. It is not based on the concept of the
23 government-to-government relationship. It is based
24 on the concept of you are a ward of us; we are --
25 you are to be treated and understand you are to be

1 treated like little people who cannot make decisions
2 for yourself.

3 The entire structure of the Bureau of
4 Indian Affairs and everything the Federal Government
5 does with respect to Indian Country, laws, for the
6 most part, with one exception -- few exceptions,
7 regulations are all geared around the concept of we
8 are a ward and you are our trustee.

9 If we're going -- so, if we reorganize
10 within that concept, because all our laws, all our
11 regulations, the vast majority of 25 CFR is based
12 upon the trust. Trust the ward, the trust person
13 and the trustee relationship. It's all based on
14 that. It's not based on self-governance. There's
15 only a small piece of it. Very little of it is
16 based on the concept of government-to-government
17 relationship.

18 If that's how we are -- everything is to
19 remain, then all we are doing is rotating those four
20 bald tires. And the risk of the structure that is
21 being placed is we may not even have tires. We're
22 probably running on the rails because the rubber
23 will long be gone because all -- most of the money
24 will be taken from us.

25 And the idea of coming from 30,000 feet

1 where policy is made, which one of Mr. Zinke's
2 predecessors told us to, you know, getting resources
3 at ground level. That's not going to happen in the
4 budget structure he has been presented with.

5 The point I would like to make is if we
6 are really going to achieve efficiency, all the
7 things that's listed in the President's letter and
8 requirements; one, it's going to take longer than
9 180 days, and it's going to take active and real
10 consultation with tribal leadership; second is we're
11 going to have to rethink the strategy on which the
12 relationship is based.

13 That relationship has to be based on a
14 true government-to-government relationship. That is
15 required by our treaties. And it has to be not just
16 with the Interior; it has to be government-wide.

17 It has to affect all agencies, all
18 programs that are directed at us and for our benefit
19 for it to be truly self-governance. The laws and
20 regulations that govern the relationship between the
21 United States and the various nations have to be
22 based on that government-to-government relationship,
23 not on a ward-and-trustee-type relationship.

24 Without that change in strategy, in the
25 way the Federal Government approaches its

1 relationship with us, we're just rotating four bald
2 tires, and it's not going to change. The only thing
3 it's going to change is we'll be worse off than we
4 were.

5 Because as someone mentioned, we're
6 already behind in, you know, where we are in terms
7 of our ability to meet the needs of our people on
8 the ground. The budget cuts and any other efforts,
9 the structure as it is, if you want the structure to
10 work, then it needs to be fully funded.

11 We can't -- because the structure is very
12 regulatory-oriented. There's a lot of processes
13 that have to be met, T's that have to be crossed,
14 I's that have to be dotted for things to happen in
15 Indian Country at the ground level. And not filling
16 positions throughout the agency does not promote
17 efficiency.

18 So if we want the structure and the
19 strategy that we have to work, the President is
20 going to have to agree to fill the positions and
21 allow those positions to be filled.

22 If we want a change that everyone believes
23 would promote greater efficiency similar to what
24 Chief Berrey was talking about, then we're going to
25 have to change the strategy of the relationship.

1 We're going to have to fundamentally rethink
2 everything that's in 25 CFR, and rewrite it, as well
3 as the underlying legislation of Congress to support
4 it.

5 That's the only way we're going to have
6 more efficiency, and it's going to take much longer
7 than 180 days. And we need full involvement in that
8 process.

9 Thank you.

10 **MS. ORTIZ:** Thank you.

11 **(Applause.)**

12 **MS. ORTIZ:** So we're getting near 12:00.

13 And in the -- on the agenda I think the time we were
14 scheduled that was sent out, it says we're going to
15 end at 12. But we did start late because of the
16 confusion and people arriving late, including us and
17 the court reporter, and so we are going to extend it
18 and let you provide comments until 12:30, and then
19 save a little bit of time at the end for some
20 closing remarks and to answer any questions that you
21 might have at that time.

22 So we started 40 minutes late. We're
23 going to end up going 40 minutes extra just to make
24 up that time. So I just wanted to make everyone
25 aware of that. I mentioned that at the beginning of

1 the session, but some of you did not arrive until
2 after we made some of those comments in the
3 beginning.

4 But I just wanted to remind everyone that
5 we're willing to sit here and continue to listen to
6 comments past noon and give you that opportunity to
7 put your comments on the record. So please feel
8 free to continue to comment.

9 **MS. HARJO:** Good morning.

10 **MS. ORTIZ:** Good morning.

11 **MS. HARJO:** My name is Lucyann Harjo. I'm
12 the Coordinator of Indian Education for Norman
13 Public Schools at Norman. I've come on behalf of
14 the Oklahoma City Area Continuing Education
15 Directors Consortium. The consortium submits
16 comments or concerns pertaining directly to the
17 Johnson O'Malley programs funded through the Bureau
18 of Indian Education.

19 Consortium of Indian Education Programs
20 includes the following school districts in the
21 Oklahoma City metropolitan area, Anadarko, Edmond,
22 El Reno, Mid-Del, Moore, Norman, Oklahoma City,
23 Putnam City, Western Heights and Yukon Public
24 Schools.

25 Altogether, the Consortium of Indian

1 Education Programs serve over 14,000 students and 7-
2 to 8,000 Johnson O'Malley students in our schools.

3 The directors meet every month and we
4 compare and share information received from federal
5 agencies, collaborate to provide programs for Indian
6 students to be served, and share effective
7 strategies.

8 We would like to request the Bureau of
9 Indian Education take into consideration our
10 recommendations as we serve Indian children in the
11 Oklahoma City metropolitan area. Always remember
12 and consider our named students and families who
13 live in urban areas and do not serve under tribal
14 programs, particularly those living outside of
15 tribal boundaries.

16 As I have mentioned, we serve over 14,000
17 students. Many of our students live outside tribal
18 jurisdictions or boundaries and depend on Johnson
19 O'Malley Program services through BIE. The Johnson
20 O'Malley -- Johnson O'Malley programs may be the
21 only connection readily available for students for
22 academic, cultural, language opportunities serving
23 kids from pre-K to seniors in high school.

24 Including Johnson O'Malley programs under
25 the Bureau of Indian Education, Norman Public

1 Schools receives direct funding from the bureau of -
2 - from the BIE office in Oklahoma City. And we
3 encourage you to invite the directors for the BIE
4 office in Oklahoma City and make sure that leaders
5 from these programs are -- are in attendance.

6 We really would like to keep the dialogue
7 open and submit our concerns as we serve our
8 students -- serve the unique needs of our kids in
9 the urban areas, improve the flow of BIE funding for
10 our students through Johnson O'Malley fundings --
11 funding to Johnson O'Malley programs.

12 On a personal note or a question, I see
13 all of the -- on the BIE chart, I see all the
14 centers across the United States serving Indian
15 children. How is -- you mentioned that the Oklahoma
16 City area will continue to maintain that office.
17 And it was mentioned earlier throughout the year
18 that it would be a national Johnson O'Malley office.

19 What -- what changes have been implemented
20 for students -- for Native students in Oklahoma as
21 we look at the Oklahoma City office? Have changes
22 been occurring? What others -- what changes are --
23 all centers in the United States, what updates have
24 they had? And are these changes in Oklahoma
25 happening already?

1 Because we serve over 130,000 American
2 Indian students in Oklahoma, and the state that
3 comes closest to that is probably New Mexico with
4 around 70- to 75,000. That's almost double.

5 What kind of changes are being implemented
6 at the Oklahoma City area office? Because as we
7 know, the -- we realize and know how important the -
8 - the academic support for Native students in our
9 public schools is; how much it is needed.

10 And on -- in our district, we did not
11 receive funding for our JOM Program until May, and
12 the school year for our Johnson O'Malley Program
13 begins in January.

14 You're looking for recommendations and
15 it's always noted back to communication and flow of
16 funding. Every decision you make directly impacts
17 our programs as we provide services to Indian
18 children.

19 Thank you.

20 **MR. STEVENS:** Well, thank you for your
21 questions. As I mentioned before, the -- let me
22 take a step back. You asked -- I'm going to try to
23 pick these apart in actualness -- in the order you
24 asked them.

25 You asked about the educational resource

1 centers; what services are provided. Reading that
2 to me, what was the intent of the reorganization and
3 how does that better help students in the area of
4 those ERCs.

5 Those of you familiar with the BIE, in the
6 past was the Education Line Office. We had 16 line
7 offices peppered throughout the United States that
8 served and functioned as a quasi school district for
9 an area of BIE-operated schools and BIE-funded
10 schools which are jointly controlled, and then, of
11 course, those that are federally operated.

12 The reorganizations changed those
13 Education Line Offices to now Education Resource
14 Centers. Those Resource Centers, as I mentioned
15 before, report directly to an Associate Deputy
16 Director that oversees a specific type of school.

17 There's an ADD with affiliated HERCs to
18 work specifically with tribally-controlled grant
19 schools, which is a different way of doing business
20 with those types of schools because they're
21 tribally-controlled, as Ramah Navajos, so are the
22 Pine Hill Schools.

23 So the federal involvement in that under
24 it's determination is to let the school or the Tribe
25 take ownership and provide instruction and manage

1 their own school.

2 An earlier question the gentlemen that has
3 left talked about that Indian sovereignty -- our
4 Office of Sovereignty Indian Education. That's kind
5 of a mirror of what Indian self-determination is
6 going to look like within BIE, to help those tribes
7 build their capacity to best manage those tribally-
8 controlled schools. And that's one of the positions
9 that we're making.

10 So these ERCs, former ELO offices, used to
11 consist of a handful of staff. I think the max was
12 six people at a -- at an Educational Line Office.
13 You had a special education specialist, education
14 program specialist that provided curriculum and
15 other intermittent strategies to improve
16 instructional delivery for the schools in that
17 geographical area.

18 Part of the reorganization of the BIE in
19 changing those to Educational Resource Centers was
20 to pull from both sides of the house we call it.
21 Within BIE, like in any school system -- any state
22 school system, you have two sides or two different
23 divisions within that State Education Agency. One
24 is that, the SEA; the other is the LEA, the Local
25 Education Agency.

1 The BIE is no different. Our SEA is
2 called DPA, the Division of Performance and
3 Accountability. And that's where I talked about the
4 \$250 million we received from the Department of Ed -
5 - and my battery is dying, I think.

6 However, so pulling those two houses
7 together into a local ERC was the intent of the
8 reorganization. In the past, it's been that our
9 DPA, our Division of Performance and Accountability,
10 was headquartered in Albuquerque. And they would go
11 up annually to all 182 schools in our organizations
12 to monitor and document compliance with Department
13 of Education rules and regulations.

14 Are they spending special ed funds
15 appropriately and within the regulations? Are they
16 using title program dollars for the same? These are
17 not congressionally-appropriated dollars, this is
18 the SEA side of the house.

19 So the intent of the reorganization was to
20 pull both sides of the house into one local boots on
21 the ground on the front lines, if you will, to
22 provide those services to those specific types of
23 schools.

24 So no longer was DPA headquartered in
25 Albuquerque. They would go out, monitor, provide

1 technical assistance, and then an Educational Line
2 Office would come in with their educational
3 specialist and do the same, and sometimes have
4 conflicting TA, which maybe had been at the school.
5 Maybe they didn't allow them to be as successful as
6 they could be because they're trying to heed
7 compliance and trying to follow directives and
8 trying to execute instructional delivery programs
9 that are efficient and effective for that student
10 body.

11 So the intent of the reorganization was to
12 pull those two pieces together in that ERC so that
13 both DPA staff, LEA and SEA staff, could provide
14 typical assistance to a school and provide a
15 collaborative effort on TA on what that improved and
16 changed structural strategy was needed to take place
17 to get them back in the game. So that was the
18 intent of the ERC, and that's where they're at.

19 They're identified on here as -- as that
20 piece. Now, the JOM side of the thing is not an ERC
21 like the way it looks on the organizational chart.
22 It's identified on the organizational chart as a
23 National JOM Center.

24 As I mentioned before, for those of you
25 that were here earlier, the BIE has hundreds of JOM

1 contracts through public schools such as those in
2 the Oklahoma City area. We have many in Alaska. We
3 have many peppered throughout wherever Indian kids
4 go to public schools, essentially, that are wanting
5 to have a JOM program.

6 So you really don't have to be in Indian
7 Country to receive JOM contracts. We have a huge
8 JOM contract in Albuquerque and in Phoenix for those
9 Indian preference companies or vendors, if you will,
10 to manage those types of programs.

11 So the intent of the JOM Center in
12 Oklahoma City wasn't to be an ERC, because you only
13 have a handful of tribally-controlled schools which
14 now report to an ERC based out of Minneapolis, and
15 then you have Riverside Indian School, the BIE-
16 operated school that reports to an ERC out of
17 Phoenix.

18 Because, again, remember those three ADDs
19 were divided to serve a specific type of school. So
20 there's no need for an ERC here to provide those
21 services or at least that was the intent of the
22 blueprint for reform that was launched by our
23 previous director on what that reorganization looked
24 like.

25 Some agree; some don't agree. Some agree

1 it's rotating the bald tires; some don't. But the
2 intent was to provide an effective strategy on how
3 we deliver services to the schools.

4 So the JOM Center here currently has three
5 employees. What we're looking at is how does an ER
6 -- how does a national JOM Center serving hundreds
7 of contracts, rolling out all the money through our
8 funds distribution system to these programs work
9 efficiently and effectively with three people?

10 And what we're finding is that the reorg
11 is something where we're taking a closer look at to
12 see, well, how do we beef up a true national JOM
13 Center, not an Oklahoma JOM Center, have you,
14 national, to manage all our contracts.

15 And that doesn't involve educators. That
16 involves accountants on how we roll out the federal
17 funding. So that's what we're working on, building
18 that capacity to better manage how those federal
19 dollars roll out to each one of those hundreds of
20 JOM contracts that I had spoken of.

21 I hope that answers your question.

22 MR. Holcomb: My name is Casey Holcomb. I'm
23 from Norman, Oklahoma. I'm here as an advocate for
24 open government and transparency. And honestly I
25 find it outrageous that there was this confusion

1 about the location of this meeting. That is an
2 outrage. Not only is it an outrage, it's a
3 violation. I don't know how the open meetings rules
4 work in other states or in Washington, DC, but in
5 Oklahoma this is a violation of the law. It is
6 illegal to change the location of a meeting without
7 any public notice.

8 I checked the website, called the BIA on
9 my way to Tulsa from Norman this morning. There was
10 no notice given for the location change. That is
11 breaking the law.

12 It's a violation of the Oklahoma Open
13 Meetings Act, and it's unacceptable. You would have
14 had -- I don't know how many more people you would
15 have had in this room today or at the Cox Business
16 Center, whatever that building is. You would have
17 seen dozens more people here. And they don't get
18 the opportunity for you to listen to them.

19 Unacceptable. I'm going to keep my
20 comments brief. I don't know what those dozens of
21 other people who should have been entitled to speak
22 today would have said. I don't know what they would
23 have said. But I'll say what I have to say.

24 And I'm concerned about environmental
25 quality and how that's monitored and how the tribes

1 are authorized to monitor air quality, water quality
2 within their jurisdictions.

3 That's been a popular subject here, I
4 think, due to, I think, some of the issues in the
5 state. And I think a number of people are more
6 concerned about that. The states that have cancer
7 clusters. Ponca City. They have cancer clusters,
8 Absentee Shawnee Tribe in and around Norman. Cancer
9 clusters. Who monitors air quality and water
10 quality in these areas?

11 I think there needs to be more cooperation
12 between the EPA and the tribal governments in terms
13 of monitoring environmental quality. The treaties
14 need to be honored in good faith. There needs to be
15 consultation between the tribes with these
16 infrastructure projects.

17 I want to see full-faith transparency
18 government. I want to see negotiations take place
19 in -- in good faith. And I want to see the tribes
20 consulted because that's not happening with pipeline
21 projects. We have seen that in Cleveland County.
22 In Norman, where I'm from.

23 These companies come in and say, oh, yeah,
24 we've consulted with the tribes. There's no -- we
25 don't have any evidence of that. We have no

1 evidence that they actually did that.

2 And it's unfair. It's unjust. It's not -
3 - it's not fair to the people who have to live with
4 the outcomes of contamination of their air and
5 water. So that's all I have to say.

6 And thank you for letting me say it.

7 **MS. ORTIZ:** Thank you.

8 **MS. STEVENS:** Sorry. I'd just like to
9 answer his questions, if I can. Having worked for
10 the BIA for many years and retired, I do know that
11 the sim ramp for the EPA does monitor our air
12 quality all across the state of Oklahoma. Some of
13 that is done with contracts with a few of the tribes
14 and the different areas of the state itself.

15 And also, environmental work should be
16 done on any pipeline or anything like that that's
17 done. If it uses federal dollars or if it seeks
18 federal approval for those things, there should be
19 environmental studies that are done and approved.
20 And if they are not -- if you know of instances
21 where they're not, then you need to contact the EPA
22 because they are the regulator of those things.

23 Thank you.

24 **MS. ORTIZ:** Thank you.

25 **MS. MCCRAY:** (Speaking language other than

1 English.) My name is Ashley Nicole McCray, and I
2 come from the horse clan of the Big Jim Band of the
3 Absentee Shawnee Tribe where I am an enrolled
4 citizen. I'm also enrolled in the tribe Oglala
5 Lakota.

6 I was honored by President Obama's
7 administration for my work as a grassroots activist
8 raising up and elevating the issues involving our
9 indigenous relatives throughout the State of
10 Oklahoma. I was also honored by the Norman Human
11 Rights Commission with the Norman Human Rights award
12 in 2015.

13 I am a PhD student at the University of
14 Oklahoma where I study history. I'm a historian.
15 I'm specializing in environmental racism and
16 indigenous study. This is my passion and my concern
17 for standing here.

18 And I thank all of the tribal leaders and
19 all of the grassroots tribal citizens and other
20 people who are concerned about what is happening
21 today for showing up in this space.

22 And I think that, you know, I'm just
23 echoing what many others in this room have said by
24 saying, you know, it is a shame and a travesty that
25 this location was moved at the last minute. It is a

1 violation of our rights, you know, as indigenous
2 people, to understand and to be people who are able
3 to be autonomous citizens of our nations and move
4 forward in a good way, you know, with this
5 government-to-government relationship, as Principal
6 Chief Harjo has mentioned and said, you know, in
7 this room before.

8 I think that with that said, I think that
9 we need to remember, you know, as a historian, it's
10 a blessing and a curse to know what goes on and know
11 in our history, but to see it being repeated over
12 and over again, you know, that is the curse.

13 Understanding the context of what's going
14 on today, you know, that is a blessing. And I thank
15 you to all my relatives here, my elders here, who
16 have fought so hard and do continue to fight so hard
17 to stand up for our tribes' rights as tribes and
18 individual citizens and as, you know, members of
19 these Tribal Nations that are supposed to have, in
20 good faith, and with informed consent, government-
21 to-government relationships with the Federal
22 Government.

23 But I want to remind everybody here that
24 what happened today was a strategic tactic to stifle
25 and muffle the voices of our people. As my friend

1 here, you know, who is non-native has said, there
2 would be dozens and dozens more people here if that
3 location had not changed.

4 There are elders at the civic center
5 walking around lost because the location was changed
6 at the last minute. And I want to remind people
7 that this is what the BIA does. As my Dine' Elder
8 had said earlier, the BIA was underneath the
9 Department of the Interior which handled the war
10 affairs. And so we cannot expect anything better
11 from the BIA.

12 Their job with the Federal Government is
13 to position themselves in such a way that our voices
14 remain stifled and muffled. And this is what is
15 happening here today, so the people in this room
16 should be outraged. Everybody here should be
17 outraged.

18 This is a travesty, what is happening;
19 that I only see a few faces here when I know that so
20 many more people would have been here with the
21 ability to speak, with the ability to come forward,
22 with severe, you know, concerns that are going on,
23 you know, in our state.

24 I want to remind everybody here that
25 Oklahoma is an illegal state. This state is an

1 illegal state. We should have never been faced with
2 the issue of settler terrorism which is going on
3 today, and what we see our tribes being faced with
4 as far as the pipelines are concerned, the lack of
5 informed consent, the lack of recognizing and
6 acknowledging and respecting that government-to-
7 government relationship that we were promised by the
8 Federal Government in our treaties.

9 This state is illegal, and we should not
10 be here begging the Federal Government, our great
11 white father -- our great white father to enforce
12 the things that were already determined by natural
13 law.

14 I want to remind everybody here that of
15 the 39 federally-recognized tribes that live in this
16 state, only three are indigenous. Every other tribe
17 was forcibly removed from their homelands, their
18 sacred sites, their traditions. Their elders, their
19 ancestors were forced here on death marches and --

20 **(Applause.)**

21 **MS. MCCRAY:** And I think that's something
22 that we forget all too often; that this state is
23 illegal and that we should not be here before you
24 today, begging you, you know. And I'm sorry to say
25 this, but you guys are scouts. And you are

1 complicit in our genocide by, you know, by not
2 intervening in this -- in this matter and in this
3 situation.

4 And, you know, I have the -- the privilege
5 of not being an official tribal leader, so I can be
6 more outspoken, I suppose. But I really thank, you
7 know, Edwina, who is the leader of my tribe, for
8 coming here, you know, as a female -- as a female
9 leader standing before you, you know, saying what
10 needs to be said, you know. I thank, you know,
11 Chief Gray. I thank, you know, the Sac & Fox -- our
12 Sac & Fox relatives, our Pawnee relatives.

13 And I want to say, you know, something in
14 particular; that the issue of sovereignty is being
15 attacked here in this state. I will say, you know,
16 thank you very much to our Pawnee relatives who are
17 fighting this environmental genocide that is going
18 on in their lands.

19 Oklahoma is home to the pipeline
20 crossroads of the world. We have more earthquakes
21 due to manmade causes than anywhere else in the
22 nation. And our relatives in the Pawnee Nation are
23 fighting that. And that sovereignty is being under
24 attack.

25 They passed legislation within their own

1 tribal boundaries that banned fracking and
2 wastewater injection fluid from going into their
3 tribal lands, but that sovereignty was undermined by
4 our Federal Government.

5 I think that is unacceptable. And I would
6 -- I would like to say that we are all rallying
7 around our Ponca and our Pawnee relatives who are
8 standing up against the Federal Government.

9 And as far as consultation with pipelines
10 is concerned, that is a lie. They do not. The EPA
11 is in charge of monitoring this. But they do not
12 have to because of Nationwide Permit 12 which makes
13 it much easier for these pipeline companies to
14 bypass the entire environmental impact statement
15 system and program that is put in place to protect
16 our people.

17 And I see this happening over and over and
18 over again. And, you know, does the BIA need to be
19 streamlined and reorganized? Yes. Yes, it does. It
20 needs to be fixed. Because what we see is just a
21 continuance of siloing our issues, siloing our
22 problems, siloing our needs to bureaucracy, a
23 bureaucratic system that makes it to where our needs
24 are just shoved aside.

25 And that's the whole purpose of the BIA --

1 you know, let us not be fooled -- to sweep our
2 issues and concerns as tribal people underneath the
3 rug. And that's what we see happening here today.

4 But does the -- does the system need to be
5 reorganized underneath this president? Do we trust
6 this administration to have the best interest of our
7 people in mind? The answer to that is no.
8 Absolutely not.

9 We know that President Trump wants to come
10 after our federal lands. We know that he wants to
11 come and undermine our tribal sovereignty to create
12 and continue that cycle of genocide that has been
13 forced upon our people since 1492. So let us not be
14 fooled by that. Let us not be fooled by what is
15 happening here today.

16 And I think that the complete, you know,
17 lack of participation that is happening here today
18 is not our people's fault because our people do
19 care. The people in Oklahoma do care about what is
20 happening to them.

21 Some of my relatives and I from the
22 Choctaw Nation have started a camp in Southeast
23 Oklahoma to stand up against the Federal Government,
24 to stand up against what is happening to our
25 indigenous people.

1 And I will say in Southeast Oklahoma,
2 which President Obama declared a promised zone --
3 rather, I say, a sacrifice zone -- we see the
4 effects of environmental genocide taking place among
5 our -- among our people. We see what is happening
6 whenever our tribal governments are complicit with
7 the Federal Government and push down our people and
8 sweep them aside.

9 What is happening here today is a
10 travesty. We cannot let this happen underneath
11 President Trump's administration because we know
12 what reorganization means. We know what the Indian
13 Reorganization Act did to our people. Many of our
14 tribes are still dealing with the aftereffects of
15 that situation today. And it is not a positive
16 thing.

17 My people come from a very poor tribe of -
18 - in South Dakota, and seeing what happened there,
19 because they are an IRA government, and living
20 underneath that constitution, they're living in
21 extreme poverty.

22 But here in Oklahoma, you know, we often
23 forget that our suicide rates amongst our youth is
24 outrageous. It's over three times the national
25 average. And this has to do with the federal

1 oversight of our people.

2 Not only that, but as, you know, our
3 friend here who runs the Indian Education Programs
4 in Cleveland County, you know, where my children
5 attend school, we see the dropout rates that are
6 extremely, extremely high rates. And that is just
7 completely unacceptable. That is completely
8 unacceptable.

9 And for me as a PhD student who has two
10 master's degrees, who has spent much of my time
11 living at these universities, going through these
12 colleges, I see less and less indigenous people
13 standing beside me in Oklahoma which is home to 39
14 federally-recognized tribes. And that is an
15 indication of the Federal Government's lack of
16 concern and lack of commitment to upholding and
17 honoring the treaties that they -- that we entered
18 into in good faith with the understanding that they
19 would be fulfilled and they would be continued to be
20 carried out.

21 And I don't see that happening. And I
22 just -- you know, I request, and I -- you know, I
23 just implore all of our tribal leaders here today,
24 don't beg our great white father for anything else.
25 You know, we've seen what they've done to us over

1 and over again.

2 You know, it's time for -- our grassroots
3 people need to stand up. We need to stand up for
4 what's right. There should be no Indian land in
5 Oklahoma taken from underneath our feet. But I will
6 say as an Absentee Shawnee woman, my great
7 grandfather was forced off his land so that the
8 state of Oklahoma could build Lake Thunderbird.

9 And I think that these stories, you know,
10 happen and reverberate throughout Indian Country in
11 Oklahoma. I know that happened with our Cherokee
12 relatives with Lake Tenkiller. You know, none of
13 the lakes in Oklahoma are natural. They're all
14 manmade.

15 And underneath those lakes are Indian
16 burial grounds. There are allotments of Indian
17 people who were forced off of their land. And we
18 see these pipelines projects and these fracking
19 wells popping up on our land. We see that happening
20 and occurring over and over again.

21 So, you know, I implore all the tribal
22 leaders here today, you know, don't have faith in
23 what is happening here today. We know what's going
24 to happen here today. We know that President Trump
25 is not our friend. We know that the BIA is not here

1 to stand up for us.

2 And I know -- I hope that -- I hope that I
3 can be proven wrong by, you know, what I'm saying
4 here today. You know, I really hope that. But
5 what's happening here today is simply an extenuation
6 of a genocidal tactic that has been in place since
7 the BIA was created underneath the Department of the
8 Interior which was meant as the place to handle the
9 war. The wars that are going on.

10 You know, we are not dumb Indians anymore.
11 We are educated people. We understand this lingo.
12 We go through law schools. We go through graduate
13 programs. We sit in these conferences. We know
14 what's going on now.

15 And the time to stand up is now. I
16 implore all of my Oklahoma relatives, stand up; it's
17 time for us to be unified. You know, we are
18 starting an indigenous confederacy with my Choctaw
19 Elder back here, Ben Carnes, to come together and
20 raise these issues.

21 So I implore you come and speak with us
22 afterwards. You know, the only thing that's going
23 to save us, is us. Our people. Ourselves. And the
24 time to stand up is now. Don't be afraid of what's
25 going to happen, you know.

1 We survived and we've endured a lot. You
2 know, my ancestors, they survived the Battle of
3 Wounded Knee. We survived relocation, displacement
4 and genocide for hundreds of years. You know, we
5 will survive this.

6 But the time to stand together is now. The
7 time to quit relying on the Federal Government to
8 uphold our needs, uphold our values and uphold these
9 constitutional rights that these treaties will be
10 adhered to in good faith is not going to happen.

11 So, you know, I just say thank you to
12 everybody that has come here today. You know, I
13 think that this meeting should continue even longer,
14 and I think that everybody up here who has something
15 to say should stand up and say it. Because, you
16 know, we did take the time to come here. We did
17 take the time to get lost. We did take the time,
18 many of us, to go to the civic center. And then,
19 you know, we realized that we're in the wrong place.

20 And see all of those elders walking
21 around, you know, who deserve to have a voice here.
22 You know, I'm just a young woman. I'm just a
23 citizen. You know, I'm just a grassroots person who
24 is with the people. But, you know, being with the
25 people, I see the devastating effects of what the

1 Federal Government is doing to our people.

2 It was already bad under President Obama
3 who did care about us, did have us in mind, has
4 recognized indigenous people for their work, for
5 their people. But what is happening underneath
6 President Trump is only going to take us for a turn
7 for the worse.

8 So, you know, I implore all of our
9 relatives here, stand up. The time to stand up is
10 now. (Speaking a language other than English.)

11 **(Applause.)**

12 **MS. ORTIZ:** Thank you for your comments.

13 **UNIDENTIFIED SPEAKER:** One of my good
14 friends from Vancouver passed away in January. And
15 I seen a Meme recently on Facebook. We all kind of
16 communicate that way nowadays. They say you don't
17 cry on the shoulder of the guy who stole your land.

18 **(Applause.)**

19 **UNIDENTIFIED SPEAKER:** My relative made
20 some good points there. And, you know what, my
21 sister, Ashley, she made some good points there
22 also. Because, you know, here I hear from a lot of
23 people, and what I hear is reaction. We don't know
24 what to tell you because you didn't tell us what
25 your plans are.

1 You know what, I really don't care what
2 your plans are. We need to be proactive and tell
3 what we want, how we want to see it. Because it's
4 true. We're just hearing incompetent words. I
5 testify on behalf of the Kanaka Maoli people in
6 Hawaii, in Honolulu, against the Akaka Bill because
7 of the right to their freedom. Where is our
8 freedom?

9 Somebody asked me if I wanted to help out
10 with a parade. I said, yeah, I have an idea. Let's
11 march in chains and put duct tape over our mouth. I
12 said, we don't have our liberation day. We don't
13 have our Independence Day. We were forced to be
14 sent here from Mississippi. We've never been made
15 into a state. That southeast part down there where
16 we imposed upon the cattle which tells me as a
17 people is the Choctaw Nation, and these so-called
18 friends of the Indians made for over 30 years and
19 devising ways to assimilate us. That is an act of
20 genocide.

21 No state -- no government should profit
22 off those acts of genocide. And when you said
23 earlier Secretary Zinke wants to see where the BIA
24 is going to be in 100 years, I cringed. Because I'm
25 cringing right now because I know in seven years,

1 the BIA and the Federal Government, oh, look at
2 this, 100 years of citizenship.

3 I am not an American. You have no right
4 to confiscate my identity and take that away from
5 me. The BIA needs to start liberating our people,
6 restoring our territories and our boundaries. And I
7 had someone to ask me one time, well, if you get
8 your land back, what happens to the rest of us? I
9 said, we'll treat you a lot better than you treated
10 us.

11 You know, Indians have owned these lands
12 for generations that have been stolen from our
13 people. If they don't want to live under our laws,
14 they can move elsewhere. You know, we're under --
15 I'm tired of being considered a ward. You want to
16 move us around, then you might want to move us to
17 your state department. That's where we belong. If
18 we're going to have a true nation-to-nation
19 dialogue, bring the state department people in.

20 Stand up for us at the school boards.
21 There is a school there in McLoud, Oklahoma, that
22 they call Redskins. These teachers don't know how
23 hurtful that word is. What they tell little
24 children. Will you be a good little Redskin and get
25 your homework done? You think I like that? You

1 think any one of us likes that?

2 We are going to ask the so-called tribal
3 leaders -- and I say that because they're elected
4 public servants. I'm the leader. If I want to
5 serve in office, they take our direction from us.
6 But our constitutions are written in such a way that
7 we have no way to enforce that kind of
8 accountability.

9 They say, well, wait until the next
10 election. Well, you know what, I don't know what
11 good that's going to do. We're trying to change our
12 constitution, but it's going to be a hard road. You
13 know, I can't work for my tribe, but somehow white
14 people work for the Choctaw Nation. I've tried on
15 two different occasions.

16 I've had a friend, a Natchez Creek, who
17 was president of universities and colleges, apply
18 for an education position. They told him, boy,
19 you're not a good fit. So I'm getting really tired
20 of the internal racism with our own people. We need
21 our freedom. We need our liberation. I look around
22 here. I only see one man with long hair besides me.
23 I think about the colonization and the civilization
24 that's happened to us; how badly that's damaged our
25 culture; that our men are afraid to wear their hair

1 long because they're not going to be a good fit.

2 So if the BIA wants to do something, just
3 tell them to leave everything alone. Let's wait for
4 a better administration that may be more accountable
5 and receptive to us because we don't want no more
6 pipelines in here. You know, for us, it feels like
7 it's coming, but when the time gets for pushing and
8 shoving, we're going to stand.

9 So careful what you do with this, BIA, how
10 you change it, because you could end up hurting a
11 lot of people. And it's very true. I talked to
12 another gentleman earlier who went to the civic
13 center. He goes, there is some elderly people there
14 really angry and flustered. He said, I offered to
15 give them a ride here and they said, no, we'll just
16 go back to the airport.

17 You know, that sounds like despair. That's
18 what we're used to from the Federal Government. So
19 if you want to take something back, tell them you
20 better get those Indians in Oklahoma involved
21 because they're not going to take it.

22 **(Applause.)**

23 **MS. ORTIZ:** Okay. We have about 10
24 minutes left before the court reporter has to take
25 off. Unfortunately, she has another scheduled

1 appointment. We did carry over -- 40 minutes over
2 to make up for the time that we started late this
3 morning. Because of that delay, she was very kind
4 to offer to stay until 12:40.

5 I do want to remind everyone that if you
6 do not give your comments on the record or you think
7 of additional comments that you want to make, that
8 you can submit them at consultation@bia.gov.

9 Those comments can be submitted through
10 Saturday, July 15th, 2017. So you still have an
11 opportunity to, if you think of something else you
12 want to say, or if you do not get an opportunity to
13 put all of your comments on the record, or for
14 whatever reason, you can always send them to
15 consultation@bia.gov by Saturday, July 15th, 2017.

16 Are there any other comments that we need
17 to take? We have about five more minutes for
18 comments.

19 **UNIDENTIFIED SPEAKER:** The recap, is that
20 the right address for this evening?

21 **MS. ORTIZ:** I'm sorry. Can you repeat
22 that?

23 **UNIDENTIFIED SPEAKER:** There was a recap
24 earlier this morning. Is that the correct address?

25 **MS. ORTIZ:** I can't hear her.

1 **MR. STEVENS:** Come to the microphone.

2 **UNIDENTIFIED SPEAKER:** She's asking about
3 a recap. I planned a session recap for this evening
4 for all of those people who had work and couldn't
5 come, and that's what she's asking about. And
6 that's at the Tulsa Garden Center at 2435 South
7 Peoria at 7:00.

8 **MR. STEVENS:** I don't know about that.

9 **MS. ORTIZ:** I don't either.

10 **UNIDENTIFIED SPEAKER:** I organized it.
11 That's what she's referring to.

12 **MS. ORTIZ:** Okay. So as far as what we
13 mentioned this morning, there were handouts. When
14 you came in, there were handouts on the table. One
15 of them is titled tribal listening session Executive
16 Order 13781, reorganization of the executive branch.
17 And that explains what this listening session was
18 about. It identifies the process moving forward,
19 and also notes that transcripts will be available on
20 the BIA website at www.bia.gov. So after the court
21 reporter has had an opportunity to transcribe all
22 the notes that she's taken from today, she will
23 submit those to us. Those will be available on the
24 BIA website.

25 Our microphone is dying. But you will be

1 able to find those there. And, again, the next step
2 is to identify this outline, so hopefully that will
3 be helpful to you. The dear tribal leader letter is
4 the one that has the web -- the address for sending
5 comments, consultation@bia.gov.

6 That information is on that letter, so you
7 should have all the information. Grab something
8 from the table if you haven't already. And I want
9 to thank you-all again. I was -- again, I
10 apologize. It was confusion. It was not
11 intentional.

12 I know there were many tribal
13 representatives; that I was lost with the people
14 from Ramah Navajo, the people from the Chickasaw
15 Nation, and together we actually worked together to
16 find the location and make phone calls and ensure
17 that we all -- and Bart too was with us. We were
18 able to get the information and find it together.

19 And I hope that we can continue working
20 together in the future. I appreciate your comments.
21 I appreciate your dedication to being here. And I
22 want to give Bart an opportunity to make some
23 closing comments.

24 **MR. STEVENS:** I just too apologize. I had
25 no idea. Civic center was on my calendar. And I

1 showed up there at 7 a.m. this morning to get a head
2 start. So it's unfortunate. It happened. I don't
3 think it was planned, but somebody dropped the ball.
4 Who, we don't know, but it was a miscommunication,
5 and we apologize for it.

6 I would suggest, but I don't know the
7 timeline, that we reschedule another one. But
8 that's neither here nor there. And it's not within
9 my authority to make that decision, but it sounds
10 like a reasonable solution.

11 On behalf of the BIE, we are the Bureau of
12 Indian Education. We only serve a handful of
13 tribes. We serve even less of Indian students
14 nationwide. Less than 12 percent of all Indian
15 students actually attend our schools. So when we
16 talk about percentages, rates, this and that, it's -
17 - our data is a little skewed because we serve such
18 a small population.

19 However, under the -- Director Dearman,
20 who I said is a citizen of the Cherokee Nation,
21 we're really setting some things forward and our
22 interests are doing what's best for those in the
23 classroom.

24 We're not here with a hidden agenda or to
25 further our federal careers or to do anything other

1 than do what's best for the students that are
2 sitting in our classrooms.

3 And if that bleeds over into public
4 schools, you know, we certainly honor that. We are
5 not here -- I am -- I am a Northern Ute Shoshone-
6 Bannock, Maricopa, and part Apache. And I grew up
7 in poverty and in Indian Country. And I understand
8 Indian Country.

9 I am the only college graduate in my
10 entire family, so I truly understand the issues of
11 the reservation, because that's where I'm from. And
12 I just think people need to understand who we are as
13 people and not just the jobs we represent, because
14 I'm a passionate educator about teaching children.

15 Some of my friends from Ramah understand
16 my leadership from the past. And that's what I'm
17 focused on; doing what's best to help our Indian
18 people, not to fill an agenda. But I want that to
19 be understood. That's what I'm about. We're doing
20 our best to educate our students.

21 Not saying that we're not without
22 challenges. There are certainly challenges; many
23 out of our control. We can't control if a child has
24 breakfast. We can't control if a child has had
25 eight hours of sleep the night before.

1 We can't control some of those things, but
2 we're doing our darnedest to educate those students
3 that some people have labeled as being at-risk. And
4 we accept the risk, and we succeed as a result.

5 But I thank you-all for coming. Again, we
6 apologize for the short communication or lack of
7 communication or short notice. I have no excuse.
8 But I certainly take ownership of it, and I
9 apologize.

10 **MS. ORTIZ:** Thank you very much. Have a
11 good afternoon.

12 **(Proceedings concluded at 12:38p.m.)**
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C E R T I F I C A T E

STATE OF OKLAHOMA)
) SS:
COUNTY OF TULSA)

I, Allison M. Hall, Certified Shorthand Reporter in and for the State of Oklahoma, do hereby certify that the foregoing meeting was reduced to writing by me by means of stenotype; and that the same was thereafter transcribed under my direction and supervision; and that the meeting was taken at the time and place aforesaid; and that I am not related to nor attorney for said parties nor otherwise interested in the event of said action.

WITNESS MY HAND THIS 6th day of July,
2017.


Allison M. Hall, CSR #1777

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