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## **DEPOSITION AND TRIAL**



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INDIAN AFFAIRS

TRIBAL CONSULTATION MEETING

HELD ON TUESDAY, JULY 24, 2018 9:00 A.M.

MORONGO BAND OF MISSION INDIANS TRIBAL CHAMBERS 12700 PUMARRA ROAD BANNING, CALIFORNIA 92220

Tribal Consultation Meeting July 24, 2018 NDT Assgn # 27225-1 Page 2 TRIBAL CONSULTATION MEETING 1 HELD ON 2 3 TUESDAY, JULY 24, 2018 9:00 A.M. 4 5 6 PDAS TAHSUDA: We'll start off this 7 morning with Archie Kashoya. He'll offer a blessing 8 for us. 9 (A blessing was provided.) 10 PDAS TAHSUDA: Thank you. 11 MS. WARNER: Good morning, everyone. My 12 name is Sara Warner. I'm with the Morongo Band of 13 Mission Indians. I'm the Realty Administrator. I 14 want to welcome you all here to our Morongo Chamber 15 Council Room. There are refreshments -- water, 16 coffee, soda -- out in the kitchen area. Rest 17 rooms, if you haven't already figured that out, is 18 on this side of the building. And I think that's it 19 for housekeeping. 20 But, anyway, welcome to Morongo. If you 21 need anything, just give me a holler. 22 PDAS TAHSUDA: Thank you. So I'd like to 23 add a few housekeeping things just for purposes of 24 hopefully a smooth meeting today. We have a PowerPoint. Some of you have seen it before 25 (800)528-3335

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1 probably, but I would like to go through it quickly 2 at the beginning just to get basic information that we have in your hands, see it; and then, as we have 3 4 your comments and our interaction, we can reference 5 back to it, we can go back to it if there's anything in there that comes to mind or raises a question in 6 7 your mind in addition to what you may already be 8 prepared to ask.

9 I would also ask if you -- when you speak, if you could go to the microphone. We are recording 10 11 this so that we can have a transcript of your oral 12 statements made here at this consultation, and so if 13 you could go to the mic, speak there. You can give 14 us your name, the tribe that you represent so that 15 we can also have that for the record it's very 16 helpful for us.

I also know there's probably other people here besides tribal chairs or formal representatives of the tribe, and I'm happy to take your comments, but I do want to make sure to the extent possible that we are able to get the comments of tribal chairs or formal tribal representatives for the tribe on our record first.

24 So I have a few names here. If you are --25 after we've gone through those, we'd ask if we could

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(800)528-3335 NAEGELIUSA.COM defer to tribal leadership first to get their
 comments on the record and then other folks, if time
 allows, after that.

So I want to start this off. My name is 4 5 John Tahsuda. I'm the Principal Deputy Assistant 6 Secretary for Indian Affairs of the Department of the Interior. With me, I have Jim James, who is one 7 8 of our deputy bureau directors. And this a large 9 part of what we've been doing internally. Jim's 10 involved because one of Jim's primary 11 responsibilities is actually working with our 12 regional directors, and however this unfolds Jim 13 will also have a large role in that as well. 14 So with us Jim James, our Deputy Bureau 15 Director. With us we also have Amy Dutschke, who's

16 our regional director in this area.

17

And, Amy, your staff is here.

MS. DUTSCHKE: I have Pamela Baker, who's my assistant in my office. Ollie Beyal, who is the Superintendent of the Palm Springs office; Javin Moore, who's the superintendent at the Southern California agency.

23 MS. MORALES: Cynthia Morales, ACBCI
24 tribes, Director.
25 PDAS TAHSUDA: And in the back we have

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1	Elizabeth Appel, who is our Acting Chief of Staff		
2	and also the head of our Regulatory and		
3	Collaborative Affairs Office within the Office of		
4	the Assistant Secretary for Indian Affairs and her		
5	staff back there. I don't know if we have that's		
6	probably everybody that we have here.		
7	Okay. So thank you again for coming to		
8	this. Like I said, I'll try to start off and go		
9	through this quickly so that we can get to the		
10	actual discussion. Where do we start with this?		
11	So, for us, the impetus began shortly		
12	after President Trump took office. He issued an		
13	Executive Order in March of last year to each of the		
14	cabinet agencies to take a look at how they could		
15	better reorganize their departments to serve the		
16	American people. Last year, the Department sent out		
17	letters asking for tribal input and held some		
18	listening sessions in May and June of last year,		
19	really sort of just to get preliminary comments on		
20	the very notion of reorganizing the Department and		
21	what that might mean for Indian Affairs.		
22	So where are we now? We are in the midst		
23	of doing formal tribal consultation. We have		
24	conducted four. This will be the fifth one out of		
25	eleven that we're doing I think we have on the		

NAEGELI DEPOSITION AND TRIAL 1 calendar now. Our hope is to be finished with this 2 part of the consultation by early September so that 3 we can collect all the comments and have those for 4 consideration by us and the Secretary leadership at 5 the Department early in the fall.

6 There is no full reorganization plan yet. 7 The Secretary is working on that. He has a deadline 8 of -- it was 18 months in the Executive Order by the 9 President for the Secretary to formally submit a 10 reorganization plan to him, meaning to O&D. So 11 that's under process now. We have -- one of the 12 primary elements of reorganization the Secretary 13 wants to accomplish is to reorganize the various 14 regions of the different bureaus within the 15 Department into unified regions. We have a draft 16 map a couple slides over. I can show that to you.

17 And so another thing that's important here is -- as you know we're asking for your consultation 18 19 here too but we're working extremely hard as well 20 internally. This effort requires a lot of input 21 from our internal employees' staff, and we've been 22 working hard to get their input on it as well; so we 23 have both an external effort and an internal effort. 24 Just a reminder of the Department, how big 25 it is, Department of Interior, largest civilian

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1	agency. We have 2400 operating locations from			
2	bureau agency offices to BLM offices to			
3	international offices. We have one-fifth of the			
4	United States under our management. The Department's			
5	responsibilities stretch across half the globe. 12			
6	time zones out of 24; so half the globe is within			
7	the management responsibility of the Department.			
8	U.S. Virgin Islands out to Palau in the Pacific. We			
9	have about 70,000-around-there employees. We also			
10	have 600,000 plus volunteers every year that			
11	volunteer to help the parks and other things that			
12	the Department does.			
13	So what are the goals of this? The basic			
14	goals of this effort are to reorganize the			
15	Department in a thoughtful way at a top level. So			
16	there's not been a reorganization of the Department			
17	in well over a hundred years, and really there's not			
18	been a thoughtful reorganization of the entire			
19	Department since its founding in 1849. The			
20	Department was found in 1849, given a collection of			
21	responsibilities. Over time Congress and the			
22	Executive branch have added more responsibilities to			
23	those, and the Department has organized those around			
24	bureaus for different reasons.			
25	So we have Fish and Wildlife. We have			
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1	National Parks. We have Bureau of Land Management.
2	We have Bureau of not recreation Bureau of
3	Reclamation and but those, in some sense, were
4	kind of created ad hoc. Nobody thought about how we
5	could organize the Department so that those new
6	responsibilities could be handled efficiently and
7	effectively within the Department in general. So
8	part of what has happened over time, of course, as
9	often happens in large organizations, is the bureaus
10	get siloed into their processes. They have their
11	responsibilities, they have their functions and
12	their missions and goals, and they get focused on
13	those. And over time the amount of communication
14	that happens between the different bureaus,
15	particularly out in the field where the action is
16	actually happening, that level of communication gets
17	worse over time as folks get kind of siloed into
18	their bureau.
19	The hope of the Secretary is to break down

The hope of the Secretary is to break down those barriers so they have better communication amongst different bureaus out in the field. We have better joint problem-solving. Many of the decisions that come from out in the field require either joint-decision making, or they require significant input from these other bureaus, and the hope is that

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we can have better decision-making, faster decision making by having better communication and better
 coordination across the bureaus.

So one of the ways to accomplish this, the 4 5 Secretary's proposed, is to have unified regions. 6 Right now, we have 9 bureaus in the Department each with different regional structure, geographic 7 8 regions. 61 different regions for 9 bureaus within 9 the Department. The proposal would be to put these 10 into unified regions, 13 unified regions, in which 11 you could then have joint decision-making on major 12 functions that happen within each of the bureaus in 13 those regions.

14 How did we come up with these unified 15 regions? So the first thought the Secretary had on 16 this was to say, if you were to put aside the ad hoc 17 and sort of political decisions that created the 18 current geographic regions for all the different 19 bureaus, these 61 different regions, how would you 20 do it? And he asked -- we have -- a U.S. 21 Geographical Survey is basically our science 22 department in the Department, and he asked them. As 23 scientists, right, how would you reorganize this 24 department based on the myriad of responsibilities that it has? 25

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1	And, as you probably know, the Department
2	across the board is responsible for fish and animals
З	and wild fowl and rivers and land and minerals, et
4	cetera, and people, right, as part of we're in
5	some ways the BIA is the people bureau, right. So
6	how would you reorganize how would you think
7	about reorganizing so that you kind of try to
8	capture the different functions and missions of each
9	of the bureaus in a unified region?

10 And so they looked at various different 11 methods, but initially settled on, as a base to 12 start with, watersheds and ecosystems, much of 13 wildlife, much of water responsibilities. And if 14 you think about it, historically for us, many tribes 15 are located in sort of ecosystems, right, and so that was a way to start building the map for these 16 17 unified regions.

18 And then, from there, we have -- the 19 tribes have made comments and submitted some. We've 20 had states that have submitted comments. We've had 21 a lot of comments internally from our staff in the 22 different bureaus, and that has been adjusted to 23 account for those. At the end of the day, the idea 24 is to create more field-based decision and to free 25 up resources at the field level.



1	Here's a map I showed you. So you see the		
2	dark the black lines outline what would be new		
3	unified regions for us. The colored areas are what		
4	are our current BIA regions. And so some of these		
5	differ dramatically; some of them not so much. You		
6	can see the proposal for California would be to cut		
7	California in half and create new unified regions		
8	where Northern California is unified with Nevada,		
9	Southern California would be unified with Arizona.		
10	Those obviously fall along ecosystems and		
11	particularly water systems.		

12 Other areas, like in the Great Plains, we 13 have this Missouri basin which captures really 14 mostly our current Great Plains Region and our 15 current Rocky Mountain Region. Other areas, for us, as you know, the Eastern Region for us is enormous. 16 17 It covers almost -- well, more than one-third of the Continental U.S. is one region for us. 18 That would 19 be divvied up into three parts of four, other 20 regions. So that's the current draft map. I think that it sounds like there will likely be some 21 22 additional changes that occur on the edge of it, but 23 I think, by and large, that's going to be the map 24 that the Secretary puts forward. 25

So what happens in these unified regions?

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1 So the Secretary's proposal is to have what he calls an Interior Regional Director who would be a sort of 2 3 a superstructure put over top of the current regional administration for each of the bureaus in 4 5 these regions. The Interior Regional Director would 6 report directly to the Deputy Secretary and would be 7 responsible for the primary functions that happen in 8 that unified region. I'll talk about this in a 9 minute.

10 But there's really three primary functions 11 that the Secretary wants these unified regions to 12 focus on. So this regional director would be responsible for making sure that those three 13 14 functions happen efficiently, effectively, and in a 15 timely manner. The other part of it is in 16 accomplishing those, really I would say, under core 17 functions, the bottom two are the really important 18 ones -- facilitating, resolving interagency 19 conflict, and problem-solving before it has to be 20 elevated to Washington D.C. At the end of the day, 21 the Secretary's hope is that far more decision-22 making can be resolved in the regions.

And, again, think about this as this is the decision-making that requires significant input and coordination amongst bureaus in that region, and

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1	that happen at the regional level. Right now,		
2	anytime there's an inter-bureau discussion-conflict		
3	between decision-making, it comes to D.C. and gets		
4	involved and gets elevated to to our level		
5	where it takes time to review those, frankly, so,		
6	hopefully, reducing the sort of the siloing, the		
7	interagency or inter-bureau jurisdictional		
8	organizational barriers. And our hope is that, at		
9	the end of the day, we'll be able to better support		
10	both business and tribes in these regions.		
11	I'll leave this up for now if you want to		
12	write it down. Written comments need to be		
13	submitted to us through our consultation at bia.gov		
14	mailbox. And that's it.		
15	Well, this is the current consultation		
16	schedule. As you see, we're on Tuesday, July 24th.		
17	We have added three additional two additional		
18	consultations. We have a third one that's still in		
19	the planning stages in addition to these. Dear		
20	Tribal Leader just went out on those Friday. I want		
21	to make sure it went on Friday. I know that was our		
22	goal.		
23	So if you also want to have contact		
24	information, there is Ms. Appel's e-mail as well as		
25	our Department and BIA websites where you can find		

NAEGELI DEPOSITION AND TRIAL 1 more information on the website, a little more
2 background on the reorganization effort, et cetera.
3 So I know you have a lot of questions and

4 there's plenty more to talk about, but I want to 5 make sure also that we have time enough for comments 6 by you guys. I'm going to go down this list first. 7 Again, as I said, after we get through these first, 8 I have four trial leaders on here. Once we get past 9 this, any other tribal leadership, you're welcome to 10 take a turn at the mic. And, again, if you could 11 speak your name and your tribe clearly into the 12 microphone, that would be very helpful for our 13 record.

Chairman Smith, you're first up.

14

15 CHAIRMAN SMITH: Robert Smith, Chairman of the Pala Band of Indian Nations. The Pala Band is 16 17 very concerned about the reorganization currently 18 proposed by the Department and negative consequences 19 to the band and Indian Country as a whole that could 20 result from the reorganization. In many years as a 21 tribal leader, I've seen the Department initiate 22 multiple reorganization efforts, and without 23 exception these efforts resulted in or threatened 24 the loss and funding of Department services in 25 Indian Country.

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1	The proposed reorganization at issue today
2	is no different. As we understand it, the
3	Department is proposing to unify all Department
4	agencies under 13 regions and that each region will
5	develop priorities for all Department agencies in
6	each of that region. We've been told that regions
7	were developed based on ecosystems and scientific
8	considerations only. Indian tribes, tribal lands,
9	and native people were not taken into account nor
10	was the fact that the BIA is unique with Department
11	structure in addition to dealing with land, natural
12	resources issues, online departments, other
13	agencies. The Bureau of Indian affairs also is
14	tasked with dealing with native people.
15	Any proposed restructuring of regions by
16	the Department must take this into account, but it
17	is clear that consideration of Indian Country issues
18	and the Department's trust responsibility to Indian
19	tribes is absent from the Department's planning
20	process here. For this reason, the Pala band
21	opposes the Department's proposed reorganization.
22	At its core the Department of the Interior
23	exists to serve three functions: First to protect
24	and manage public lands, second to protect and
25	manage natural resources on those lands, and third
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1	and most importantly for our purposes today to honor
2	the United States' trust responsibility and special
3	commitments to Indian tribes and Native people.

4 Despite these core functions, the proposed 5 reorganization centers only on goals and obligations related to public lands. The Department has 6 7 explained that the reorganization focused on streamlining and improving services related to 8 9 conservation, recreation, and permitting. It has 10 failed to explain how the focus serves to the core 11 value principles of self-determination, self-12 governance, and tribal nations.

13 Even worse, the Department's proposal 14 completely ignores the trust responsibility, special 15 commitments devoted to tribes and Native people even 16 though the trust responsibility is paramount to the 17 Department's daily activities. Also on drawing 18 lines between ecosystems and scientific considerations may make sense for Department 19 20 agencies, the proposed lines are arbitrary when it comes to the BIA. 21

The proposed regions do not take into consideration unique history modern-day issues affecting tribal nations. For instances, the reorganization purposes to split California into two

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regions, the California Great Basin in the north and
 the Lower Colorado Basin in the south. These
 proposed regions do not take into account
 unfortunate realities that California Indian tribes
 face.

In California there are no ratified 6 7 treaties. Most tribes have very small and little 8 land base to serve their people and because of the 9 state's varied terrain there are more tribes 10 scattered throughout the state with smaller tribal 11 member populations when compared to tribes of other 12 regions. Because California tribes are different we 13 struggle to compete with tribes in other regions for 14 federal funding and services. It is important to 15 the Department's regional office who serve 16 California tribes are not only mindful of the unique 17 circumstances affecting us but protect the 18 individuals working for those offices who have 19 specialized expertise on California Indian issues. In California tribes and the BIA have 20

Even though not perfect tribes in our region have found ways to use limited resources to work with BIA to achieve self-determination and to provide for our people. The California Freedom Trust Consortium is

worked partly developed because of the relationship.

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21

1 a perfect example of that.

Through the Consortium, California tribes 2 3 will work together with the Pacific Region to resolve what used to be a large backlog of pending 4 5 re-trust applications in our region. We did this at 6 no additional cost to the United States even though 7 Congress long ago made restoration of tribal lands a 8 priority for the Department. This is only possible 9 because California Indian tribes share common goals, 10 work collaboratively, and support one another. 11 Similar efforts in the future will not be possible 12 because tribes in other regions with historic and 13 modern-day realities and priorities differ from 14 ours.

Further the Pala Band is greatly concerned with the potential of decreased Federal funding and services should it be included in that new Lower Colorado Basin region and forced to compete for Native Indian services with some of the nation's largest land-based tribes whose populations eclipse ours as much as 300 times over.

22 While the Pala Band does not oppose 23 changes of increased efficiencies, streamlining 24 processes, and useless red tape and restructuring of 25 the Department's regions, it must take place in

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1 coordination, consultation with Indian tribes, and 2 focus on the Department's ability to meet its trust 3 responsibility, support tribal self-determination, 4 and self-governance.

5 To that end, the Pala Band proposes the 6 following: First, the Department should initiate 7 and engage in formal government-to-government 8 consultation consistent with the Department's 9 obligations and policies related to consultation. 10 Unlike the current process, the formal consultation 11 process would include tribal issues, even evaluate 12 potential positive and negative impacts to proposed 13 reorganization of Indian tribes and Native people.

Second, the Department must be sure that any reorganization effort is guided by respect of tribal self-determination, self-governance, and trial sovereignty, focus on the unique relationship between the U.S. and tribal nations, and aim to carry out the U.S. trust's responsibility toward Indian tribes to maximize extent possible.

Third, the Department should take into consideration the unique history and modern-day circumstances affecting Indian tribes, evaluating whether reorganization of regions achieves the goals: Efficiency, effectiveness, and

accountability. The current ecosystem-based
 approach is ineffective in this regard. The
 Department must go back to the drawing board, take
 unique circumstances of Indian tribes into
 consideration.

6 Fourth, the Department should not take any 7 action to reorganize its regions in such a way that 8 would decrease Federal funding or services in Indian 9 Country. And any other cost savings resulting from 10 reorganization should be redirected to expand tribal 11 programs and services.

Fifth, an effort to centralize Federal functions at the new regional levels must advance not impair the fulfillment of the Department's trust obligations to Indian tribes.

To this end, the Pala Band recommends that the Department engage in comprehensive analysis of what is already working at the current agency and regional levels within the BIA and to ensure these functions remain within the options they have proven effective in carrying them out.

Sixth, the Department should
(indiscernible) appropriations under Secretary
(indiscernible) especially the Department proceeds
with reorganization that involved the development of

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1	new costs, agency regional directors, the		
2	Undersecretary would supervise and coordinate		
З	activities with BIA and activities and policies with		
4	non-BIA agencies and bureaus within the Department		
5	to ensure that the United States' unique obligations		
6	to Indian tribes are carried in a manner that		
7	respects tribal sovereignty.		
8	Finally, through delegation to the state		
9	and local government of certain Department		
10	responsibilities, they served an overall purpose of		
11	the proposed reorganization. This kind of		
12	delegation cannot happen with regard to Indian		
13	tribes. The trust responsibility is one based on		
14	Federal law. It's obligated by the Federal		

15 Government to protect tribal sovereignty and promote

16 self-determination. Delegation of this

17 responsibility to the state local government would 18 not only be inappropriate but would be a violation 19 of the obligation itself by the United States.

These are the Pala Bands overreaching
concerns regarding a proposed reorganization. We
will follow up with more detailed written comments.
Tribal leaders and Department of Interior
officials, I appreciate your time today and thank
you for listing to our concerns.



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1	PDAS TAHSUDA: Thank you, Chairman.	
2	Those are some good points. I mean, I'll	
3	just respond very briefly to those before we have	
4	the next tribal leader come up.	
5	I understand that historically there are	
6	concerns that reorganization of the BIA has resulted	
7	in changes in budgets for some regions over others,	
8	et cetera, and so I want to make clear that this is	
9	not a budget exercise, for one. This is an exercise	
10	by the Secretary to improve strategic decision-	
11	making basically within the Department, and if there	
12	are any positive budget impacts coming out of	
13	deficiencies out of this, the Secretary's commitment	
14	is that those resources will stay at the field	
15	level. For us at an agency level or at the regional	
16	level, wherever they're freed up, they will stay	
17	there. This is not an attempt to pull resources out	
18	of the Bureau. This is not an attempt to pull	
19	resources to D.C. out of the regions, but this is	
20	intended to actually make the regions work better.	
21	So the additionally, on the budgets,	
22	obviously it it will be a significant exercise	
23	for us if we reorganize regions because of how our	
24	budget works in conjunction with the budgets of the	
25	tribes and in the regions, et cetera, but the	
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1 Secretary's commitment is that this will not have a budget impact on you, on the tribes, on the regions. 2 3 And so if -- if there is a decision to move forward with this, then we will have extensive consultation 4 with you. Obviously, we'll have to have a lot of 5 work internally as well in our regions to figure out 6 7 how we accomplish that, but that's the Secretary's 8 commitment that there will not be a budget impact on either the self-governance or tribal priority 9 10 allocation funding that you get from us or to our 11 region and the services that they provide to you as well. 12

13 So that leads me to the second point which 14 is I want to reaffirm the Secretary's commitment. 15 He's made this several times in public settings, 16 including at NCI, that ultimately the decision to 17 have the BIA reorganize itself into these unified 18 regions with the other bureaus is your decision, the 19 decision of the tribes, and if the decision is 20 across the board that the tribes don't want the BIA 21 to be part of the reorganization of the Department's 22 regional leadership, then fine. Then that's your 23 decision, and we will work to figure out how to 24 implement and continue our service to you as it relates to the other bureaus. 25



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1	So I just but I think it's also
2	important to understand that this choice is not
3	given to the other bureaus. It's not given to state
4	governors. They had a little bit of input into how
5	the regions were playing out and how their
6	interactions with, like, state BLM directors, et
7	cetera, but there's not a choice for them. The other
8	bureaus are going to be reorganized into this
9	structure; so if Indian Country decides that they
10	don't want the BIA to be part of that, then we'll
11	have to have an extensive discussion about how the
12	Bureau in our regions will continue to be effective
13	working with the other bureau regional leadership in
14	its new structure going forward from here. So
15	that's something that we'll have to work on.
16	The other thing is, you know, it doesn't
17	necessarily have to be an all or nothing either. So
18	the Secretary we've has some really good
19	discussions in other regions of the country in which
20	the tribal leadership there is at least they said
21	they're open to talking more about how a
22	reorganization of their region with the other bureau
23	regions in that area could work well for them, and
24	so it may be, as I pointed out in the map let's
25	go backwards here. You can see pretty easily. Here

NAEGELI DEPOSITION AND TRIAL 1 we go.

So say like in the Missouri Basin we have 2 3 all the Great Plains tribes, and we have the Montana tribes, the two in Wyoming. You know, that fits in 4 5 pretty well with this new Unified Region 6. And so, 6 as an example, that could be a region. I'm not 7 saying that they're totally on board with this, but 8 there's a discussion we've had with them about 9 whether we could take a region like that and 10 reorganize our leadership there in line with the 11 reorganization of the other bureaus in that unified 12 region.

13 So the Secretary has asked us, as we're 14 talking to you and we're doing our internal 15 thinking, to try to be as flexible as possible as 16 well to meet tribal needs. And, again, at the end of 17 the day, our goal is that for our interaction with 18 the other bureaus that we can be effective on your 19 behalf.

And I think that hasn't always been the case. Some regions are better. I know here in California Amy has done a great job of interacting with the other bureaus, and in part that may be facilitated by the fact that she sits in the same office building with several of them. That doesn't

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1	happen in a lot of our other regions, but not all of
2	our regions have a good level of communication with
3	the other bureau offices that are near them or in
4	them, you know, if they share a region. Obviously,
5	there are regions right now that don't overlap with
6	ours in the same way.
7	So however and whatever the final decision
8	of Indian Country is, we will have to have a
9	discussion about that so that we can try to remain
10	effective for you in the future as well. So I want
11	to throw those out and in response to some of
12	your points, Chairman.
13	And then we'll move on to I have
14	Redding Rancheria, Jeremy Hayward, who's Treasurer.
15	MR. HAYWARD: Good morning. The Redding
16	Rancheria accepts Secretary Zinke's invitation to
17	consider the Department of Interior's proposed
18	regulations plan, and Secretary Zinke's statement
19	before a budget committee on April 11th, 2018, he
20	confirmed that tribes are sovereign and that he
21	would love the tribes to accept or reject the plan.
22	The United States through its Department of Interior
23	Bureau of Indian Affairs owes a trust responsibility
24	to federally recognized Indian tribes. The proposed
25	reorganization plan would breach that
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NAEGELI DEPOSITION AND TRIAL 1 responsibility.

2	The plan would interrupt the direct
З	relationship between the BIA's regional directors
4	and the BIA's central office. For our Redding
5	Rancheria and the others in California, the proposed
6	reorganization plan would break up California's
7	tribes Fee-To-Trust Consortium. By the latest map,
8	we have seen some tribes would go east to the Lower
9	Colorado Basin Region. Breaking up a well-
10	functioning system is not a desired result of
11	reorganization.
12	As our tribal council reviewed the
13	PowerPoint presentation on the proposed
14	reorganization plan, we noticed many pages without
15	reference to tribes or Indians. The plan is to
16	the plan is designed to address the efficiencies

17 related to the basins, rivers, and land areas. The 18 plan is not designed to deal with tribes, their 19 relations to each other, and their government and 20 government relationships with the States.

In that regard, the addition of the Nevada tribes to the subtraction of the Southern California tribes from the Pacific Region would have a detrimental effect on government and government relationships with the State of California. For



1 these reasons and many more we elaborated on in our 2 written comments Redding Rancheria does not support 3 the proposed reorganization plan.

I do want to address that I don't feel 4 5 like this is an actual consultation. When we talked at the last consultation meeting in Jackson, you had 6 stated that you're going to do these consultations 7 8 and that we have until, I believe, it's October, 9 right, to decide whether or not we're getting in on 10 this, and it's either we agree with the way that 11 you've restructured this or we don't. To me, a real consultation would be to come consult with the 12 13 tribes to find out how we would want this organized 14 which, from what I've been hearing, is keep 15 California's region the way that it is and then come 16 back to us with a plan addressing our comments and 17 our concerns. But from the comment that you made in Jackson, I don't believe that that's your guys' plan 18 19 and we're either in on this or we're not which, to 20 me, isn't a real consultation.

PDAS TAHSUDA: Thank you, Mr. Hayward. So I appreciate the thought about having a discussion about how this -- how reorganization could -- I guess how we could discuss it more effectively. So one thing is that this discussion

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1	is not about really reorganizing the BIA. There are
2	three primary functions that happen out in the field
3	and that that is the focus of the Secretary's
4	attempt to have a unified decision-making in these
5	regions on these three functions. And I kind of
6	glossed over them as we went through the slide show,
7	but to make sure that everybody understands that the
8	three primary functions that these unified regions
9	would be focused on are conservation, permitting,
10	and recreation.
11	Conservation includes our environmental
12	reviews, which is a significant part of almost every

decision that we make, right. Permitting's in some 13 14 ways related to that, but whenever an agency or one 15 of the bureaus has to issue a permit, whether it's us or BLM or Bureau of Rec, we have to have the 16 17 input of the other bureaus because almost always 18 there is a connection to a responsibility that one 19 of the other bureaus has. If it's with water, the 20 Fish and Wildlife will have some input because there's probably fish in the water. You know, if 21 22 it's BLM -- or as I said, if it's on public lands, 23 the BLM will probably have some role. So the idea 24 is that we can get better decisions and faster on 25 permitting on environmental reviews in the regions.

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1	The last one, recreation, is kind of a new
2	one, and most folks probably don't now, but the
3	Department actually had a Bureau of Recreation until
4	the 1980's. And so the Secretary is a firm believer
5	that public lands, to the extent that it's
6	compatible, should be available for public use,
7	i.e., for folks to recreate, et cetera, on it.

8 And, again, because so much of public 9 lands and the Indian lands out in the west have a 10 connection or are close to each other, when those 11 decisions are made, it usually excludes the tribe's 12 that nearby, and the Secretary wants the tribes to be involved with that decision-making whether it's 13 14 putting in a new trail way system or a new RV park 15 by Fish and Wildlife or BLM.

16 So those are the three primary functions. 17 It's always a challenge, obviously, to come out and consult because we want to make sure we have enough 18 19 information for you to considering for us to have a 20 fruitful decision because it's kind of a waste of everybody's time if we haven't really told you what 21 22 our thinking, you know, is or get your input on that 23 or get a start on it. The other is, if we have too 24 much information, of course, then you think we've 25 gone too far down the road and a decision had been

1 made without your input; so that's always kind of a
2 delicate balance to strike.

3 So, in this case, as I said, the Secretary 4 is reorganizing the Department around these unified 5 regions for all the other bureaus. The question --6 and I think of this as the initial stage -- is 7 really do you, tribal leadership, feel that it would 8 be help for the BIA to have an equal role in these 9 unified regions and in the decision-making on these 10 three primary function and whether or not that 11 facilitates better our trust responsibility and the 12 performance of it on your behalf. If you don't think 13 so, then that's the end of that decision. As I 14 said, we still have another session date to talk 15 about our regions, if they stay the same, how we 16 want to interact with these new unified regions. 17 That's a discussion that we'll have to have. Ιf 18 there is a consensus either nationally or even 19 regionally, as by said, by tribal leadership, that 20 they would like to have their region better aligned 21 with the new unified regions with the other bureaus 22 then we'd have a further discussion on how that 23 would happen and how that would be implemented. And 24 so, again, I think that we're very open to being 25 flexible and trying to address how that could

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1	happen. I know that, if there's a lot of history
2	and a lot of efforts have been put in into
3	developing from your side in the Pacific Region,
4	things like the Fee-To-Trust consortium, et cetera.
5	And I think it's my belief that we don't have
6	to interrupt that. If we even have two regions,
7	right, that Fee-To-Trust consortium is successful
8	and they can interact with, you know, two regions of
9	the NISU. We also have really effective leadership
10	in the region.
11	And, again, the Secretary's left it open
12	in an attempt to be flexible. Whether or not we
13	could perform all the other functions that are
14	performed by the bureau, it could functionally stay
15	the same as it is now, but for these three primary
16	functions that we would have the interaction of the
17	other bureaus based on those unified regions so that
18	say environmental decisions that happen in Northern
19	California, Amy would still be involved with that on
20	behalf of the BIA, but she would be interacting with
21	the leadership in this unified region which would be
22	Northern California and Nevada with BLM, say, or
23	Fish and Wildlife, whatever agencies are involved.
24	We'd have the benefit then of what is
25	intended to be better decision-making. And you can
ľ	DEPOSITION AND TRIAL

think of this regional director as sort of a project 1 director almost. He's going to be the guy or she 2 3 will be the guy who is going to enforce, coordinate the decision-making, enforce time lines so that 4 5 there is faster decision-making in the regions, and 6 it's going to resolve questions that happen around those decisions in that region instead of it having 7 8 to come to D.C. as it does now.

9 And only if there is overarching policy 10 conflict between the bureaus would it then be 11 elevated to the Deputy Secretary who will bring in 12 the assistant secretaries for those bureaus to 13 resolve that policy conflict, and then it goes back 14 And then, ideally, right, that policy down. 15 decision has been made, and in the future when that 16 issue comes up again, there's no need to come back 17 to D.C. for it again. And kind of the way how it 18 sounds, every time there's one of those conflicts, 19 it comes to D.C. And as you know, when it comes to 20 the D.C., it kind of gets mired down a bit. 21 We have a lot of decisions that come

there, and it takes a while for us to look through them. We go back and forth with our regions, the other bureau goes back and forth with their region down to the agency level or the district level for



1 them. And if that could happen in the region, I
2 think it would be a lot more efficient for decision3 making.

It would also facilitate for us more --4 5 better strategic decision-making. It's also -- I've 6 said this before in other context and I really 7 believe it -- it is our responsibility ultimately, 8 when we make a decision for you, that it be the best decision we could make meaning the most defensible 9 10 position. It doesn't do you any good for us to make 11 a decision that we can't defend in court. And, as 12 you know, we get sued a lot.

The vast majority of decisions that we make, somebody sues us or somebody challenges it. And if we have solid decision-making with a great defensible record, then it removes sort of the -the likelihood -- or decreases the likelihood that our decision on your behalf would be reversed.

What happens now oftentimes is that, when the decision-making comes in and it silos, there are -- there's a record, if you want to call it that, built in the other bureau that may not align with ours. And the people that challenge our decisions, then have something to work with because here they've got another bureau within the Interior who's

1 challenging what our bureau is saying, right. That 2 sort whether to make the challenge or decision that 3 we made on your behalf.

If we have unified decision-making in a 4 5 region, then that doesn't happen, right. The 6 discussion -- and if there's any conflict in the 7 views between the two bureaus, that happens at the 8 regional level and is resolved at the lowest level 9 possible so that, when a record is developed, it's a 10 consistent and slid record for the decision we've 11 made on your behalf.

12 If we have unified decision-making in a 13 region, then that doesn't happen, right. The 14 discussion, and if there's any conflict in the views 15 between the two bureaus, that happens at the 16 regional level and is resolved at the lowest level 17 possible so that, when a record is developed, it's a 18 consistent and solid record for the decision on your 19 behalf.

20 So I went a long ways around trying to 21 address your comment. Thank you. I think I said 22 everything I wanted to say.

Now move on to the next tribal leader,
President Burnette. Thank you for coming. It's
good to see you.

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1	PRESIDENT BURNETTE: Good morning. In our	
2	language we say (speaking in Native language).	
3	I'm going to read our letter to the	
4	Bureau. And then you answered one of my questions	
5	which was funding, so.	
6	Fort McDowell Xavapai Nation opposes a	
7	proposed reorganization of the Bureau of Indian	
8	Affairs, requests a meaningful consultation. I am	
9	writing on behalf of the Fort McDowell Xavapai	
10	Nation to express our opposition to the proposed	
11	reorganization of the BIA. Further the Nation is	
12	requesting meaningful government-to-government	
13	consultation prior to any reorganization activities.	
14	The Department of Interior has proposed	
15	reorganization of all the Department's bureaus into	
16	13 unified regions based on watersheds. The	
17	proposal attempts to address the need for improved	
18	communication, and implementing this reorganization	
19	will drastically impact the current structure of	
20	services offered to our Nation by the BIA. Such	
21	profound changes will reduce collaboration,	
22	cooperation, and our Nation and other tribes' access	
23	to resources, increased bureaucracy, and efficiency.	
24	Moreover, the Nation believes that	
25	consultation so far has been insufficient in	
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1	proportion to such significant and enduring changes.	
2	The unique relationship between the Federal	
3	government and the tribes has created an obligation	
4	for the Federal Government to protect tribes and	
5	tribal resources, and it is imperative that the DOI	
6	and BIA be cognizant of the Federal trust's	
7	responsibilities I emphasize trust's	
8	responsibility throughout this process.	
9	The Nation urges the DOI to reconsider	
10	their reorganization plans for the BIA and implement	
11	the true government-to-government consultation	
12	before moving forward. Thank you.	
13	You had mentioned earlier that a written	
14	plan is going to be forthcoming. Why is it after	
15	the fact? You know, and we're a small tribe, and	
16	there's probably a few other tribes in here that are	
17	smaller than us. We're a very small land base, and	
18	we are quite concerned; so we will probably submit	
19	additional comments into our letter today.	
20	We depend on funding for our law	
21	enforcement agency, and the rumor is out there too	
22	that DOI might propose to this same type of region.	
23	You know, we're given so many promises through this	
24	administration we don't know what the next	
25	administration is going to promise us. So, again,	

NAEGELI DEPOSITION AND TRIAL we pray that you will truly listen to all tribes.
 Thank you.

3 PDAS TAHSUDA: Thank you, President
4 Burnette.

5 So we also -- that's a good point about 6 IHS. So every one of the cabinet agencies, which 7 includes HHS, is supposed to be going through the 8 same exercise. I'm not in those departments, and I don't know what they're doing, but they all have the 9 10 same executive order. They all have the same 11 timeline. So ostensibly they're working towards 12 that.

13 For us, there is -- we have a deadline we 14 have to meet, and so I'm not sure. I think that, as 15 the Secretary works up his written report to the 16 President, that it will, you know, explain in there 17 probably that we have an ongoing discussion with the 18 tribes. Or if we get to October and it just seems 19 to be flat out we have no desire to participate 20 across the board in the country, I think that will be reflected in the report. I think the only thing 21 22 that we can do, you know, at that point in meeting 23 the deadline for the report is to just try to 24 honestly state where we are in the discussion with 25 the tribes. For the Department, why, the Secretary



1 will report on the status of those discussions and 2 where the plans are with that. So I think that's 3 where we'll be in October.

Again, as far as we're concerned, I think, 4 5 you know, we will, by necessity, still have an 6 ongoing discussion with you because either there will be a discussion about how this is to be 7 8 implemented and we brought you on board, or there will be discussion of, again, what are we going to 9 10 do when the other bureaus and their regions are 11 unified and, frankly, the BIA, once again, is kind 12 of on the outside; right? How are we going to interact with them so that we can at least continue 13 14 to be as effective as we are now.

15 So that will be a discussion that will be 16 ongoing. I suspect we'll be a year or more into 17 that discussion because it will effect some changes 18 for us and how we interact with those new regions.

And I wanted to -- those are really good points also. We talked about funding. I went to reinforce again not only is the Secretary committed to the (indiscernible) but as well as the budgetary impact on the tribes or the regions but also at the agency level. Again, this is not intended to be an exercise of reorganizing the BIA itself. So we're

not changing agency offices, we're not moving agency
 offices, et cetera.

3 If -- this is a big if. So if Indian Country decided that the BIA should participate in 4 5 these new unified regions, there would likely be down the road a discussion about further 6 7 implementation of unified regions vis-a-vie the 8 regional offices and where would be the most 9 efficient place to have those. I say well down the 10 road because even for all the other bureaus -- this 11 is a multi-year effort. It's a big effort even just 12 to do this sort of top-level management 13 reorganization or restructuring.

14 And so, again, and this is also part of 15 our effort working with our staff. The other 16 bureaus are doing the same thing. The Secretary and 17 some of his staff have been around the country 18 meeting with all of the Interior staff in a region. 19 They met with our staff and in the same room with 20 BLM and Fish staff, et cetera, trying to explain to 21 them as well what this means to them on the ground 22 and to assure them that, you know, this is -- again, 23 this is not an exercise that's intended to, you 24 know, change or to remove FTE's. It's not an 25 exercise to make people move who've been -- you know



1	we've basically asked them to locate in an area
2	years ago where they built their life there. We're
3	not asking them to move. So any changes that happen
4	with the regional offices, it would happen down the
5	road after a lot more discussion for us externally
6	and internally.

7 I want to also, I guess, emphasize that this -- this exercise -- and the Secretary is fully 8 9 aware -- that involving the Department involves a 10 lot of stakeholders, right. On behalf of the tribes 11 he's got to consider your views. He has to consider 12 the views of governors. There's even the nonprofit 13 groups that are interested in environmental issues 14 and Fish, you know, and Wildlife, Ducks Unlimited, 15 et cetera.

16 All these groups have a lot of input that 17 they make into a process. They have friends in 18 Congress. They have friends, you know, all around 19 the country. So to the extent possible he's trying 20 to make this an exercise in which everybody gets to 21 kind of at least say their peace about how it 22 affects their state and what the department is. So 23 that's a really important exercise for us. 24 Obviously you, the tribal leadership, have

25 a great deal of influence both at the state right

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1	here in California and you also have that in D.C.
2	with Congress. And at the end of the day, there are
3	significant portions of this that will formally
4	require reorganization confirmation by Congress
5	because in but in doing the Department
6	reorganizations, at the end of the day, Congress has
7	made sure that they get to have a say in it, right.

8 So that's certainly external pressures, considerations that he has to make. And then I want 9 10 to say again we have, you know, to consider the 11 internal impacts as well. We have 70,000 people 12 that work for us around the country and really 13 halfway around the globe, right. How this impacts 14 their lives, it's very important to us as well and 15 important to the Secretary because at the end of the day this type of an effort will take years, 16 17 ultimately, to fully develop implement, and unfold. 18 And if the bulk of our employees are opposed to it, 19 then it probably doesn't ever get fully or 20 effectively implemented; so we have them on board. We can think of it as an internal stakeholder as 21 22 well.

23 So we're working -- again, we're working 24 hard to discuss with them what this means to them, 25 both in their jobs and personally what it means to

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1	them for their homes, their families. And so that's	
2	a significant part of this, and I'm just saying this	
3	to try to impart that we're trying to be as	
4	thoughtful as we can to the considerations that we	
5	have to make both externally and internally.	
6	And, again, he's committed to Indian	
7	Country that this is at the end of the day your	
8	decision on behalf of the BIA whether we want to	
9	participate or not. And either way, we will have a	
10	lot more discussion about how this plays out over	
11	the next year or so.	
12	I have next Chairman Mazzetti.	
13	CHAIRMAN MAZZETTI: Good morning. My name	
14	is Bo Mazzetti. I'm Chairman of Rincon Band of	
15	Luisano Nation. I'm also here on behalf of the	
16	Southern California, Central California, and	
17	Northern California Tribal Chairmen's associations.	
18	Those associations represent roughly half the tribes	
19	in the state of California.	
20	I think, when you look at California,	
21	we're unique, and you have to understand California.	
22	We have the Public Law 280 that sets us a little	
23	different. We have our relationship with the State	
24	of California. We also have a major thing called	
25	the Mission Indian Relief Act, which folks have to	
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1 educate themselves on.

2	Now you talk about working with other
3	agencies. With our area director we just finished a
4	17-year battle with the Fish and Wildlife Service.
5	They don't understand us. We're sovereignty, and
6	it's kind of disturbing when you put up there you
7	can look at the state and local governments
8	that's B.S. when it comes to us. You talk to the
9	tribes.

10 But, like I say, really the majority of us 11 in the state of California oppose reorganization as 12 presented up there. It will divide the people that 13 work together. Our associations, we work together, 14 Sacramento. And I'm quite sure we can get a 15 position from the State of California opposing this, which we're going to pursue. It just makes no 16 17 I've worked with the Bureau of Indian sense. 18 Affairs for over 50 years and actually was an employee of the Bureau of Indian Affairs. And I 19 20 don't know how many reorganizations they won't 21 through. Nothing was ever this severe as I recall. 22 It just makes no sense.

23 What's really being undertaken is to 24 appease other bureaus, other agencies, and when 25 we've all worked together, all of us in Southern

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1 California and throughout the state, have worked 2 great with our area director -- yes, do we give them 3 grief once in a while, yes, we do. But we always 4 resolve the issue.

5 When you start having a Bureau of 6 Reclamation, a Bureau of Fish and Wildlife, all these other folks kind of in the driver's seat, 7 we're going to have nothing but major problems. Now 8 9 you say it's not going to cost the tribes anything. 10 It sure is. When you say the budget's not going to 11 be affected, it sure can be. I think what folks have 12 to understand, if you move, relocate more than 50 13 miles, if I recall correctly, from your existing 14 office, the Bureau of Indian Affairs would have to 15 pay for that employee to be relocated, the complete 16 cost. That comes out of your budget; so that would 17 affect us.

18 If we have to report, say, to Phoenix or 19 some other area, the California tribes, that's going 20 to cost us a lot of money going back and forth. 21 Then they're going to have to -- and this is the 22 biggest problem. With our bureau, Sacramento, they 23 know us, they know the law, they know the issues. 24 Every time we have to deal -- Fish-Wildlife, Bureau 25 of Reclamation, all of them -- and you got to

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1	educate them. That costs each tribe a lot of money
2	in terms of time, effort, and attorney fees.
3	So you know the old saying, "If
4	something's not broken, don't fix it." This works,
5	always worked. So why mess with it? I think any
6	change is going to cost the tribes. You're right it
7	may not cost the Bureau their budget, but it's going
8	to cost us having to travel and re-educate folks.
9	That's just a reality.
10	So I have a resolution here I wanted to
11	read that will be coming from the Southern
12	California Tribal Chairmen's Association. The same
13	resolution or similar to it will be coming from
14	Central and Northern California Tribal Chairmen's
15	associations. "Be it resolved, therefore, the
16	Southern California Tribal Chairmen's Association
17	and tribes do not support the development and
18	implementation of the DOI BIA reorganization until a
19	Federal and tribal committee can be established
20	within the Federal Register of Rules Procedures
21	Publications. Excuse me. "We further resolve that
22	the Southern California Tribal Chairmen's
23	Association and tribal governments shall authorize
24	and approve the final DOI BIA reorganization plans
25	to be published under the Federal Register notice at

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a future date." 1 Nice seeing you, John. Thank you. 2 We'll 3 submit this official letter. Thank you. 4 PDAS TAHSUDA: Thank you, Chairman. 5 CHAIRMAN MAZZETTI: Thank you. 6 PDAS TAHSUDA: So I appreciate your views, 7 but I quess I respectfully disagree. One is I think 8 that we can always improve how the Bureau does its 9 business. And, again, this is not intended to be an 10 exercise to reorganize the BIA itself, but I am open 11 to and have had some discussion with some of the 12 other regions that, if there are improvements in our 13 processes the way we handle business for you in --14 at the regional level or even your region, happy to 15 discuss those. I think that's a separate effort from this. But there is some effort and some 16 17 interests from some of the other regions in looking 18 how we handle some specific matters. 19 I guess I say I respectfully disagree 20 because, first of all, you know I've been around for 21 a while. I was on the Hill, and every -- almost 22 every comment from the tribes is that the Bureau is 23 broken, that it needs to do things better, and along 24 with that is that the way that the Department 25 handles tribal affairs through the Bureau doesn't do

the tribes justice, doesn't do the tribes -- it 1 doesn't meet the trust responsibility of the 2 3 Department. And my observation from the outside, 4 you know, is much the same as it is since I've been 5 on the inside looking. I think that -- again, when 6 the bureaus get siloed in for their decision-making -- and I don't think this is -- there's not any 7 8 intent on anybody -- any other bureaus to discount the views of the tribes in any way. They're focused 9 10 on their job. They're focused on what their 11 responsibilities are, and I gotta tell you, at the 12 end of the day -- Jim, maybe you can confirm this --13 they're focused on what their assessments are going 14 to say at the end of the year so they can get salary 15 step-ups and bonuses. None of that requires them to 16 coordinate with the BIA. None of that requires them 17 to do more than, you know, superficially interact at 18 a low level.

Again, it's only when it gets elevated to our level that we have to have -- get to have sort of an equal discussion about our bureau and this is just as important to our bureau as it is to yours. I think that it would be far more effective across the board if that kind of coordination, that kind of cooperation happened at the lowest level of the

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1	Department in the regions at the agency level so
2	that those decisions can be, I guess, like I said
3	again, that happens at the very beginning so that we
4	have coordination decision-making. We don't have
5	differences that show up in the record and that the
6	decisions that are important to you or just as
7	important the decisions that another bureau is
8	making that impacts you and you get to have a equal
9	an equal input and an effective input at the very
10	beginning of the process to reach that decision,
11	that frankly just doesn't happen very well now.
12	Again, it's not something that necessarily
13	is aimed at the BIA. I think all the bureaus
14	complain about this. BLM complains about Fish.
15	Fish complains about Bureau of Rec, right.
16	Decisions are well down the pipeline before the
17	other bureau even finds out that there's something
18	happening a permit's being issued or that there's
19	an environmental review going on on some decision,
20	right. So that's the extent of this is to make sure
21	that all the bureaus communicate effectively. And I
22	think my view is that at the end of the day that
23	this will be a way for us to more effectively
24	represent you within the Department and a way for
25	you to get better, faster, more effective input into
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1 decisions that come into the Department particularly 2 from the other bureaus. So I guess that's my view 3 on how this can work, right. And I hope that it 4 does.

5 You know, the point about budgets, again, 6 I want to reinforce that. There's no -- no part of 7 this discussion is about moving agency offices, 8 about making staff uproot their lives and move 9 somewhere else. So right now it's just trying to 10 implement this process for better decision-making in 11 the regions and to have a faster, more effective 12 chain of command out to get a resolution if there is 13 a large policy conflict that happens between the 14 bureaus. And that's the reason why the -- this 15 unified regional director, right, his responsibility 16 is directly to the Deputy Secretary.

17 Because as it works now, if there's a 18 conflict within any region between the bureaus, they 19 work up their thought process, we work up ours. Ιt 20 initially comes to me. It comes to the other bureau 21 director at the other hallway, right. We have a 22 discussion. And if we can't resolve it, then we 23 have to take it to the Deputy Secretary. At the end 24 of the day, even if we resolve it ourselves, we 25 still have to take it to the Deputy Secretary, get

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1	him to, you know, sign off on it, right. This	
2	clears a path for them to go directly to the Deputy	
3	Secretary for final decision-making. Obviously, he's	
4	going to consult with the different bureaus in the	
5	hallways, but it kind of cuts through part of the	
6	delay that we have in the decision-making in D.C. as	
7	well.	
8	But I appreciate your being and believe	
9	me I appreciate the hesitancy because there have	
10	been a lot of attempts to I know there's been a	
11	lot of attempts over the years. I've seen some of	
12	them myself to reorganize the BIA, and they	
13	haven't always been successful by any measure. And	
14	I probably, more often than not (indiscernible).	
15	Anyway, I haven't been part of those. I	
16	guess I shouldn't comment on those. It seems like I	
17	know from (indiscernible) but they didn't	
18	really at the end of the day end up with better	
19	decision-making on behalf of tribes. That's the	
20	intent.	
21	Again, this is not a budget exercise.	
22	This is intended to be a decision-making exercise.	
23	It's going to be making better decisions within the	
24	Department.	
25	So next up I have from Salt River, I	
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1 have three people. Can I get one of you to go 2 first. Archie Kashoya? Is that you, Archie? Would 3 you like to go first?

4 MR. KASHOYA: Sure. Archie Kashoya from -5 - representing Salt River Pima-Maricopa Indian 6 Community Council. For myself, I think it was just 7 everything that was stated here and your comment on 8 your hope that it works and your views, I believe 9 everyone sitting here as well as my views sitting 10 here and looking at it, but I'm trying to base 11 everything on the facts that it will work and that 12 it's going to be beneficial again to our tribe as 13 well as to other tribes represented here because, 14 you know, we're dealing with individual aboriginal 15 territories, the territories that we've always been 16 in ancestrally.

17 And for myself right now on behalf of the Salt River Community we are opposed to the 18 19 reorganization at this time. Comments we will made 20 on behalf of the tribe and will be presented to 21 yourselves as well as those that need to know. So 22 for myself standing here, it's too early for me 23 getting involved, trying to see which way it's going 24 I hope and pray that the representation at to go. every level, even yourself, the tribes are going to 25

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1	be represented that everything is considered
2	comments, involvement from leadership towards the
З	Nation that involve individual territories that are
4	going to be represented. And, to me, it will work
5	with the involvement of each tribe that's going to
6	be represented, and I believe that. But right now I
7	(inaudible) consultation that was past that you
8	dealt with and you just stated that sometimes they
9	won't work whether it's more political or for us,
10	it's and myself I view what's going to be
11	generationally beneficial to who's going to be
12	represent me or who's going to take my place in the
13	future as well as the representation of my
14	ancestors, those who have passed. That's why I stand
15	here today because of them. I think everyone here
16	is the representation, for myself, (inaudible) and
17	the reorganization.
18	So I just want to thank you and thank the
19	tribe here for inviting us and making this
20	consultation. This is a beautiful building, a place
21	where we can meet. Thank you. And bless and each
22	and every one of you.
23	PDAS TAHSUDA: Thank you, council.
24	David Antone.
25	MR. ANTONE: Yeah. (Speaking in Native
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1	language.) I'm council member Dave Antone from the
2	Salt River Pima-Maricopa Indian Community, and I'm
3	joined by my council members. And you've met
4	councilman Archie Kashoya, and councilman Michael
5	Dallas. We also have key staff from the Community
6	to attend today's consultation, the three lovely
7	ladies sitting right here to my right.
8	The Salt River Pima-Maricopa Indian
9	Community is here today because we are very
10	concerned about the proposed reorganization of the
11	Department of the Interior, and we recommend that
12	any portion of the of this reorganization that
13	involves the BIA be placed on hold. After hearing
14	about the proposal, it is clear that the
15	reorganization is not intended to benefit Indian
16	people and tribal governments. In fact, the three
17	primary purposes of this reorganization are
18	recreation, conservation, and permitting.
19	Indian people and Indian governments
20	aren't listed as a primary purpose for this
21	reorganization. The Department of Interior has a
22	trust responsibility to the Indian people of the
23	United States, and this reorganization fails this
24	trust responsibility. We all support more effective
25	and efficient BIA and Department of Interior

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1	delivery of services and programs, but this proposal
2	is not the way to improve those deliveries of
3	services to Indian Country. In your entire
4	presentation of materials, there's no mention of
5	self-governance, self-determination, or any proven
6	strategies that will help Indian tribal government
7	succeed.
8	On a personal note, sir, you made a
9	statement and you pointed out the three primary
10	purposes of this reorganization, and I may be wrong
11	but I felt that you made reference that you get
12	sued. And I think this, by the mere fact that those
13	are the three points that you have made, that you
14	have opened the door for suit because it doesn't
15	address Indian people and Indian tribal governments.
16	And, yes, I do agree with all the tribal leaders so
17	far that it will affect budgets.
18	Thank you, sir.
19	PDAS TAHSUDA: Thank you, councilman.
20	Mr. Dallas. And then, if you don't mind,
21	we'll take a quick break.
22	MR. DALLAS: Yeah, good morning, everyone.
23	It's good to see everyone here. My name is Michael
24	Dallas. I'm from Salt River Pima-Maricopa Indian
25	Community. We're located in Arizona just near the
I	DEPOSITION AND TRIAL

1	Scotts area. We're surrounded by Scottsdale,
2	Fountain Hills, Mesa, and a little bit of Tempe
3	area. But I want to thank Morongo tribal leadership
4	for holding this listening session here.

5 My comments that I have are coming from --6 as a tribal councilman and also I sit as the TIBC 7 western representative of myself, and I can see 8 councilwoman Herminia Frias here.

9 Some of the comments that were made here 10 is basically based on consultation. I just ask 11 right now, for those of you in the audience, by a 12 show of hands, how many of you oppose this thing?

I think that's your answer there.

13

14 I was at the NCA Midyear during that 15 listening session, and I think a lot of the tribes there too voiced their concerns there. I'll just 16 17 tell you, you know, that I was out here. I went to 18 get some water, and I seen the pictures out here for 19 the children here, the school. We say it's not 20 going to affect the tribes a little, but you know I 21 think it's going to affect some of the future. You 22 know, you may not see it that way, but you know I 23 had an opportunity the other day to -- a couple 24 weeks ago to tour with our youth council to the unity here in San Diego. I didn't realize that, but 25

1 they select their leadership based off of this
2 organization. I think there's other organizations
3 such as NCI that does the same thing. So that's one
4 thing that to think of too.

5 But I know this, sir, you're just the 6 messenger. You're the messenger. You mentioned 7 this, when you first opened up, that this came from 8 the Administration, President Trump. And also you 9 keep using the word Secretary Zenke, and I think, if 10 it was meaningful consultation, he would be here 11 himself. Since I've been on the western regional 12 representative, since we've held our budgets not once have I seen him here. 13

14 So I'm just voicing this as my concern 15 that, our tribe, we're in opposition to this. Like 16 many of those that raised their hand here, you said 17 you've taken many data, many suggestions and input, 18 but what's going to happen with that. We know 19 you've already sat here and designed this map here 20 without tribe's consultation. But as we know that, 21 as tribes, our sovereignty is always at risk here. 22 But I just -- I hope you walk away with the 23 assurance of what the tribes are voicing here. 24 So, again, I want to thank everybody. I 25 want to thank the tribe for hosting this. God bless



1 everyone here.

2

6

PDAS TAHSUDA: Thank you, council.

3 Okay. So we'll take a 15-minute break.
4 I'd say 10, but I know it will be close to 15. Come
5 back at about 10:45. Thank you.

(Break.)

7 PDAS TAHSUDA: So I reached the end of the 8 list that I have. I think at this point we'll open 9 it up to other tribal leadership that hasn't spoken 10 yet that's not on the list, but just feel free to 11 step up to the microphone if you'd like.

Again, please say your name and the tribefor the record.

MR. BIGKNIFE: Good morning. Tuari BigKnife appearing here on behalf of the Viejas and Kumeyaay Indians. I'm proud to serve as their Attorney General. And I want to thank Morongo for hosting this listening session.

19 The first thing I want to point out is 20 Viejas applauds the driving accountability, driving 21 efficiency, driving effectiveness. That is 22 important for any government institution. That's 23 important for any business, and so we applaud the 24 effort to look at that. And certainly as it applies 25 to the BIA, we think there is room for each of those

1 areas to be improved just like any other 2 organization.

3 What we have some concerns about is really the top-down approach as opposed to one from the 4 5 bottom up. And using an analogy of constructing a 6 building, you always want to have a strong 7 foundation and move up from there. And so we would 8 suggest that there might be an alternative approach 9 that can to be taken. And, of course, our concerns 10 focus really on the BIA. We don't really interact 11 at Viejas with most of the other agencies with any 12 frequency. And it's not clear to Viejas that this 13 top-down approach of creating these regions is 14 necessarily the best thing for the BIA and for 15 tribes.

16 So, the BIA, it serves and interacts with 17 the tribal governments, sovereign nations. The 18 other ideas that have been mentioned, the other 19 bureaus, they have responsibilities that relates to 20 wildlife, land management, waterways, which we 21 consider very different. And we believe that 22 actually a bottom-up approach would be a better 23 review and better approach to take for achieving the 24 three goals. And first off making sure how the BIA 25 itself can become more efficient, more effective,

1 and more accountable.

2	So could you first start at that bottom,
3	start at each of these agencies and bureaus, and
4	find out what would make them more efficient, what
5	would make them more effective, and then take the
6	top approach, look down and see how you can
7	coordinate these agencies, how they interact with
8	each other and find where efficiencies and better
9	communication take place so that where there are
10	issues that they overlap that you're not sacrificing
11	the ability of each of these agencies to function
12	well within themselves at the expense of trying to
13	coordinate together.
14	We think that, additionally, the
15	Secretary's commitment to not reducing
16	appropriations and continuing to fund tribal
17	programs and the BIA at the appropriate level, we
18	applaud that commitment as well and we hope that it
19	lasts, but while that commitment lasts today, it
20	doesn't necessarily bind future administrations.
21	And it's our hope that the efficiency that we will
22	see from this process, the effectiveness that we'll

23 see from this process, especially if it's done from 24 a bottom-up approach focusing on the BIA and each of 25 the agencies independently, that that will actually

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1 start to create more available funds, more programs 2 benefiting Indian Country both through the savings 3 driven by that effectiveness and that that won't be 4 something that a future administration or even this 5 administration looks at as a basis for cutting 6 funding from Indian Country.

So, again, thank you for being here today, raising these issues here to discuss, and we look forward to further conversations and consultations if this moves forward to find a framework what works best for Indian Country. Thank you.

12 PDAS TAHSUDA: Thank you. So those are 13 good points. I guess let me -- I want to try and 14 reemphasize one. Again, this is not an exercise in 15 reorganizing the BIA, and I guess I'm not sure --16 obviously, I guess, that there's a potential that 17 there could be some impacts just because of changing up at the top level how people are, you know, run 18 19 decisions up and down the chain, I guess. I'm not 20 sure of it.

This is not an exercise in reorganizing the BIA, and this is not an exercise amongst the other bureaus on them reorganizing how they intend to take the existing structure that we have and trying to bring some better efficiencies in

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decision-making out of the really larger than 1 current structure. 2

3 And you think of it like this and when you think about it, it makes sense as well. So the 4 5 Secretary is a career military man, and he has 6 through his career really been part of, has 7 observed, worked his way up to be commander. And 8 while the Department of Defense has been going through about 30 years of restructuring its multiple 9 10 -- you can think of them as agencies, right -- these 11 multiple services. And so we have four services, 12 right. They each have different missions, they each 13 have different goals, but in a geographic region the 14 United States has an ultimate goal. And so what 15 they have worked on is identifying common functions 16 that they all do and creating better pathways to 17 decision-making on those functions so that each of 18 them can still fulfill their mission, reach their 19 goal but also help the United States achieve its 20 ultimate goal in that region. 21 And so that's -- you know, they've done 22 that in large part without reorganizing how the Army

or the Navy is fundamentally organized, right. That 24 happened at the top level as they created better communication and sort of forced that down the line 25

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1 of chain through the functions that each of them 2 perform. And so that's -- if you think about it, 3 that's a good analogy of what the Secretary is 4 trying to accomplish here.

5 We have nine different bureaus within the 6 Department. They each have different missions, they 7 each have different goals, but at the end of the day 8 there are certain goals that the Department has. 9 For us, it's recognizing supporting tribal 10 sovereignty.

The BLM has -- you know, or there's an 11 12 ultimate goal that the Department has in using, 13 getting value out of, and providing access to public 14 lands, right. So that largely involves BLM, right. 15 But as the bureau -- I mean, as the Department tries 16 to accomplish its overarching goals by not having 17 communication between the bureaus, it affects the 18 ability to effectively and efficiently reach those 19 ultimate goals.

So if we can identify -- and this is where the Secretary has identified -- these three primary functions that each of the bureaus do -- we all go through these three functions -- as we're performing our mission in reaching our goals, if we had better communication across those functions and we each

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1	pursue our mission in this geographic region, then
2	we will all reach our goals, we will help the
З	Department reach its ultimate goal in a more
4	effective and more efficient manner. And at the end
5	of the day, when there's more efficiency in
6	government, that means better decision-making. It
7	means, at the end of the day, there are fewer
8	resources that have to be put into that because you
9	have more effective communication which means that
10	you have more resources to do more work in that
11	region for each of the bureaus, right.
12	So that's sort of the overarching theory
13	behind this. There are, as I said, two. I've had
14	some interest expressed to me by trial leadership in
15	different regions about taking a look at how the
16	Bureau performs its functions in that regain, right,
17	and maybe that's lessons that can be learned to be
18	applied to other regions, and we're happy to explore
19	those. We're happy to find ways to make the BIA
20	itself work better, but that's a separate effort
21	from this.
22	There are ongoing efforts as well for

There are ongoing efforts as well for ZZ department-wide for all of us, looking at things 23 that are also sort of big resource -- I don't want 24 25 to say sucks -- a big resource of magnets, right.

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So we have environmental reviews. It takes an 1 immense amount of time by each of us to perform the 2 3 environmental reviews that we do. We are -- we have been directed by the Assistant Secretary to look at 4 5 how each of us in our bureaus do these environmental 6 reviews imposing stricter timelines. So absent 7 extraordinary circumstances we are to spend no more 8 than one year on environmental review and have 150 9 pages in the EIS, right, in a primary document. You 10 put these appendices and fill out whatever 11 background information. But in the primary 12 document, 150 pages. We have EIS's that take five, 13 seven years, right, and then they're look 2,000 14 pages or more. So the idea is that, unless there is 15 a really critical need to go beyond that, that we 16 will perform those in this time frame and in this 17 sort of paper frame, right.

18 We have permit, right. So we are looking 19 at how we do permitting. The other bureaus will be 20 having to do those, and we're looking in combination 21 with the environmental reviews that we do, is there 22 a faster, better way that we could do those within 23 our bureaus. And, again, you know, this is another 24 attempt at between communication across the board. Can we communicate better? Can we talk to each 25

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You know, this is sort of a -- an interior 2 3 part of a larger administrative goal which is to 4 actually have permitting that happens between 5 cabinet agencies; so a permit by one cabinet agency 6 that requires the input from another one, right. 7 The same thing happens in that situation. That 8 agency kind of does its own thing until it reaches 9 the final stages, and then we have the 10 communication. 11 So there is a White-House-led effort to 12 kind of break down that wall as well so the cabinet 13 agencies will also talk to each other on these

14 things like permits and other things that require 15 other agency input. So those sort of good 16 government, you know, efforts are ongoing as well, 17 but those -- and those will keep going on regardless 18 of what happens with the departmental

19 reorganization.

So I'm just saying that to reinforce that. This is intended to be this sort of strategic decision-making reorganization across these three primary functions that all of us do, all the nine bureaus do, so that we have faster, more efficient, and ultimately better decision-making. I think I've



1 said enough on that.

2

Next tribal leader, Vice Chairman.

VICE CHAIRMAN JOSE: (Speaking in Native language.) Good day to all of you. Verlon Jose, Vice Chairman of the Tohono O'odham Nation. Thank you for the hospitality of the tribe hosting the meeting and the other tribal leaders that are here. I have a few comments to make.

9 So I believe that tribes may not be 10 opposed to changes that increase the efficiency and 11 streamlining the administration of trust 12 responsibility to tribes; however, such change must 13 occur in coordination and consultation with tribes, 14 true consultation, not just to check the box.

15 It's our understanding that the draft 16 realignment proposes several things. It's meant to 17 be a hundred-year plan. We have a responsibility to 18 our people from the past, to the current, and the 19 future. Tribal leaders have a responsibility for 20 those future people, those that will sit in our 21 shoes, sit in our positions and carry on the same 22 responsibility.

We also understand that it's supposed to reduce administrative redundancy of permitting and approvals. Gentlemen, I just asked about an



1	application packet that was a no-brainer. It's a
2	mandatory acquisition, and we were told it was
3	signed and ready for delivery, and we have not
4	received it since. So if this reorganization is
5	going to improve any of that, which I doubt it will,
6	we, as tribes, need to be at the table.

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7 The federalism that goes on in Washington D.C., the bureaucracy that goes on in Washington 8 D.C. is not in the best interest of tribes. 9 We 10 understand that it's supposed to improve service to 11 the people, improve communication and coordination 12 across agencies, increase joint problem-solving and 13 effective decision-making, bringing bureaus together 14 under 13 unified regions, have an Interior Regional 15 Director for each region, reduce jurisdictional and 16 organizational barriers simplifying process.

17 Where is the plan? Not the draft plan. 18 Where is the plan that the tribes have been involved 19 in creating this plan? How is this reorganizational 20 line going to benefit tribes in California or in 21 Arizona or wherever you draw your lines? How is it 22 going to be detrimental to those tribes? What are 23 the financial analysis of this plan? I haven't seen 24 them.

25

Have any of you seen any financial

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1	analysis of this plan? I see a lot of heads	
2	shaking. If any of you have, I'd like to see them.	
3	My question to you, where are the	
4	financial analysis of this reorganization? How will	
5	it be a benefit not only to my tribe but to the rest	
6	of the tribes that it may have an effect on and how	
7	how will it benefit? I mean, we can talk about	
8	these things all day on how to benefit by it, but I	
9	don't believe that we've seen some true I haven't	
10	seen anything that really convinces me that it's	
11	going to be a benefit to tribes.	
12	So that you know, tribes work with the	
13	Bureau and DOI and should be involved in DOI's	
14	reorganization. With all these different	
15	departments, you know, across the board, of all the	
16	beneficiaries of DOI, Indian tribes are the only	
17	ones made up of people that govern territories and	
18	resources in coordination with the Department of	
19	Interior. For this reason, it is concerning that	
20	the DOI has yet to discuss its reorganization plan	
21	with Indian Country.	
22	These consultation processes are still	
23	confusing to me because we have a set up a	
24	meeting, you talk about what you intend to do,	
25	tribes make mention of their concerns to this, and	
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1 then what happens? My understanding is that you-all 2 may be doing this already. This reorganization is 3 already happening, and you're just going through the 4 process to check the boxes. That is our concern.

5 I have a few other statements and 6 questions. As I stated, there's no official plan 7 that we're aware of. The administration has 8 proposed during the last few budget cycles to 9 drastically cut funding to the Department of 10 Interior and the Bureau of Indian Affairs. And 11 that's been ongoing since forever. And sometimes 12 you put money here, makes you look good, but you're 13 actually robbing Peter to pay Paul, so to speak.

Another problem is in addition to, like, Northern Region and Southern California, the Pacific Region, tribes do not have the budgetary information necessary to examine the proposed region's needs that I'm aware of. I don't know if you guys all got it.

For example, how many direct service tribes are in the new region? What will the impact be having on the Navajo nation in that same region while being continuing to be a regional headquarters?

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Layers of bureaucracy have been added to

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1	the proposed regional process. For example, the	
2	current Bureau regional director will now report to	
3	the new Interior Regional Director who will then	
4	report to the Deputy Secretary prior to reporting to	
5	Assistant Secretary. The current process is already	
6	slow and inefficient.	
7	So I think we really need to look at that.	
8	Unless there's a faster process that you know or	
9	that tribes, know those are things we need to be	
10	talking about.	
11	Will personnel be moved from the region to	
12	serve other regions that require more staffing? How	
13	will adding the PL-280 tribes to Southern California	
14	add efficiency or inefficiency to the new proposed	
15	region? The current regional office in Sacramento	
16	may be better equipped to address the needs of PL-	
17	280 jurisdiction tribes. It's not just about water	
18	and natural resources, personnel and whole	
19	departments are being moved from Washington to the	
20	field. Normally, this may be beneficial; however,	
21	the realignment and the staffing changes have caused	
22	low morale and ongoing inefficiencies within the	
23	Department of Interior at the Bureau.	
24	Will the realignment improve service? The	
25	proposed reorganization should be viewed and	
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1	considered with the administration's overreaching
2	policies and other executive orders. For example,
3	the President's executive order promoting energy,
4	independence, and economic growth requires immediate
5	review of all agency's actions and potential burden,
6	the same efficient development of domestic energy
7	resources for that potentially burden development or
8	use of domestically produced energy resources with
9	particular attention to oil, natural gas, coal,
10	nuclear energy resources.
11	This could be contrary to the Nation's
12	goals or it could facilitate economic development
13	and housing and infrastructure construction.
14	Aligning the Southern California tribe to the Navajo
15	region may be beneficial because future regional
16	water issues can increase political clout and
17	influence.
18	Realignment that is occurring has already
19	been mismanaged. We believe implemented without
20	consultation. So there could be a lot of pros and
21	cons here. There could be. Again, but we have not
22	had true consultation and to see some hard facts on
23	the table that tribes could consider. Maybe it is a
24	best practice to realign. We have not seen enough
25	information, at least the Tohono O'odham Nation to

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convince us on behalf of our 34,000 members in
Arizona that this is the best practice and the best
way to go for trust responsibility services to the
people.

5 We ask that you provide some of that 6 information to the tribes so they can make a 7 decision: The financial analysis on how it may 8 impact their tribe; the services, how it can to 9 improve. We talk about communication. 10 Communication is key. But that's a word I think 11 that is overused and not truly spoken sometimes. So, if we stick to our word as we move forward, I think 12 13 this place will be -- this world will be a better 14 place. There is a trust responsibility. 15 The Federal government has a trust 16 responsibility. We have a trust responsibility to 17 our people. And for us to say we support it because it's still kind of foggy there and it's not a clear 18 19 description of what could to happen, we are driving 20 in the dark at this moment. 21 Respectfully, my thoughts, comments, and 22 question to this matter. Thank you. 23 PDAS TAHSUDA: Thank you, Vice Chairman.

24So I want to -- I don't know if you heard25it earlier we just made sure it's in because I know

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you had other commitments who came in a little bit 1 So this is not intended to be a budget 2 later. exercise, and the Secretary's commitment is that to 3 the maximum extent possible we will protect travel 4 5 budgets. We will protect the regional budgets. And 6 so much of how our budget is developed is dependent 7 upon the regions and the tribes there, your tribal 8 chairs, et cetera.

9 And so this -- if we were, you know, to 10 reorganize the BIA regions, we would have a very 11 long and intensive discussion about, you know, how 12 we would go about that to make sure that basically 13 there's no harm, there's no budget harm to the 14 tribes, to the regions. I know we have both tribal 15 chairs that go out to the tribes. We also have the 16 staffing who perform functions in our offices in 17 those regions; so we will certainly have an extensive and intensive discussion and consultation 18 19 with the tribes on that.

Again, the -- also, this is not intended to be an exercise in changing how the Bureau does its business in most aspects. So the -- this is not intended also to be an exercise in layering over extra bureaucracy. The idea is that for these three primary functions that the bureaus will interact

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But for other matters, the -- our folks 4 5 and the other bureaus will continue to do their jobs 6 and will perform their responsibilities and 7 functions as they do now, and it would only be to 8 accomplish faster, better decision-making in these 9 three primary functions -- conservation, permitting, 10 and recreation areas -- that we can focus on with 11 the new regional organization.

And we're not -- so, again, to allay any concerns, this is not also an exercise in moving staff or offices. Again, this is intended to be a top layer over on these three primary functions to coordinate between the bureaus in each geographic region.

18 Counsel.

MR. ORTEGO: Thank you. My name is Peter Ortego. That's O-r-t-e-g-o. I'm the General Counsel for the Ute Mountain Ute Tribe. Thank you for coming here today. I'd also like to thank the Morongo band for hosting this. It's a really nice facility. I thought our chambers were really nice, but this is spectacular.



1	I'd like to talk a little bit about
2	consultation and also why I think that it's
З	premature. It's hard to imagine that we can have
4	consultation with this particular administration. I
5	hate to be cynical about it, but this is a man who
6	has routinely denigrated tribes. He won't allow a
7	senator to claim that she has Native American
8	heritage because she doesn't look Indian enough. I
9	find it really difficult to think that now we're
10	being asked to consult with this particular
11	administration after Indians are being treated that
12	way on a routine basis.
13	I also wonder why it's necessary to
14	consult with county and local officials on a BIA
15	reorganization. We have a county commissioner who
16	doesn't believe in Federal lands. He might as well
17	be advising the Trump Administration. We he
18	believes that the only Federal lands are the ones
19	that are defined in the U.S. Constitution. He
20	believes Indian reservations shouldn't exist, and
21	yet he has one within his county. I wonder how much
22	weight is going to be given to his perspective when
23	there's consultation on these issues.
24	Also, we should be consulting on what's

25 happening with the other eight bureaus. If I can

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1 tell from your map, it looks as if the Bureau of Reclamation is our area is going to be redesigned. 2 3 Right now, we have two offices serving the tribe, two very effective offices that do very good work 4 5 for the tribe. If that region is consolidated into 6 one, is that now going to be just one office that 7 we'll be consulting with and will that one office 8 have appropriate manpower and staffing to be able to 9 deal with the issues that we present on a fairly 10 regular basis to both offices. That's a concern; so 11 we should be consulted on whether that is also being 12 redesigned, whether it should be something that we 13 would support or not. I don't think we would, but 14 we weren't consulted on that, and I think we need to 15 be just as we'll need to be consulted on the other 16 bureaus as well.

17 And I'm not sure why we're being asked right now to consult when all we're being given is a 18 19 map. I really haven't heard yet what the problem is 20 with efficiency, with accountability. I think there 21 are problems with efficiency and accountability and 22 effectiveness, but I don't know what you think those 23 are, and I don't think we can properly communicate 24 about what those issues are until we know that we 25 agree on the same problems. I'm not sure we agree

1 on the problems.

2	As I said before, I'm pretty cynical about
3	this administration. We're not billionaires; so I
4	don't think he cares what we have to say. We're not
5	straw men of other countries dictating to other
6	people how to live their lives. I'm not sure he
7	cares what we have to say. I guess once Indian
8	tribes have billionaires and dictators we'll have a
9	say in this administration, but I don't think that's
10	the way tribes want to go.

11 And so I'm very concerned about the 12 consultation information that's being given to us. 13 I think we need to know why these things are 14 happening. What is it about recreation that you 15 don't like in the current situation? Is it perhaps because -- I mean, is bears ears going to be a 16 17 typical example of what we're going to see in the future with this administration? We weren't even 18 19 consulted on that. Ute Mountain Ute Tribe is one of 20 the tribes that created bears ears and yet we're not -- we weren't told. Zinke didn't meet with us. 21 He 22 met with our county commissioners, the ones who 23 don't believe in reservations.

24 So I really am appreciative of the fact 25 we're given the opportunity to consult. I think

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1	that's a great thing the presidents have done over
2	many generations allowed us to have a voice, but
3	that voice is very rarely heard, and it's very
4	rarely at least from our perspective, it's not
5	heard very often. And, again, I'm cynical about how
6	this administration is going to look at it.
7	But I appreciate the fact that you come
8	here. I appreciate the fact that you're having these
9	around the nation. I thank you for that. And I
10	hope, as the Vice Chairman said, that we can move in
11	a positive direction. There are issues that we need
12	to be talking about. I just don't feel we're
13	prepared right now to really have a very effective
14	communication about. So thank you.
15	PDAS TAHSUDA: Thank you.
16	Councilwoman.
17	MS. FRIAS: Good morning. Good morning,
18	Mr. Tahsuda, Mr. James, Tribal Leaders, and the
19	Morongo community for hosting us. Thank you very
20	much. My name is Herminia Frias, and I'm one of the
21	tribal council members for the Pascua Yaqui Tribe.
22	I have a list of things that I wanted to talk about
23	that we have been sharing amongst our tribal
24	council, and a lot of those things that I have on my
25	list are areas that have already been raised, but I
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NAEGELI DEPOSITION AND TRIAL 1 do want to still talk a little bit about it and 2 reemphasize. And also I'll share a little bit --3 ask some more questions.

So based on what I've been hearing here 4 5 today and also what the presentation included and 6 some of the feedback that you've provided, you know 7 there -- there -- I see that there's definitely a 8 need for improvement. There is a need to have all 9 of the bureaus talking to each other, that that can 10 benefit us as tribal governments, as tribal nations, 11 especially when you have BIA and tribes that are 12 talking to BIA that has something to do with BLM 13 that has something to do Fish and Wildlife that has 14 something to do with another area. It helps us to 15 have a system where people are talking to each other 16 and things can be done effectively and efficiently; 17 so I think that's good.

18 How it's done is what we're talking about 19 and how it affects us. So the main concern that I'm 20 hearing or that I feel is that this reorganization 21 was done without tribal consultation. This mapping 22 was done without input from the tribe, and it really 23 is just an afterthought. So when the Secretary 24 moved forward on this is how we want to reorganize, 25 there's this concern in me that makes me wonder how

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1	were we thought of when this reorganization happened
2	and how is this going to affect us?
3	And so now I feel like we're playing
4	catch-up to figure out, oh, how does it impact the
5	tribes? How do we fit this round peg in a square
6	hole? You know, how does this? So it just brings
7	up concerns; so this whole mapping and how it
8	affects us and how this whole how the Interior
9	the entire department is going to be reorganized.
10	How does that affect us?
11	The other thing that I wanted to raise
12	was, you know, the resources, the time, the energy
13	that's being spent on this is a lot, you know, and
14	we know as tribal leaders that there's other
15	pressing issues that we have that we would like the
16	Bureau and Interior to focus on, you know, issues
17	that are happening with our housing, issues that are
18	happening with our healthcare, issues that are
19	happening with our schools and our education and our
20	budget. And I know this is not a budget meeting,
21	but it does impact the budget, and I'll talk about
22	that in a little bit when I get to that point.

The other thing that I wanted to bring up is this whole changes in this efficiency and this effectiveness that's supposed to happen, you know,

1 and the whole, you know, it's not affecting the BIA 2 specifically, it's not a BIA reorg. We know there 3 are changes already happening there, and those 4 affect us.

5 We know, in Arizona, at the region level 6 we -- our regional director was sent up to Alaska to 7 be of help up there. We had an interim regional 8 director. We don't have anybody there that's in 9 charge of our -- that's supposed to be looking at 10 the HEARTH Act Policy that we submitted so that we 11 can take over our land leases. It's been sitting 12 there for over a year.

13 And so within -- you know, we want to do 14 all this stuff on the big picture from the Interior 15 at the departmental level so it can trickle down to 16 all the different bureaus and affect the BIA, but 17 here at this level, there's still a lot of stuff 18 that needs to be addressed. So how do we get those 19 to work together and help us on some of the things 20 that we need done now?

The other thing that I wanted to raise is the issue of opting out. I know that was discussed earlier on today. And how do we opt out? What is going to be the conversation moving forward if tribes decide to opt out? Is it a per tribal issue

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1	that us, as Pascua Yaqui Tribe, we choose to opt
2	out, or does the whole region need to choose to opt
3	out? Is an individual tribe that's within the
4	region have the authority how do they opt you?
5	I'm not asking for authority. Scratch that. I'm
6	saying how does a tribe individually opt out when
7	they're already in a region? Do you need the whole
8	region to opt out? Those are things that we didn't
9	consider.

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10 Now I said that I was going to bring up 11 the whole budget issue because I also, as Councilman 12 Dallas brought up, I also sit on the -- as a Western 13 Area Representative with the TBID. So with the TBID 14 we go based on the regions. So right now, as a 15 representative, it's based with Arizona, Utah, and 16 Nevada. And we've been having this whole working 17 group going on since January of how do we -- how do we reorganize -- how do we redo the process, our 18 19 formulation process, when it comes to the budget.

So although it may appear as it doesn't affect our budget, it does affect the budget formulation process because the budget formulation process is based on the regions and the whole TBID system that has been created.

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Now the tribes -- the TBID committee is

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1 working on a different system. You know, recommendations are, you know, hopefully going to be 2 3 put on the table so that we can come up with a 4 different way of going through this budget 5 formulation process, though it's a work in process 6 and it's based on existing regions. So even as part 7 of the TBID, when we do our budget priorities, 8 that's tough. It's tough to get information from tribes about what the budget priorities are so that 9 10 we can share that with the administration and create 11 this national budget that we can propose to the 12 administration on behalf of the tribes. So it does 13 affect the budgets. And, how, because this is 14 already in place in how we go in there. 15 The other thing that I wanted to bring up 16 is just this whole consultation and the lack of 17 consultation in Arizona. You know, there are a 18 number of tribes here that are represented from 19 Arizona that had to drive out here, and this is not 20 efficient nor effective for us. So, you know, we 21 had to come out here. If there was a consultation 22 in Arizona, there's 22 tribes there, you know, and 23 it would have been better for us to just go up to an 24 area there that was more convenient and that we 25 could have more representation there to share what

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1	our concerns are about this Interior reorganization.
2	Let's see if I have anything else. I'm
3	writing all these notes. I think that's it. But I
4	just want to say that I think the main concern is
5	that, for us, the issue is the aftermath. And I
6	want to bring this up. This is what I wanted to say.
7	I wanted to bring this up is that, sitting on the
8	TBID and listening to all of the tribes talking
9	about, you know, the different priorities that they
10	have for their tribes and the differences amongst
11	all the tribes, regardless if we're in one region,
12	we're proposed in Arizona we're proposed to be in
13	the California region, Southern California region.
14	That's the proposal.
15	We are not similar at all. There's
16	nothing that you can say, oh, this region, it's
17	similar. You know, we can you know, the issue
18	that was brought up at the California's PL-280,
19	we're not. Some of these things that California
20	tribal leaders brought up, I knew nothing about. I
21	had to turn to our attorney general and say what is
22	that. She's like, oh, that's an issue in
23	California. Oh, I don't know anything about that.
24	So we are very different.
25	And even in Arizona we are very different;

1	so it's hard enough to have Arizona tribes that vary
2	within their region as you know. I mean, you know,
3	as different cultures and different people. You
4	know, now going back and looking at a map that was
5	created without our input based on based on those
6	three areas of conservation, permitting, and
7	recreation, maybe that's not where tribes maybe
8	that's not an area where tribes are looking at.
0	And because Interior is leaking at these

And because Interior is looking at these 9 10 areas, these three areas, it does affect how future 11 policies and future regulations are being proposed 12 to the tribes. When we were at a meeting at the TBID 13 in May, I think it was in May, Mr. Cason came out 14 and spoke to the tribal leaders, and he shared with 15 us, when we were sharing with him what our tribal priorities were and our budget process and some of 16 17 these unfunded obligations and so forth, he turned around and told the tribal leaders that, look, we 18 19 have to deal with -- and I'm summarizing, but you 20 can look at the minutes of that meeting to get the verbatim of what was actually said. But he turned 21 22 around and told the tribes, look, I'm dealing with 23 the national parks. The national parks have over 30 24 million people visit, and we're dealing with 25 dilapidated toilets and dilapidated bathrooms.

1	And you could hear a pin drop in that room
2	because the tribal leaders were shocked by what they
3	were hearing, the Assistant Secretary of the
4	Interior comparing the trust responsibility, the
5	issues that we have with tribes, with getting
6	infrastructure for our schools, infrastructure for
7	housing, infrastructure for facilities for our own
8	people to live in, to work in, to roads,
9	transportation, people to drive on safe roads
10	they were comparing he was comparing our
11	priorities to a dilapidated bathroom at a national
12	park.
13	And so that brings concerns to us because
14	at this Interior level, when you're looking at
15	recreation, permitting, and conservation, how is
16	this going to affect us? And it does affect us in
17	the region because that's part of the budget
18	formulation process. They're unfortunately
19	sometimes not thinking about who we are as people,
20	not as a resource but as people, governing for other
21	people but rather a national park or visitor center
22	or something else.
23	So it concerns me greatly as a citizen of
24	Pascua Yaqui Tribe in our Tribal nation, it concerns



25 me as a representative of the TBID, and it concerns

1 me as a tribal citizen in general of where are we going on this and how do we get back in and make 2 3 sure that this is done with us not without us. We will be submitting an official 4 5 statement on behalf of the Pascua Yaqui Tribe to the 6 Interior regarding our concerns and our opposition 7 as far as how this process has taken place. But I 8 think that, you know, there is definitely a need to 9 change things and to improve things. We just want 10 to make sure those are done or our behalf with us 11 and not without us. 12 Thank you. Appreciate your time. 13 PDAS TAHSUDA: Thank you, councilwoman. 14 So you covered a lot of things. I'll see 15 if I can try to at least address a couple of them. 16 And, first off, this is applicable to a lot of the 17 comments made. I know that there is a lot of 18 questions about why we haven't given more 19 information before this or why there's not a more 20 fully developed plan, et cetera, and I think that we 21 have tried to be sort of as open as we could as the 22 plans were developed internally, to give you the 23 information, and the -- there was tribal input. 24 It was asked for and given early last 25 year, and that was focused on the maps. And there

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1	was other I don't know if any tribes did it, but
2	there was actually a map on the Interior website
3	that was you had to actually move the lines
4	yourself and make suggested changes and movements of
5	the regional lines and submit that in and comment on
6	that. And there were changes to the map that
7	occurred specifically addressing tribal comments.
8	We use an example, New Mexico, one of the
9	original maps, was pretty much split down the Rio
10	Grand which obviously leaves Pueblos on one side or
11	the other, right. And so the lines moved over to
12	the state line. And so there were some changes made
13	in response to that. It's difficult, again, to
14	for us, at the end of the day to find a sweet spot
15	with consultation. If we don't have enough
16	information to give you to have a good discussion,
17	then we've wasted your time. And if we have too
18	much information, you may rightfully so, but you
19	presume that we've gone too far down the road and
20	made decisions without you. So we're trying to find
21	that spot where we have enough information to have a
22	fruitful discussion. You know, sometimes it's
23	tricky to get it. I would guess we rarely hit it
24	just exactly in the right spot, but we attempt to.
25	In all honesty, we attempt to.



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1	So I think that the outline of how this
2	would work is really just an outline at this point
3	essentially. So there's no flush-out plan for the
4	larger effort just really these concepts, and part
5	of this, again, is driven by a timeline given to the
6	Secretary by the President and putting enough in
7	some ways kind of the same concept, like getting
8	enough information into the plan that it's
9	responsive to the President's directive, that it's
10	responsive to stakeholders who are interested in the
11	Department in general, and the other agencies, how
12	we interact with those.
13	You know, there was in addition to our
14	sort of internal restructuring, there is discussion,
15	and it's public there is discussion about some
16	reorganization department to department. And the
17	Secretary, you know, has proposed that, and
18	conceptually, I think the White House is is or
19	at least is looking into it, you know, moving what's
20	called NMFS, right, which is the National Marine
21	Fishery
22	Service?
23	MR. JAMES: Something like that.
24	PDAS TAHSUDA: Which really is just the
25	salmon. That's the Department of Congress, believe
I	DEPOSITION AND TRIAL

1 it or not. So we're responsible for every other fish 2 in U.S. waters in the United States along the coast 3 except for salmon, surprisingly, right.

4 So the Secretary has a proposal to 5 actually bring NMFS out of Congress and into or 6 department, and that's illustrative of these challenges that we have with the departments and the 7 8 bureaus siloing in. So we try to do things. We try 9 to make decisions that, you know, accomplish our --10 between the Fish and Wildlife and the Department's, 11 you know, responsibilities with fish through the Fish and Wildlife Service. But NMFS, they're 12 13 something totally different, and we're going to 14 adjust to that because it impacts us even though we 15 would do it a different way.

16 So that's part of this larger effort, but 17 I quess my point is that, in the same vein without getting too far down into the weeds, I think the 18 19 Secretary is trying provide the plan to the White 20 House this lays out the concept and the structure on 21 how he thinks our department could be reorganized 22 but leaving enough open space in there to make 23 adjustments, to be flexible on how his reaction 24 would be implemented. And so that's part of the 25 discussion.

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1	Obviously, me, Jim, is part of that
2	flexibility if you recall that; so the question of
3	whether Indian Country, the BIA will be part of the
4	unified regions is up to you, and if you want to
5	have a further discussion, the Secretary would
6	probably I'm just speculating that he'd
7	probably put it in his final plan submitted in
8	October that Indian Country is interested in doing
9	this, but that would leave open a whole discussion
10	that we'd have to have about how this would happen.
11	And I guess, frankly, at the end of the
12	day, we'd leave it open to say, if we can't figure
13	out how to make this happen in a way that benefits
14	everybody, then we would have to back out, I guess,
15	you know. Or if Indian Country says or the
16	Secretary puts in his plan that Indian Country does
17	not want to be part of it, the BIA won't be part of
18	it, and we'll have that whole discussion about what
19	that means for the BIA and how it interacts on your
20	behalf with the other bureaus.
21	So, you know and, yeah, I guess in some
22	aspect there may be discussion how we could do
23	partial integration, you know, after the fact. But
24	there would be well, we will necessarily a lot
25	more discussion. Regardless of what your decision is
·	DEPOSITION AND TRIAL

1	we're going to have a lot more discussion about what
2	this means because at the end of the day the other
3	bureaus are going to be reorganized into these
4	unified regions, and we'll just have to figure out
5	how Indian Country is going to effectively how
6	our role, our responsibilities to Indian Country are
7	going to fit in with that.

8 I think that -- the question about -- I'm 9 going to address this quickly. So you actually 10 raised a question, which is legitimate I think. You 11 know, we have put a lot of time and effort and 12 thought into this and how does that affect our 13 staff, and admittedly we're pretty lean staffed. 14 How does this affect their ability to do their day 15 jobs? I guess -- and Jim could probably answer better -- but my expectation, my thought, my 16 17 observation is they've been able to do their day jobs while they've been able to participate in 18 19 discussions with us. I think that's -- and 20 hopefully that will be able to continue. 21 We do have -- we have staffing issues. We 22 are -- we are -- I think this is my -- this is my, I 23 guess, my interpretation of what's happened over 24 time. We're 30 years into self-governance, right.

25 30 years ago the BIA had almost 15,000 or 16,000



1	employees, somewhere in that range, about 15,000
2	employees, right. 30 years later we have under
3	6,000. And those jobs and those responsibilities
4	didn't go away, right. They migrated to you, to the
5	tribes, really. And so that's great. That's what
6	self- governance was intended.

But at the end of the day it leaves us very lean staffed, and we are working hard to fill staff positions, and we are left -- we are sometimes left scrambling. We don't have enough senior management to fill all the RV spots. Sometimes we have to move people around temporarily to fill a gap, to fill a hole.

14 We fortunately just found a great regional 15 director for Alaska. So when we were having detail 16 people up there now, we've got a permanent regional 17 director up there. You know, that's great. These 18 processes don't move quickly for us, and we do have 19 -- Indian preference is of course important but 20 increased programs for us that other bureaus 21 obviously don't have as well, right. I mean, we 22 have a smaller pool of people that we can staff from 23 as well as opposed to the other bureaus. So we have 24 a lot of challenges when it comes reaching adequate 25 staff levels in deciding budget issues which is

1 obviously a, you know, a challenge that we face as 2 well.

3 The question of opting in and opting out so I think it's really hard for me to 4 5 conceptualize how one tribe could be in or out. Ι 6 really think -- we have had some interesting, some 7 good discussions with a couple of regions about how 8 their region might potentially fit well in with the unified region and then maybe some interest from 9 10 them in moving forward with the discussion on that. 11 But I don't see how we could do less than 12 a region. It would have to be a whole region. And 13 I frankly don't know. I mean, really, I guess 14 that's as much a discussion with tribal leadership 15 as anybody. But if you had 30 tribes in a region who 16 wanted to do it and 1 tribe that didn't, I don't 17 know -- you know, I quess it's our responsibility to 18 find a way to deal with it, but we'd try to figure 19 that out.

And, lastly, so, TBID, I appreciate is a difficult process for you, it's a difficult process for us, and I don't know if things were ever better. In all my memory that I've been in D.C. or working with the agency, the budgets for Indian Affairs were always a challenge, and it's something that we have

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1	to work with because at the end of the day, you
2	know, we can go through these exercises and put
3	together budgets, et cetera, but there's another
4	branch of government that actually writes the check
5	and tells us how to spend the money.
6	And to be honest, sometimes it's kind of
7	frustrating because we can work with you, we can
8	identify priorities, and that other branch doesn't
9	pay attention to that. They don't want to.
10	Sometimes they gave us money for things that we said
11	weren't our priority, and they were still directed
12	to send the money for that. And things that you've
13	identified and mostly we agree, I think, on the
14	priorities. And so, when we identify them,
15	sometimes they ignore us. So that's a challenge.
16	I suspect that Jim Cason was trying to
17	express the challenges that we face. And, you know,
18	he sits a little higher up and has to take a broader
19	look at budget issues. I don't think he was Jim,
20	to me, I would really have to say I really enjoyed
21	working with. I worked with him before when I was on
22	the Hill and interacted with him through the Bush
23	Administration, and I found him to be really great
24	to work with.
25	And one of the things that is great about

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	The officiate official of the second se
1	him is he's very honest. He's very direct. He's
2	straightforward. He's that way with me, when he
3	talks to the tribes and he loves to talk to
4	tribes but he'll be very brutally honest with
5	you. And I suspect that probably what he was trying
6	to impart was to say we do everything we can to
7	address your priorities, but at the end of the day
8	that has to so I get to have the fun of directly
9	advocating for you, right, as part of the
10	President's budget, and when we get questions and
11	comments, right. But Jim is part of that advocacy,
12	but he also has to advocate for parks.
13	And at the end of the day, we may not like
14	it, you may not like it, I may not like it, but
15	there are other people. And, again, there's another
16	branch of government that plays a really big role in
17	where this money goes, and they are very concerned
18	about toilets in parks, believe it or not. And I
19	talk to them all the time about how it's terrible
20	that you know, that don't have new toilets
21	that your toilets are 20 years old in this park
22	service building and I've had kids going to school
23	in a hundred-year-old building, right. We talk to
24	them all the time about this.
25	At the end of the day, they're the ones



1	that make that cut, and so I think maybe Jim was
2	trying to express a little bit of reality, and this
3	is the perception that unfortunately we have, at
4	least unfortunately from my perspective on behalf of
5	tribes and tribal people. So I appreciate that.
6	I really think that, going back to the
7	TBID, you know, that will obviously be part of a
8	really a good but intense discussion, I think.
9	You know, we we will we'll probably have to
10	have a multi-year transition process as we figure
11	out how to hold tribal chairs harmless, right; how
12	we transition from one region to another; if we did
13	that, how would that impact TBID and your working up
14	the priorities regionally as well as nationally.
15	But I think that there would be with
16	all this stuff, including the transitioning here,
17	we'll have to work into it.
18	But thank you, councilwoman.
19	Next up.
20	MS. HARVEY: Good morning. I would like
21	to thank, first of all, the Morongo Tribe for these
22	very beautiful facilities. It bring backs memories.
23	I used to come out here for my health services back
24	in the '90s, and it's quite a different place today
25	and very beautiful building; so thank you for
L	DEPOSITION AND TRIAL

1 allowing us to have this meeting here. I'm going to 2 make this quick. We have other people that want to 3 speak up, and we're running out of time.

4 So my name is Denise Harvey. I'm with the 5 Confederated Tribes of Grand Ronde Tribal Council. 6 The Department's proposal is a huge undertaking 7 which has greatly impacted by -- impacting Indian 8 Country for many years to come. Due to the scope of 9 the proposed action, consultation meetings are 10 insufficient and do not amount to meaningful 11 consultation. This is another instance wherein the 12 Department has made a recommendation for major 13 change that would impact Indian tribes without 14 soliciting tribal input in developing that 15 recommendation.

16 With the exception of Executive Order 17 13781, the Department has not clearly articulated 18 the need for such dramatic changes. It appears the 19 Department already is taking steps to move forward 20 with reorganization despite tribal concerns and lack 21 of consultation. The Department needs to re-examine 22 its priorities and focus its efforts and resources 23 of serving the needs of tribes in the areas where it 24 is needed most.

25

It does appear that there have been

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(800)528-3335 NAEGELIUSA.COM changes already. We, for one, in the Pacific
Northwest had a regional director for over 30 years.
That regional director was asked to relocate to I
think the Southwest and at that time opted to
retire. And to this day we still have not received
a replacement for that position.

7 When I was in D.C. last week, Gary and I 8 got out of the legislative summit. Several people 9 from Congress often brought up the reorganization. 10 Several of them commented on they hadn't seen a plan 11 and they went so sure how they felt about it because 12 they hadn't seen a plan either. And one of the 13 other comments that came up in that legislative 14 summit was that Zinke has asked a few people to 15 create a committee. I just want to be sure, if that 16 takes place, which I'm not objecting to that in any 17 way at all, but that the tribes be included in that 18 committee process.

So I don't know if that's happening, but it's just some conversation that was occurring, but if it does occur, please allow the tribal leadership to be a part of it, the committee.

Thank you for your time, and we really appreciate you coming out here. It would really be nice to see Secretary Zinke here. I have had the

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1 opportunity to see him a couple times in Washington 2 D.C. but that's the only place that I've see him in 3 the country; so we do appreciate your time that 4 you've taken to organize this meeting.

5 PDAS TAHSUDA: So if you've see him in 6 D.C., you're kind of lucky because he doesn't spend a lot of time there. I have had the pleasure of 7 8 traveling over a great part of the country, and I 9 have to say he's very committed to meeting with 10 tribes as he moves across the country regionally, 11 and we try to make sure to work that in. I don't 12 know that -- we have several tribes in Washington 13 D.C. We haven't been down there yet, but at some 14 point he's very intent on hitting every part of the 15 country. When he does, he always makes sure and 16 talks to the tribes.

17 Sir.

18 CHAIRMAN BURKE: Good afternoon. My name 19 is Gary Burke. I'm from Oregon Country. I just 20 found out while I was at the airport that you're 21 going to have a listening session in Seattle, so. 22 But I was already scheduled to be here for this 23 listening session, so. I'll probably be at both. 24 Anyways, I have some testimony here from 25 the Confederate Tribes Umatilla. Good morning. My

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(800)528-3335 NAEGELIUSA.COM 1 name is Gary Burke. I'm the Chairman of the Board of Trustees, which is the governing body of the 2 3 Confederate Tribes of the Umatilla Indian Reservation. So CTUIR. Who are we? CTUIR is a 4 5 confederation of Cayuse, Umatilla, Walla Walla 6 tribes located in northeast Oregon with rights and 7 interests in northeast Oregon, southeast Washington, 8 and beyond.

9 Our government relationship with the 10 United States finds its foundation from our Treaty 11 of 1855, from Statute 945. The stability of our 12 government and enterprises is important not only to 13 the membership but to the regional rural economic 14 economy that has benefited from our progress and 15 prosperity.

16 In our treaty of 1855 we reserved the 17 perpetual and pre-existing rights to fish, hunt, 18 gather, graze throughout the aboriginal territories 19 consistent with the traditional ways. Why is this 20 reorganization important to us? The CTUIR has a 21 long productive history working with Interior 22 agencies, including the Bureau of Land Management, 23 Bureau of Reclamation, National Park Service, U.S. 24 Fish and Wildlife Service, U.S. Geological Survey, 25 and most significantly the Bureau of Indian Affairs.

We value our relationships with the Interior
agencies and bureaus.

3 An important starting point for any Interior department reorganization is direct 4 5 recognition of the trust obligations owed by the 6 U.S. to the tribes. The trust obligation has been reorganized -- recognized by the courts, codified by 7 8 Congress, declared by previous presidents by Executive order. While the Federal trust 9 10 obligations is our responsibility of all Federal 11 agencies that obligation is centered in the 12 Department of Interior. 13 At a minimum, the trust obligation 14 requires meaningful consultation of tribal 15 governments above and before any reorganization of 16 the BIA or any other Interior agencies. Any 17 reorganization of the Interior Department must be 18 conducted in full consultation with tribes, 19 including all Interior bureaus not just BIA. The 20 reorganization should be conducted to ensure tribal 21 co-management resources under principles of self-22 government.

The Department of Interior needs to be funded at levels sufficient to responsibility implement reorganization its statutory and trust



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1	responsibilities to tribes. We are concerned
2	because any reorganization will be expensive and
3	will incur at a time when the administration is
4	proposing substantial budget cuts in the Interior
5	Department.
6	The fiscal management, fiscal year 2018,
7	the President's budget requested a proposed
8	reduction of approximately 1.5 billion, a 13 percent
9	budget reduction from what was a reenactment in
10	2017.
11	The budget proposal for all Interior
12	Department agencies by the Administration for fiscal
13	year 2018 is 10.6 billion, which budget is
14	insufficient to cover the maintenance, backlog at
15	the National Park Services facility, which is over
16	11 billion. This is a comment for the CTUIR.
17	The BIA agency must remain open and
18	located (inaudible). Portland regional office must
19	remain adequately staffed and funded. The Pacific
20	Northwest Regional Solicitor's Office in Portland
21	must remain adequately staffed and funded; however,
22	the BIA region is modified to ensure that CTUIR
23	stays the same BIA region as other Columbia River
24	Treaty Tribes and other Stevens Treaty Tribes.
25	The DOI-BIA must consult with tribes
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1	before appointing or replacing a regional director.
2	There must be a continuation of adequate staffing of
3	the Secretary's Indian Water Rights Office to
4	facilitate Indian water rights settlements. The DOI
5	must prioritize and address the profound delays in
6	the current BIA program system. The DOI must ensure
7	that there is adequate staffing in the budget to
8	fully implement the Indian Self-Determination Act,
9	including the full contract support cost funding,
10	sufficient funding for the Fish and Wildlife Service
11	to accomplish basic functions the agency has under
12	the Endangered Species Act and other laws and
13	regulations addressing Fish and Wildlife guaranteed
14	by law and treaty.
1 5	Tatanian Danianal Dinastan should not hu

15 Interior Regional Director should not, by design, rotate at a frequency less than four years, 16 17 and considerations to appoint must avoid conflicts 18 between individual bureaus and offices and any 19 reorganization of the Department of Interior, its 20 bureaus, and its service to Indian Country must be guided by the perpetual trust obligations owed by 21 22 the United States to the tribes.

The CTUIR appreciates the opportunity to present our views in the listening session today. Thank you for being here. And to all the California

tribes and to Morongo for hosting this. Thank you. 1 2 PDAS TAHSUDA: Thank you, Chairman. 3 Next. 4 CHAIRWOMAN PINTO: I've been standing on 5 my heels for 20 minutes. Erica Pinto, I'm the 6 Chairwoman of the Jamal Indian Village, and I'm here 7 just to make a few comments. We'll be submitting 8 more comments by August 15. 9 I'm here to express my agreement with

comments expressed by all the tribal leaders. 10 11 First, we'd like to keep the California regions the 12 same because it's important that we stay aligned as 13 Chairman Mazzetti pointed out. Second, despite what 14 you say, we believe this will have an impact on 15 funding. Third, the BIA has a trust obligation to 16 the tribes, and it seems to me that this is a pretty 17 forward use of resources to be spending on when the 18 majority of tribes opposes.

We touched on this a little bit, but what would happen, truly, if all the tribes did oppose, which I think they do, and if for one second you think or anyone thinks that Trump is going to make an order that benefits any of the tribes, then that's fake news. Thank you.

PDAS TAHSUDA: Thank you, Chairwoman.

25



1	MR. JOAQUIN: Jordan Joaquin, Councilman
2	for the Fort Yuma Quechan Tribe. The reservation is
3	located at the southern tip of California, and we
4	have also reservation goes into Arizona. Just a
5	couple of thoughts and comments.

6 There's always room for improvement. We 7 all agree to that, but to reorganize in the way it's being proposed -- and I've been sitting back here 8 9 and I agree with all the other tribal leaders' 10 comments -- this is not a session issue. This is 11 what I'm hearing. Councilwoman just asked what 12 happens if a tribe opts out. And many times during 13 your presentation you said hopefully these bureaus 14 can get together; I think maybe you can opt; maybe 1 15 opts out of 30 tribes. That's not a plan. That is 16 called winging it.

17 Trust responsibilities for Indian Country, you've said it many times, it won't affect the 18 19 budget. In all due respect, sir, we've seen how the 20 government protects budgets in Indian Country. Ι 21 will put my personal feelings aside for the 22 President, but I do agree with some of the comments 23 If we're going to do any reorganization, it made. 24 should be going back and listening to tribal leaders 25 government to government. This is not a checklist,

Tribal Consultation Meeting July 24, 2018 NDT Assgn # 27225-1 but I'm sure it will be at the end of the day. 1 Secretary Zinke, I added the -- there's 2 3 eight consultation schedules. There's 365 days out 4 of the year. He cannot make one of these. It's 5 Once again, Indian Country is being left out. sad. 6 As I look to your Powerpoint, "Goals of 7 Reorganization: Improve service to the American 8 people," there should be a bullet point that says, "Improve service to Indian Country." 9 10 Trust responsibilities, if there's going 11 to be any organization -- reorganization, it is 12 coming to Indian Country, listening to tribal 13 leaders. Consultation interaction has been set, but 14 we can interact with you all day, sir, but we may 15 never come to an agreement. We've had our problems 16 with BIA, but we worked it out. There's room for 17 improvement as I said before. But this affects 18 Indian Country, and like the Vice Chairman said, a 19 hundred-year plan, we plan on being around for more 20 than a hundred years. 21 This not only affects the present, our 22 future, but we also to the tribal leaders who have 23 passed who have fought for this, fought for our

24 Indian people. They may have gone, but the fight 25 will always continue as long as tribal leaders have

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1 a voice and a place at the table in Indian Country. 2 Thank you.

PDAS TAHSUDA: Thank you.

3

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You only get one shot at it.

5 CHAIRMAN MAZZETTI: Bo Mazzetti, Chairman 6 for Rincon. We know you've said -- I can't count 7 the number of times -- that this is not a 8 reorganization of BIA when, in fact, this is not 9 correct. You're hiring some new positions to 10 oversee existing positions. Why not take that 11 money, get it down to the area office at agencies 12 and fill the positions that are there that actually do the fieldwork? 13

14 And I would like for you to clarify, when 15 you say it's not a reorganization, clarify what that 16 means and also clarify what you're doing. You're 17 reorganizing the tribes. You're going to report 18 someplace else. But I think it was extremely 19 misleading all day, John. We're not reorganizing. 20 That's a semantic. That's a game. That's a word for the tribes when, in fact, you are reorganizing 21 22 us. We're going to report to Arizona? We're not 23 reorganizing BIA? So let's not play games. You are 24 tricking the tribes that you're not going to 25 reorganize the BIA organization.



1	That's extremely misleading. I've heard -
2	- I don't know how many times we're not
3	reorganizing BIA, but that is not correct. So,
4	please, share the facts with the folks in the
5	future. Thank you.
6	PDAS TAHSUDA: Thank you, Chairman.
7	So I guess I would respectfully disagree
8	in the sense that I don't think that the tribes
9	report to us. I think we report to you. So that's
10	part of again, the effort is you know,
11	certainly there will be some impacts to the BIA.
12	CHAIRMAN MAZZETTI: We're not changing
13	ourselves to Arizona.
14	PDAS TAHSUDA: But, you know, our hope is
15	that we will serve you better. We will report to
16	you better. We will be able to perform our functions
17	as they interact with the other bureaus better. So,
18	again, it's not when I say this is not a
19	reorganization of the BIA, we're not. We're not
20	changing the functions of the BIA. We're not
21	changing offices. We're not moving staff around.
22	This is, you know, intended to
23	CHAIRMAN MAZZETTI: You're moving the
24	tribes around.
25	PDAS TAHSUDA: We're not moving you
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Tribal Consultation Meeting July 24, 2018 NDT Assgn # 27225-1 Page 111 1 anywhere. You're going to stay right there. 2 CHAIRMAN MAZZETTI: (Inaudible.) 3 PDAS TAHSUDA: Honestly, I didn't -- there 4 was no plans to move Rincon anywhere else. You can 5 stay right there where you are. 6 CHAIRMAN MAZZETTI: Put that on the 7 record. Report it to Sacramento. 8 Well, again, I don't think PDAS TAHSUDA: 9 you report to Sacramento. I think Sacramento 10 reports to you. 11 CHAIRMAN MAZZETTI: I think we report back 12 and forth. We have a got relationship. 13 PDAS TAHSUDA: Do you have a comment, sir? 14 CHAIRMAN PEREZ: Hi. My name is Virgil 15 Perez, and I'm tribal Chairman for Iipay Nation of 16 Santa Ysabel, and I just want to give my comment for 17 opposition to the idea of reorganization because it 18 is not a plan. It's an idea, and I think, if you 19 presented it as, hey, we have an idea can you come 20 consult with us, it might have been taken a little 21 bit different. But without something to read and 22 understand what this is going to entail, it just 23 doesn't make sense to us in Indian Country. 24 How are you not going to move people? So 25 if you're changing the boundaries, you're going to (800)528-3335

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1 have to move people someplace. So whether it's BIA, whether it's an office, there's going to be some 2 3 changes. How's that going to affect our funding? Well, fortunately, we had some great speakers here 4 5 this morning, and I thought the voice of Indian 6 Country came across loud and clear. But there's so 7 much that, if you don't have an actual plan that we 8 can look through, it's going to make it very 9 difficult to go along.

10 So how do you opt out? So let's say a 11 large part here in Southern California, are we going 12 to be considered the silent minority if the rest of 13 everybody wanted to go? Even we had opposition with 14 everybody else, hey, we like this, would Southern 15 California just be stuck and have to go along? Is 16 2? 20? You know, we don't know what the it 1? 17 number is for participation.

18 Once again, going back to the idea, this 19 is an idea. There is no solid plan; so I wouldn't 20 even consider this consultation. You know you --21 give you an idea. Right now, we're doing a master 22 plan for our reservation. We're a poor tribe, same 23 as a lot of the Iipay. But in that type of planning 24 you reach out to your stakeholders, which in my case 25 is my people. In your case it's all the different

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1	tribes. You should be reaching out and hearing all
2	their ideas and saying, "How do you feel about this
3	map? What do you think about this?" But when you
4	present those things and say we have timelines, it
5	makes us feel like, you know, it's already being
6	done, you know. So this consultation is that check
7	box.
8	And, you know, our voice is being heard
9	here today. I just want it down on record, our
10	opposition to a reorganization idea, because I don't
11	feel that's a plan. Thank you.
12	PDAS TAHSUDA: Thank you, Chairman.
13	CHAIRPERSON SANTOS: Good afternoon. I
14	just my name is Angela Elliott Santos. I'm the
15	tribal chairperson for the Manzanita Band of the
16	Diegueno Nation. I just have to add one more voice
17	to what you're hearing today. I think some of the
18	things that have been said here today you have to
19	stop and put them in perspective. If you were going
20	
	to buy a new home, sir, would you just take a plan,
21	to buy a new home, sir, would you just take a plan, if somebody walked up and said, well, your interest
21 22	
	if somebody walked up and said, well, your interest
22	if somebody walked up and said, well, your interest rate is going to be somewhere between 5 percent and
22 23	if somebody walked up and said, well, your interest rate is going to be somewhere between 5 percent and 20 percent and maybe this will happen and maybe this

1 to us.

Part of a plan that will our home -- and, 2 3 yes, you are relocating us to another agency. Going to Arizona, it doesn't fit with what the California 4 5 tribes are doing. You've heard today how much we've 6 invested in ourselves through the Fee-to-Trust 7 Consortium. Those things mean a lot, especially to 8 poor tribes way out in the mountains with hardly any 9 land base and with no resources, no hope of 10 development or self-determination.

11 So I just have to ask you where's the 12 respect in that to us. To just hand us something 13 that's not even a plan, something we can't absorb, 14 how do I go back to my tribal members and say this 15 is something that we should be for when I don't even 16 fully understand it. And even after sitting here 17 today, I don't think you gave me any information 18 that would make me want to agree with this, any real 19 information. If you could give me a scenario of how 20 this will make things go faster rather than slow 21 down the process or add another layer, sometimes the 22 State of California is going to have to speak on 23 something the Manzanita might be doing, and so then 24 we have Arizona and California. It seems like a big 25 mess to me, sir.

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1	So if before we leave today, if you could
2	give us some more information, I think that's all
3	that we're asking for. But definitely I agree with
4	all the other tribal leaders, and I also agree that
5	this isn't consultation because what are you asking
6	me to consult on. I don't have enough information
7	to consult on behalf of my people. Thank you.
8	PDAS TAHSUDA: Thank you, Chairwoman.
9	So let me see if I can come up with an
10	example. We have an I don't know. So there is an
11	irrigation project, let's say, that is operated by
12	the Bureau of Rec and but obviously it impacts
13	waters that go to the tribe. It impacts farmers.
14	It impacts a park or, let's say, forest service
15	lands. If there are an expansion of that project,
16	let's say, how does that impact you? It impacts you
17	because it impacts your water. It impacts the
18	quality, potentially, of your water. Rather than
19	that decision going through several years of process
20	without maybe you even knowing that it's going on,
21	this process because, you know, I say both
22	permitting actually, this may impact two of the
23	primary functions permitting as well as the
24	conservation as intended to include environmental
25	reviews.

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1 That would necessarily include all the bureaus who are impacted by that decision from the 2 3 very beginnings, and so the BIA would be involved by you. You would be available to submit your comments 4 from the very beginning instead of, again, waiting 5 6 for a couple years down the road and suddenly you 7 find out about it, Amy just finds out about it and 8 interacts.

9 You know, I think that you have a better 10 situation here with Amy than we have in other parts 11 of the country because Amy is in a good position. She shares an office with her counterparts in other 12 bureaus. I know they have a lot of interaction, and 13 14 other parts of the regions of the country don't 15 necessarily have that. But I think those are --16 that's sort of a scenario that happens all the time. 17 And so for being able for us to have a decision, 18 whether it's another bureau or whether it's the BIA, 19 that all of the bureaus who have an input into that 20 are involved from ground level leads to a better 21 decision.

We resolve our issues at the regional level before them come to D.C. Saves time, saves the resources instead of Amy's staff having to devote a whole bunch of time going through the

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1 environmental reviews, you know, she only has some 2 of her staff who were involved from the very 3 beginning with the folks from the other bureau who 4 are doing the environmental reviews and the primary 5 responsibility for that for her folks have their 6 input from day one.

7 So this is, you know, how it's intended to 8 work so that there is a coordination across the bureaus from the very beginning. I think that 9 10 there's a lot of things that we do in our bureau 11 that don't impact the other bureaus, right. That's 12 fine. But there are some very significant decisions 13 that are made in the regions that impact all the 14 bureaus there, and that's what this is intended to 15 do.

16 We have -- we experience it often and you 17 experience it on like fee-to-trust. It takes a long 18 time to get through that. We spend a lot of time 19 preparing for that. Other bureaus, you know, for 20 better or for worse, they have the same sort of 21 timing issues that we do, right. They have a bridge 22 that has to be done, right. They spend five years 23 going through environmental reviews with it on their 24 own, and then they talk to other bureaus; so that 25 adds another two years. When all that time, they're

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just trying to fix a simple bridge over the creak,
 right. So, again, this is intended to create
 communication and in coordination from the very
 beginning.

5 If it still takes five years to get that 6 environmental review, there's something special, fine, but at least we're not adding on additional 7 8 years from the input from other bureaus. They've been involved from the very beginning. So that's 9 10 ultimately where this is aimed at, having an impact 11 for you, for the other bureaus, for everyone. I 12 don't know if that's a good example or not.

13 CHAIRMAN MAZZETTI: Hey, John, I think you 14 answered your own question here in certain ways. If 15 Sacramento works so good, why don't you use the 16 other area offices and bring them all into the same 17 federal building. Simple. The answer is quick. 18 That resolves the Bureau's reorganization and 19 everything else and a lot cheaper. 20 PDAS TAHSUDA: Right. So that resolves it 21 for Northern California --22 (Simultaneous comments.) 23 CHAIRMAN MAZZETTI: -- federal buildings

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24 in other states -- (inaudible/simultaneous

25 comments.)

1 PDAS TAHSUDA: If you think about this, we have 61 geographic regions spread across nine 2 3 bureaus; so necessarily those offices don's all line 4 up. 5 How long have you been in the same 6 building with --7 CHAIRMAN MAZZETTI: 1875. 8 MS. DUTSCHKE: Since 1960. Seriously. 9 PDAS TAHSUDA: So you're very situated 10 there. That's actually pretty rare for us. I think 11 the only other place that you're quite in the same 12 situation as Alaska in which we have a lot of folks. 13 Alaska is essentially sort of like a unified region 14 already, right. All the bureaus have Alaska as a 15 separate region. So but even there we're all in the 16 same building. 17 CHAIRMAN MAZZETTI: Simple logic tells 18 you, if that works, why don't you copy it? Copy it? 19 UNIDENTIFIED MALE SPEAKER: Why break it 20 up. 21 CHAIRMAN MAZZETTI: Yeah. That's a good 22 example of how --23 PDAS TAHSUDA: We're not talking about 24 moving Amy or that office out of there. 25 CHAIRMAN MAZZETTI: But you move the other (800)528-3335

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Tribal Consultation Meeting July 24, 2018 NDT Assgn # 27225-1 1 departments in so you're all together. 2 But they're already there. PDAS TAHSUDA: 3 CHAIRMAN MAZZETTI: Then there should be 4 no problem. 5 PDAS TAHSUDA: So that's why that works as 6 a great unified region because, except for park 7 service all the bureaus in Northern California are 8 already in the same building. Parks is actually, I 9 think, planning to move from San Francisco. 10 MS. DUTSCHKE: Yeah, but not to 11 Sacramento. 12 PDAS TAHSUDA: But not to Sacramento. 13 MS. DUTSCHKE: I think they'll come out of 14 San Francisco. 15 CHAIRMAN MAZZETTI: How about you take 16 that example that works, if that's what you're 17 trying to do, and just implement it in other states. 18 Simple. It should be. 19 PDAS TAHSUDA: Right. That's a great 20 idea. We'll be doing the reunified regions and we 21 move everybody into one building, you're supporting 22 that? 23 CHAIRMAN MAZZETTI: No, I'm talking these 24 other agencies. You have to talk to them. And I 25 honestly don't think, if you move them all together

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1	or whatever you're going to do, is going to speed up
2	the time frame. It's still going to take two to
З	three years unless you can show me, just like the
4	chairperson said. With so many officials, how are
5	you going to guarantee this stuff is going to speed
6	up? Like I say, it took us 17 years to deal with
7	Fish and Wildlife Service; so if you're talking 3 or
8	4 years, that's a really shortened period of time.
9	But I don't see how that's going to be shortened up
10	by what you're trying to do. I really don't.
11	PDAS TAHSUDA: Well, again, the time
12	frames happen for each bureau separately right now.
13	The idea is that you have for these cross-bureau
14	functions, right, you would have the same time frame
15	for everyone; so instead of one bureau spending five
16	years working on a decision and then another bureau
17	getting input then and then spending two years
18	trying to reconcile the decision with their bureau,
19	you would have one decision that would be
20	accomplished in the same time frame across the
21	bureaus.
22	CHAIRMAN MAZZETTI: Right, put the time
23	frames on the other agencies, simple.
24	PDAS TAHSUDA: Right. That's the idea

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25 behind this.

CHAIRMAN MAZZETTI: If you relocate
 anybody, they should be relocating at the same time
 frame as the Interior and BIA are. Get it done.
 Bomb, boom, boom.

5 **PDAS TAHSUDA:** Right, but you'd have to 6 have the coordination across the bureaus to do that.

7 CHAIRMAN MAZZETTI: Take all the 8 telephones and computers.

9 PDAS TAHSUDA: And you would think it 10 would work that well, but clearly it doesn't. And 11 so that's the purpose for this regional director is 12 their thinking like a project manager. They're the ones who will enforce the coordination between the 13 14 different bureaus. They can show they meet the 15 timelines and get the decisions done as they're 16 supposed to do and that they have the communication, 17 et cetera, on these functions for the decisions that 18 come out.

19 CHAIRMAN MAZZETTI: Seems like a regional 20 director of all those agencies could do the same 21 thing. Give them the power. Have the Interior 22 Department Secretary give them the authority, and 23 say, okay, I have the authority to get this done. 24 PDAS TAHSUDA: That's not really how it 25 works, though. When they're all at equal level, one



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1	can't lower it over the other. So you have a
2	project manager, essentially, right, who is the one
3	that enforces the discipline, right. And when he
4	has a problem, he has a direct report to the Deputy
5	Secretary.
6	In our case, our regional directors have
7	to report to Jim, they report to the Assistant
8	Secretary, who then gets the report to the Deputy
9	Secretary.
10	CHAIRMAN MAZZETTI: Give the delegation
11	of authority (inaudible).
12	PDAS TAHSUDA: That's part of the concept,
13	though. So if you have better coordination and
14	better communication, you can enforce the decision-
15	making at a lower level, right. And, again, this is
16	what this regional director is going to be able to
17	do is to be able to enforce the timelines, enforce
18	the decision-making at the regional level instead of
19	having it necessarily have to bubble up to D.C.
20	MS. MINOTT: Can't you do that without
21	moving boundaries?
22	PDAS TAHSUDA: Well, I mean, it works
23	better when you have a common region, right, so that
24	the actions that happen in that region have the same
25	people working on them.
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1	MS. MINOTT: Don't we have that right now?
2	PDAS TAHSUDA: No. We have 61 different
3	geographic regions across 9 bureaus.
4	What's your name again? Are you speaking
5	for the record?
6	MS. MINOTT: Good afternoon, everybody.
7	My name is Vanessa Minott, Santa Rosa Tribe, located
8	in Mountain Center. I'm the tribal Administrator of
9	behalf of our Chairman. We would like to say that
10	we are in opposition of the consultation, you know,
11	the boundaries for what you guys are implementing.
12	It sounds like it's already done, from my
13	perspective, and it just doesn't make sense in
14	regards to what you're trying to explain to us as
15	tribes here in Southern California, across the
16	nation. It just really doesn't make sense.
17	To me, it seems more simpler what Mr. Bo
18	Mazzetti is stating as far as putting the bureaus
19	moving them around instead of our boundaries because
20	in Southern California we do work well with our BIA
21	agencies, Central Region. And I just think that
22	overall we do not have enough information to sit
23	there and make an informative decision on what you
24	guys are requesting from the tribes.
25	PDAS TAHSUDA: So so I appreciate
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1	the comment. But what you're talking about is
2	actually making eight other bureaus conform to our
3	regions, right, and where we're located, and that
4	sounds great to you, sounds great to me, but I don't
5	think they'd think it's great. And so the idea is
6	that, you know, the common unified regions were
7	developed, again, started from science, right, and
8	then working in all a bunch of other considerations,
9	right. And so that you could look at it as sheer
10	pain or sheer benefit, whichever.
11	But in the unified regions all of the
12	bureaus then are working with the same geographic
13	area so that the decisions that come out of that
14	region are made by all the bureaus there. That's
15	the basic thing.
16	UNIDENTIFIABLE MALE SPEAKER: (Inaudible)
17	Chairman for (inaudible). I just wanted to say we
18	understand your point; so I don't think it's
19	necessary to keep putting it out there about the
20	efficiency and that's what you're striving for. We
21	get it. We understand. But as tribes, we're being
22	thrown in, "Here's your plan."
23	Just how efficient are you going to get,
24	you know? At what point do you say, "Okay, well,
25	Bureau of Land Management and this other bureau
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1	agree. I don't think it's necessary to consult with
2	BIA. This is more efficient. This is speedier,"
3	especially under an administration like we're under
4	now. You know, what's good and what's efficient may
5	not be good for us as Indian people, but as the
6	American people, which is what you're really talking
7	about, it might be great.
8	So don't get me wrong. I have a face. It
9	might look like I'm angry at you. I'm not. I'm
10	just making a statement. You know, there's a lot of
11	things; so what makes sense to some, it's not
12	fitting for us. So make sure you understand that.
13	We understand efficiency. I don't think
14	it's necessary to be driving that home. We get it.
15	But just how efficient are you going to make it and
16	at whose cost?
17	PDAS TAHSUDA: Thank you, Chairman.
18	So I'm not sure but I guess, if I heard
19	you right, but I want to at least make this response
20	which is that at the end of the day the hope it that
21	we will get faster decisions done. Whether you like
22	the decision or not, right, you have a decision, and
23	what seems to me ultimately to be detrimental to

24 tribes and other bureaus and their stakeholders

25 what's detrimental to them is being in limbo, not



having a decision, going years and years without any
 decisions.

And so being able to enforce time frames and, you know, get a decision out, to me, is a worthy goal anyways in getting the Department to act. And so -- so much -- so much of the government doesn't act, right. You sit in limbo, and so I think that -- maybe that ultimately is one of the benefits that come out of this.

10

Yes, sir.

11 MR. RADOFF: Good morning. Mark Radoff, 12 General Counsel for Sycuan Band of the Kumeyaay 13 Nation. Our chairman couldn't be here today, but we 14 will be submitting comments by the deadline. And I 15 want to echo some of the points that were made, not 16 to be redundant but just because you need to know 17 there's a larger pool of people having the same 18 issues.

There's two parts to this. One is looking at the big issues which have been emphasized, but the little issues, the details, you know, it's more like looking for hay in a needle stack. Your bifurcation of California is really problematic for Sycuan. The fact that you're -- by lumping in PL-280 with non-PL-280 tribes in Arizona will dilute

1	the expertise and at a time where tribes are really
2	moving towards unifying Chairman Mazzetti has
3	been instrumental in the unifying of the Chairmen's
4	Associations, the Fee-to-Trust Consortium, and other
5	mechanisms to keep tribes together. The split is
6	really going the opposite direction, and I think the
7	end intended effect maybe it's not intended
8	but it would be to erode the unity of California
9	tribes.

10 And then, finally, the mechanism to opt out -- I think a lot of leaders have mentioned this 11 12 -- it's not really clear how that would happen. Are 13 you going to poll? Are you going to share the 14 comments? Is there going to be a waiting? Is it a 15 tribe issue? I think the fact that there is a possibility of doing that should really be earmarked 16 17 with some specificity; otherwise, it's not helpful.

PDAS TAHSUDA: Thanks, Mark.

18

19 So I -- I don't know. I'm not sure we're 20 at a point where we need to have a real decision 21 process on how many tribes constitute consensus. I 22 think consensus means almost if not everybody, so. 23 And, again, it's hard to -- hard for me to even 24 conceptualize how we could do a small subset of 25 tribes in or out, and I think it's got to be --



1 obviously, it would be easier if a small subset 2 wanted to be out. I guess we'd figure how 3 (inaudible) harder if there's a small sunset that 4 wanted to be in.

5 There is -- for administrative purposes 6 there's got to be a -- a -- a collective, a large 7 enough collective group, to participate to make it 8 effective, so. You know, I think that -- I don't 9 think we have to have a vote. We don't have to 10 count heads. I think we can make a determination as 11 to whether there's consensus or not. I think, if we 12 said there's consensus and that region said, no, 13 there's not, it's pretty hard for us to counteract 14 that.

15

Is this Jeremy?

16 MR. HAYWARD: Yes. Are you going to take 17 into consideration the tribes that don't comment or 18 participate in this as a yes that they do want this? 19 Because I believe that's what you said in Jackson.

20 PDAS TAHSUDA: I don't think I said that 21 we would count them as yes. I think, you know, if 22 it looks like there's a consensus to move forward, I 23 think we probably want to -- we would want to take 24 the time to reach out to them and conform that 25 they're on board. My hope is that, you know, tribal

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leadership in the region can communicate amongst 1 themself to communicate with us. But if there's a 2 3 question about that, I mean certainly we'd want to get some confirmation that there's not some silent 4 5 majority that is going a different direction than 6 the group that has expressed positive or negative. 7 MR. HAYWARD: So what's the --8 PDAS TAHSUDA: I'm sorry. Can you step up 9 to the mic. 10 MR. HAYWARD: So what's the consensus 11 right now? 12 PDAS TAHSUDA: Well, a show of hands in 13 this room says no. 14 MR. HAYWARD: Okay. And then there's a hundred and nine tribes or so in California; right? 15 16 PDAS TAHSUDA: I think so. 17 MR. HAYWARD: So what do you got? Maybe 30 here today. So are you guys going to take into 18 19 consideration the tribes that don't respond to this, 20 or are you just going to assume that they just have no opinion either way and you're going to think that 21 22 we opt out as the whole region? How are you going 23 to go about it? I don't understand how it's going 24 to work because I went to the consultation in 25 Jackson. I came to this one. There's a lot of

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Tribal Consultation Meeting July 24, 2018 NDT Assgn # 27225-1 Page 131 1 tribes that haven't participated; so I would just like some clarification of how that's going to work. 2 3 UNIDENTIFIED MALE SPEAKER: (Inaudible.) 4 MR. HAYWARD: I think he answered my 5 question, but. 6 PDAS TAHSUDA: Okay. 7 DBD JAMES: We have someone over here. UNIDENTIFIED FEMALE SPEAKER: What's the 8 9 answer? 10 **PDAS TAHSUDA:** What's that? 11 **UNIDENTIFIED FEMALE SPEAKER:** What's the 12 answer, Chairman Mazzetti? 13 PDAS TAHSUDA: I think he expressed the 14 notion that the Chairman's Association, even though 15 the tribes aren't here, a lot of them are 16 participating through the association. 17 CHAIRMAN MAZZETTI: Do you have a special 18 form? Or what kind of an opt-out do you need? 19 (Inaudible.) 20 PDAS TAHSUDA: Can I respond to one thing 21 too while it's in my head -- I'm sorry -- or I'll 22 lose it. 23 So I'm going to interpret a couple 24 comments made. I think it's been raised a couple 25 times. The -- maybe I'm naive about this, but -- so (800)528-3335

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1 one of the concerns that I think I'm hearing is that 2 you're very concerned that, say, in California -- I 3 totally understand that California has a very big history amongst them. I'm from Oklahoma. 4 Probably 5 California and Oklahoma may be more different, other 6 than Alaska, more different than any other regions 7 of the country, right -- the history, the way things 8 developed for the tribes there; so I totally 9 understand.

10 However -- so, again, let me reinforce 11 this so you know. We're not talking about moving 12 agency offices. We're not talking about moving 13 staff out of there. So, to my mind, there's no loss 14 of expertise that's going to happen to the people 15 that you deal with that really understand and have 16 the subject matter expertise in your tribes, in your 17 history, and area are still going to be there. 18 They're still going to be there to access to you. 19 They're still going to be there to work for you and 20 work things up through the region, right. 21 So I don't -- again, maybe I'm naive about 22 this, but I see this in the same way with our

23 regional director that to a certain degree -- and I 24 understand Amy's been here a long time. You guys 25 have a lot of faith in her -- but to a certain



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1	degree our senior management, the top level
2	management, there should be a certain level of
3	expungables I don't know if that's a word or not.
4	It should be fungible to a certain degree, right,
5	because they're managers they're not intended to be
6	the subject matter experts. We have those in the
7	staff, et cetera, that we already have.
8	And so the expertise will still be there
9	for you to access and to work with you. It would
10	just be whether there is a, you know, a different
11	person at the top that they report to.
12	So, you know and, again, I understand
13	it. It's helpful to have somebody with years of
14	experience in your region, but ideally, to my mind,
15	you know, that shouldn't matter as much as making
16	sure that you still have the expertise there and
17	that we have management people in place that are
18	going to be able to affect the decisions as you need
19	them.
20	CHAIRMAN MAZZETTI: I don't understand
21	what you just said. I don't understand.
22	PDAS TAHSUDA: Okay.
23	CHAIRMAN MAZZETTI: So then we still work
24	with our agencies
25	PDAS TAHSUDA: Yes.

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1 CHAIRMAN MAZZETTI: -- in California? And 2 so we don't have anything to do with Arizona now? 3 Nothing?

4 PDAS TAHSUDA: That would be the unified 5 region, right. So for these three functions, right, 6 that's where your region would be part of for those three functions, right. Your agency staff --7 8 Riverside, Palm Springs -- those will still be 9 there. Nobody's moving them. They're not going 10 anywhere. They're still there for you to access. 11 That's what I'm trying to say.

MS. DUTSCHKE: So when Mr. Mazzetti or
Chairman Mazzetti needs something, does he go to the
Pacific Region or does he go to the Western Region?
I think that's the ultimate.

16 PDAS TAHSUDA: Well, so I think that --17 well, I think we should have a discussion, and it 18 sounds to me like your preference would be for 19 things that are outside of these inter-bureau 20 functions, right. Then you would still want to go 21 to the same region; right? So whether, you know, 22 that's formal or not, I think that -- and this is 23 what I'm saying, the Secretary has expressed the 24 desire to be as flexible as possible, right, that we 25 can still functionally have you in the same region.



You can still access Amy for those, right, but for these inter-bureau decisions, right, maybe Amy is the person, right. She fulfills it for both for California. She would interact with that IRD in this new Southern Cal/Arizona region those three interagency functions.

7 CHAIRMAN MAZZETTI: I think that's part of
8 the problem for a lot of folks here (inaudible).
9 It's unclear where (inaudible).

10 PDAS TAHSUDA: That's part of my point is 11 of -- we can't get too far down the road on that 12 because then you're going to tell us you've already 13 done too much of it. That's something, you know, if 14 there's a desire on your part to continue the 15 discussion -- this is the way I see it. If there's 16 a desire on your part to continue the discussion to 17 the next level, then we can have a more specific discussion. These are functions that would stay in 18 19 this area. You want them to stay there. These are 20 functions that would move to the new inter-bureau 21 region, right.

But we can work on all that, right. We can figure out how to handle the budget, right. Maybe for budget purpose we keep our region the same, you know. That's a discussion to be had. But

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Tribal Consultation Meeting July 24, 2018 NDT Assgn # 27225-1 I don't want to make those decisions for you, right. 1 I didn't want to come in here and say, "Okay, if you 2 3 choose to be in, here's the answer. Everything is going to be there." I don't think that's my role. 4 My role is to say, okay, if you want to 5 6 have a further discussion, then let's talk about it. Here's some ideas I have, but you probably have just 7 8 as many or better ideas than I have, than we have, 9 about how we can make this work. 10 CHAIRMAN MAZZETTI: It's just that you 11 can't have consultation if we don't have the 12 information. 13 PDAS TAHSUDA: If I give you too much information, then you tell me it's not a 14 15 consultation either. 16 CHAIRMAN MAZZETTI: Well, but we got to have the information in order to make a decision on 17 18 it. If you piecemeal it, is each piecemeal called a 19 consultation then. 20 PDAS TAHSUDA: Yeah. 21 CHAIRMAN MAZZETTI: This is not a 22 consultation unless we gave our input for the final 23 decision. It has nothing to do with the final 24 decision. 25 PDAS TAHSUDA: My view on this is this is



Tribal Consultation Meeting July 24, 2018 NDT Assgn # 27225-1 Page 137 a consultation for me to impart to you the basic outline of what this reorganization would mean for CHAIRMAN MAZZETTI: So you should call this an introduction consultation. PDAS TAHSUDA: Okay. It's still a

7 consultation, right, an introduction into the 8 Department's reorganization.

CHAIRMAN MAZZETTI: So each step of the 9 way we're going to have more? 10

11 **PDAS TAHSUDA:** I don't know how else would 12 we do it.

13 CHAIRMAN MAZZETTI: That's my concern. 14 This consultation is when we did it. Hey, we had 15 our consultation. Yet we don't have enough

information. I don't. 16

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the BIA.

PDAS TAHSUDA: Okay.

CHAIRMAN MAZZETTI: Okay is fine with the 18 19 Indians.

20 PDAS TAHSUDA: Again, I'm honestly trying 21 to give you the basic information on how -- so that 22 the structure on how this would work for these 23 interdepartmental -- these unified regions, these 24 interdepartmental functions, right, without going 25 down the road and saying so, right, we're going to



1 enforce this, we're going to do. You know, that's
2 what I would like to have a further discussion about
3 if you want.

4 Really, at the end of the day, all I'm 5 asking for is an expression of interest to 6 participate in this or not, and if Indian Country 7 says not, then we move forward. And as I said, the 8 other bureaus are going into these unified regions. 9 So we will then -- we're going to have to have 10 another consultation whether you like it or not, 11 though. We're going to have another consultation 12 about what that means then for BIA and how they're 13 going to interact these unified regions.

14 So necessarily, if we left ours the same, 15 Amy is still going to have to be talking to you as 16 your regional director because she's going to have 17 Northern California as part of one unified region 18 and Southern California as part of another unified 19 region even though it's still our same BIA region. 20 Do you understand?

CHAIRMAN MAZZETTI: I'm worse off than before I got here, to tell you the truth. We can opt in or opt out though we stay with our same BIA procedure?

AND TRIAL

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PDAS TAHSUDA: The same BIA region.

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1 CHAIRMAN MAZZETTI: Right. But maybe we 2 do something different. 3 PDAS TAHSUDA: If you want to. 4 CHAIRMAN MAZZETTI: There's too many loose 5 ends. 6 PDAS TAHSUDA: I'm sorry. This young lady 7 is first. 8 MS. PARISIEN: Jennifer Parisien. I am 9 representing the Native American Finance Officer's 10 Association or NAFOA. I am a member of the Turtle 11 Mountain Band of Chippewa Indians. And although 12 some of my comments have been said before, since I 13 drove here from the Jamul Indian Village, it's two 14 and a half hours, I still want to say them. I'm 15 just kidding. 16 But you mentioned that the decision to 17 base the watershed, the proposal was a science-based 18 or databased decision from a U.S. Geological study 19 and that's how you formed the watersheds, and I 20 think ultimately this has been repeated by several 21 tribal leaders is that data is about the people, and 22 the more you know about the people, us in this room, 23 the State of California, the tribes in Arizona that 24 also talked -- the more you know about the people, 25 the better your policy decisions will be.

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1	So today you've heard about the uniqueness
2	of tribal governments in California, uniqueness of
3	tribal governments in Arizona. Does that make
4	sense, from your perspective, from a policy point of
5	view on watersheds? How will that impact your work
6	with us? And I think, you know, splitting tribes
7	based on the watersheds that has been said several
8	times before it just doesn't make policy sense and
9	it doesn't make human sense either. There's very
10	much a human aspect to all this, our people. We
11	talked about the funding for our schools.
12	The leader from the Pascua Yaqui talked

The leader from the Pascua Yaqui talked about her perspective from TBID and seeing it on the ground. You're seeing it from a theoretical point of view, the theoretical point of view of cost savings, you know, efficiencies, but we're seeing it here on the ground.

And as NAFOA, which represents 24 tribes here in California, we're in complete agreement with Chairman Mazzetti that there is going to be a cost to the tribes. We believe that reorganization will come at a human capital cost: Bigger regions, less people, a disruption in productivity.

As an example of this, the IRS had a 25 specific person for Indian tribal governments, and



1	that person was then split to be shared for
2	efficiencies to take over pensions, bonds. And,
3	yeah, she's still there. She didn't lose her job.
4	She's still located in the same office, but now
5	she's shared between multiple people, multiple
6	tribes, multiple financial transactions. So what
7	does that mean for tribes? We don't hear from her
8	as much as we'd like to, and I think that may be the
9	same here. Yes, it would be more efficient for one
10	person. Like Amy might be doing multiple jobs. How
11	efficient will that be for her? Will that be good
12	for the tribes in the long run?
13	So I don't think that that will be
14	effective, and we see your job and staff as an
15	important part of our tribes. You're our voice and
16	our connection in D.C. If tribes were to go along
17	with this proposal, which it sounds like nobody
18	wants this, I would like to know how your position
19	in your office may be impacted. How do you see your
20	human capital strength being split from where your
21	office is being split more, and do you feel that
22	you'd be less support to us?
23	PDAS TAHSUDA: So, repeat again, there's
24	no intention this is not an effort to reduce our

25 staff or send our staff to other bureaus. This is



1 intended to be an exercise in which we increase the 2 coordination and communication between the bureaus, 3 between the staff and other bureaus and our staff, 4 out in the field, out in the region on decisions 5 that they impact, where they impact each other and, 6 again, identify these three primary functions as the 7 places that that happens the most.

8

Mr. Hayward.

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9 MR. HAYWARD: So I heard you say you don't 10 want to give us too much information or make 11 decisions for us because then we're going to come 12 here and assume that you're telling us what to do, 13 right. But what I've been hearing is is that we have this consultation and we have until October to 14 15 decide if we're in or we're out, and that's 16 basically the deadline. And what I would say is a 17 meaningful consultation is to come to us with your 18 proposals of how you want this to work, get all of 19 our comments, address our comments in a second round 20 of consultation, and continue on from there instead 21 of saying this is your one consultation that you 22 get, you have to make this decision if this is going 23 to work or not, and then, if you want to make this 24 work, then there will be consultations later on what we're proposing (inaudible). 25

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1	To me, I guess I'd just like to see you
2	guys do a more professional consultation where
3	you're bringing us information, you taking our
4	comments, you're addressing our comments in the
5	second round of consultation, (inaudible) but
6	instead of working on this together, you basically
7	telling us how it is, and even though you're saying
8	that's not what you want to do, that's what you've
9	done.
10	PDAS TAHSUDA: Okay. Vice Chairman.
11	VICE CHAIRMAN JOSE: Verlon Jose, Vice
12	Chairman, the Tohono O'odham Nation. So you're
13	telling me based first of all, I kind of got
14	confused too (inaudible) but basically I guess
15	you're telling us this is what I'm getting out of
16	it that I drove six hours It was six hours
17	missed several important meetings to be here because
18	equally important for you to say this is a
19	consultation on where we're going to redraw the
20	lines and improve communication and that the tribes
21	can make a decision whether they're for it or
22	against it, but I heard you say several times that
23	we got to move on.
24	So basically you're saying, hey, folks,
25	we're going to redraw the line, but go ahead and

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1 tell us what you think, but we're still going to 2 move on and we're still going to do it. That's what 3 I'm hearing that regardless of whatever the tribes 4 say, whether they're for or against it, it's still 5 going to happen.

6 So you might as well just have told us, 7 you know what, hey, we're going. Don't bother on 8 coming. Don't bother with consultation because 9 they're saying that -- I was confused, you see. I 10 can't give you too much information because then 11 you're going to think we've already done it. Give 12 us some information, let us sit down, let us have 13 some true dialogue and figure out whether, whether 14 this is in the best interest and whether it's going 15 to improve. But you have the ultimate authority to 16 do whatever you do within your department and your 17 bureaus to improve that communication.

18 But the fact of the matter is that the 19 consultation with the tribes and how to improve 20 that, that's what we want to hear, and we haven't 21 heard it yet. All I've been hearing all morning 22 long is that this is what we are proposing what we're going to do and we got to move on; so 23 24 basically you're telling me that this is a done 25 deal. That's what I'm hearing.

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1	PDAS TAHSUDA: Thank you, Vice Chairman.
2	So I guess with modifications but for the
3	other bureaus, besides BIA and BIE, yes, they're
4	going to be moved into unified regions and so
5	right, it is. That decision has largely been made,
6	I think, and part of the plan the Secretary will put
7	forward will encapsulate that. It remains for BIA
8	to be part of that or not. So this is what we're
9	asking tribal leadership, do you want to.
10	I'm being honest with you, right. We can
11	leave our regions the same, right, and that's fine.
12	At the end of the day it doesn't change Amy's job,
13	it doesn't change my job, but the other bureaus are
14	going to be operating in these unified regions, and
15	they're going to be working up common decisions, et
16	cetera, and the BIA is still going to be siloed off
17	by itself, and we're going to have to figure out how
18	we can effectively work on your behalf in that new
19	dynamic. That's what I'm trying to say.

So at the end of the day, we're going to have to -- and we'll come to you and ask you what you think about how we can do that. If you decide that you want the BIA to participate in the unified regions, then we'll come to you and we'll say, okay, we have some thoughts, what are your thoughts on how

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1 this will work as well.

2 So either way we're going to have more 3 talk about this. Maybe I've talked too much, or I 4 guess I'm confusing it. I've provided too much 5 information rather than too little, I guess, so.

6 Oh, I'm sorry, sir. I didn't see you. So
7 I'll shut up and let you comment. We have about
8 five minutes left.

9 MR. CUERO: Name is James Cuero. I'm from 10 the Jamul Indian Village, Councilman. I just had a 11 question. With this line are you saying that there 12 is -- we did at least a consultation? Are you 13 ultimate maps that show California staying whole?

14 PDAS TAHSUDA: No, not in these unified 15 regions. So, again, the exercise in science such as -- you know, the thing was to identify -- it's not 16 17 just water. It's not just water research because 18 the water is also responsible for wildlife. And so 19 the original conceptions involved waterways. Ιt 20 also involved wildlife corridors. We have migratory 21 foul, you know, corridors, you know, all these 22 things. The Bureau has obviously has a wide range 23 of -- not the Bureau -- the Department has a wide 24 range of responsibilities, and so it was an attempt 25 to capture all those in some sense.

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1	And there was a significant amount of time
2	put in by the USGS on how to reconcile these and
3	come up with some concepts. And it's been a while
4	since I've looked at it, but my recollection is the
5	original maps that were purely based on these
6	concepts were wildly different than the maps are
7	now. And part of it is because that was, again,
8	just a function of looking at where where are
9	these geological and animal and, you know,
10	hydrological resources located. They didn't take
11	into account people, right. And it's not just us.
12	I mean, I often call us the people agency because we
13	do have a primary responsibility to people that the
14	other agencies don't, but they also do have people
15	interactions, right. A lot of what Fish and
16	Wildlife does is it interacts with parks, obviously,
17	rarely interaction with people.
18	And so the maps changed over time to
19	conform to the notion that we do have people
20	considerations to make. We have people
21	considerations to make and that we have tribal
22	governments we interact with. We have state
23	governments we interact with, right. And so they
24	also had, you know, their questions and Congress
25	that, you know, to be considered. And to be honest,
L	DEPOSITION AND TRIAL

1	again, we have a co-equal branch of government that
2	plays a big role in what we do, and they had
3	comments as well and thoughts to express.

4 And so the map you see up there, you know, 5 in many ways in a coalescing of all those thoughts. 6 In some way we tried to be thoughtful and responsive 7 to all of those, so. Again, you know, it's a --8 it's up to the tribes. I don't know what, I quess, 9 I would say ultimately. That's a good question. Ιf 10 you want to have a further discussion in this 11 region, and you know it would probably be helpful to 12 have the two regions, right, both our Southwest 13 Region -- I'm sorry -- Western Region and Pacific 14 Region, have a joint discussion because these two, 15 you know, new unified regions essentially take our 16 two regions there and split them up. But it's 17 basically the same geographic area. You know, we can have a discussion about how we effectively 18 19 interact with that.

You know, Amy's great. She's already expressed great confidence that she can interact with regional directors from the other regions or the Interior Regional Director on your behalf, you know, if you want her to. It's a really good guestion about, you know, at what point do we reach

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1	consensus. But I guess at this point my counting	
2	knows is is that at this point we don't have a	
3	consensus to go forward, so.	
4	But when we get done with these	
5	consultations, that will be probably part of our	
6	report is to say that, you know, the current Pacific	
7	Region for us and the Western Region for us are not	
8	interested in participating in the reorganization of	
9	the regions in the Department.	
10	If you want to discuss that I'm going off	
11	page with that, I'm happy to hear it.	
12	Any other comments before we wrap up?	
13	Okay. I've confused you both sufficiently you don't	
14	have another comment? Okay. Thank you.	
15	MS. FRIAS: I just have one more comment.	
16	I think, you know, you talked about this region, the	
17	Pacific and then also Western Region, but we don't	
18	necessarily know what other regions are talking	
19	about and whether, you know, they're looking at this	
20	works for us, this doesn't work for us. But having	
21	conversations with some of the other people in the	
22	other regions, they're also not interested or have a	
23	lot of the same concerns that were raised here; so I	
24	think even if it's something that you don't gather	
25	consensus, I would recommend that this information	

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1	that is	s gathe	ered is	s used	as a	starti	ng point	to
2	improve	e what	we're	doing	here	right	now.	

3 You know, so if the reorganization happens at the Interior level with all the other bureaus and 4 5 we have to do this this way, that it's not just, 6 okay, well, it didn't work; they didn't want it; 7 it's done; and then turn back again with the tribal 8 leaders and say, well, we tried to work with you, 9 but you guys didn't want any of it. That's not what 10 we're saying. What we're saying is, you know, how do 11 we take everything that -- now having received 12 input, how do you gather all that input from all the 13 different regions to say, okay, now we've heard your 14 concerns, now let's build upon this so that we can 15 make something work on behalf of all of us. That's 16 all I wanted to say.

17 PDAS TAHSUDA: Thank you. Those are some 18 good thoughts, and they maybe -- I'm not committing 19 to this, but it's a thought -- is maybe when we're 20 done with the consultations, we can do the same internal discussions ourselves and then reach out 21 22 again to you and say this is kind of what -- where 23 we think we heard you were, right. Do you want to 24 have a further discussion? Then we might have a better idea then too of what we want to talk about 25

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1 further.

VICE CHAIRMAN JOSE: Verlon Jose, Vice
Chairman, Tohono O'odham Nation. As I said
previously in my first comments, maybe we're not
opposed to it. Right now we are because it's not
clear. So maybe we got to get to that level where
we truly understand it and how it's going to work.

8 But I do want to say is that regardless of 9 what lines you draw, you know, tribes have been put 10 in patches of land but we know no boundaries. We 11 know no boundaries. No boundaries can keep us 12 wherever you place us. The power of prayer is very 13 strong. And so whatever you think is going to work 14 for this administration in redrawing the lines, just 15 be truthful. I said it before and I'll say it again, 16 I think the best thing to do in order to be more 17 efficient and everything is just do your job. Just 18 do your job regardless of where the lines are. And 19 if it's working right now, as I've said before, then 20 why don't you do it. If it's broke, fix it. Ιf 21 it's not, then I think something is going on good 22 there.

23 So I just wanted to say that, again, we 24 may not be opposed, but we don't have enough 25 information. And regardless of what lines you draw,

DEPOSITION AND TRIAL

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г	Iribal Consultation Meeting July 24, 2018 NDT Assgn # 27225-1
1	we will be here. We've be here since time of
2	memorial. We'll be here long into the future until
3	there is no more. No walls, no walls will ever stop
4	our spirit and our prayer. You can draw your
5	circles, draw your lines, but again it's really
6	about trust, respect, and telling the people what
7	your intentions are.
8	You can improve all your communications
9	with your bureaus and all that and so forth, but
10	when you start wanting to redraw lines, again, if I
11	go to your house and say, hey, I'm going to draw a
12	line right through your house, you wouldn't like it.
13	Why? Well, because I think and I think or I guess,
14	that's what I've been hearing all morning.
15	Sir, with all due respect, let's have some
16	true factual conversations. Then maybe we support
17	this. But, again, like we said, it's a done deal,
18	and it's going to happen anyway. Thank you. No
19	walls.
20	PDAS TAHSUDA: Thank you, Vice Chairman.
21	Thank you, guys. That's a great wrap up.
22	I thank you. I appreciate everybody coming here.
23	Thank you to Morongo for helping us put this on.
24	And maybe I'll see some of you guys at the next one.
25	(The consultation adjourned at 1:05 P.M.)
ľ	DEPOSITION AND TRIAL

1	CERTIFICATE
2	
3	I, Danielle Taylor, do hereby certify that
4	I reported all proceedings adduced in the foregoing matter
5	and that the foregoing transcript pages constitutes a
6	full, true and accurate record of said proceedings to the
7	best of my ability.
8	
9	I further certify that I am neither related
10	to counsel or any party to the proceedings nor have any
11	interest in the outcome of the proceedings.
12	
13	IN WITNESS HEREOF, I have hereunto set my
14	hand this 14th day of August, 2018.
15	
16	
17	Altan
18	
19	Danielle Taylor
20	
21	
22	
23	
24	
25	

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