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TRIBAL CONSULTATION MEETING ON
PROTECTION AND RESTORATION OF TRIBAL HOMELANDS

Conducted by Bryan Newland
Monday, October 25, 2021
1:00 p.m. MDT

Bureau of Indian Affairs
Office of Regulatory Affairs and
Collaborative Action (RACA)
1001 Indian School Road, Northwest, Suite 229
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Reported by: Shondra Dawson
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1 A P P E A R A N C E S
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3 Bryan Newland, Assistant Secretary for Indian Affairs
4 Elizabeth Appel, Director of Office of Regulatory
5 Affairs and Collaborative Action, Indian Affairs
6 Stephanie Sfiridis, Senior Counselor to the Assistant
7 Secretary of Indian Affairs
8 Rose Petoskey, Senior Counselor to the Assistant
9 Secretary of Indian Affairs
10 Samuel Cohen (ph), Senior Counselor to the Assistant
11 Secretary of Indian Affairs
12 Kathryn Isom-Clause, Deputy Assistant Secretary for
13 Indian Affairs

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1 P R O C E E D I N G S

2 MR. NEWLAND: On Protecting and Restoring
3 Tribal Homelands, my name is Bryan Newland. I am
4 serving as assistant secretary for Indian Affairs here
5 at the Department of the Interior, and I'm joined by a
6 number of folks from our office. And I want to take
7 the opportunity to let them introduce themselves. So,
8 let's start with you, Liz.

9 MS. APPEL: Hello, my name is Liz Appel. I'm
10 the director of the Office of Regulatory Affairs and
11 Collaborative Action in Indian Affairs.

12 MR. NEWLAND: And Stephanie?

13 MS. SFIRIDIS: Hi, everyone. Stephanie
14 Sfiridis. I'm senior counselor to the Assistant
15 Secretary of Indian Affairs.

16 MR. NEWLAND: Rose?

17 MS. PETOSKEY: Hello, everyone. My name is
18 Rose Petoskey. I am (inaudible) Indian. I am also
19 senior counselor to the Assistant Secretary.

20 MR. NEWLAND: Thanks, Rose. And Sam?

21 MR. COHEN: Hello, everybody, good afternoon.
22 My name's Samuel Cohen. I'm a member of the Crow tribe

1 and also serve as a senior counselor to the Assistant
2 Secretary.

3 MR. NEWLAND: Thanks, Sam. That's our Indian
4 Affairs team. Deputy Assistant Secretary Kathryn Isom-
5 Clause may join a little bit later. But we're going to
6 get started here. And before we get into the substance
7 of the meeting today, I want to invite Governor
8 Chavarria from the Santa Clara Pueblo to give us an
9 opening blessing.

10 MR. CHAVARRIA: Okay. Well, good afternoon,
11 Assistant Secretary. Good to see you all. Thank you
12 for the opportunity for the opening prayer. I'm going
13 to ask each and every one of you in your own
14 respective way to please join in in the prayer. It's
15 always important to ask the Creator to -- and the
16 spirits to join us in this type of dialogue,
17 especially having the opportunity to meet with
18 Assistant Secretary and staff of the Interior, which
19 is very open, again, having that respectful open
20 dialogue is very critical to the topics at hand for
21 our session today. So, if you are all able, let's go
22 ahead and please stand. I know it's virtual, but it's

1 always out of respect that we do our prayer while
2 we're standing. Okay?

3 (Native language.)

4 Okay, thank you, Mr. Assistant Secretary. The
5 meeting is now open. Let's have a good discussion for
6 (inaudible).

7 MR. NEWLAND: Rich, thank you so much,
8 Governor. Thank you, Governor Chavarria, appreciate
9 you taking the time to share your blessings with us
10 this afternoon. Again, this consultation relates to
11 the Department of the Interior's effort to protect and
12 restore tribal homelands. We have sent a letter to you
13 all that sets out some framing questions to guide our
14 discussion. And we're really looking for your feedback
15 in three different areas.

16 The land-into-trust process, the leasing and
17 rights-of-way process as well as sacred sites and
18 treaty rights protection. And as part of our letter in
19 those three categories, we asked 10 different
20 questions. I'm going to run through these questions
21 briefly before turning it over to Liz to begin the
22 consultation session.

1 But the first question we have asked is whether
2 the Department's land-into-trust process adequately
3 allows Tribes to consolidate Tribal landholdings in or
4 near existing reservations. The second question is
5 whether the Department's land-into-trust process
6 adequately allows Tribes to establish homelands for
7 landless Tribes. The third question is, how can the
8 Department improve its land-into-trust process to
9 facilitate the protection of sacred sites,
10 conservation, and the exercise of civil and criminal
11 jurisdiction. For tribes in Alaska, we asked how
12 should the Department approach the land-into-trust
13 process to adequately account for factors that are
14 unique to Alaska.

15 In the context of leasing and rights-of-way,
16 we've asked two questions. The first is, are the
17 Department's existing regulations governing
18 agricultural leasing on Indian lands adequate to
19 protect the interests of Tribes and Indian landowners.
20 The second question we asked is, are there any changes
21 needed to the Department's leasing and rights-of-way
22 procedures to clarify taxing jurisdiction in Indian

1 country and to promote economic development in Indian
2 country.

3 Relating to sacred sites and treaty rights,
4 we have asked, what steps can the Department take to
5 ensure that Tribes have the ability to protect their
6 sacred places and to access those sites to exercise
7 religious rights. We asked, what steps can the
8 Department take to protect the exercise of off-
9 reservation treaty rights, including habitat for
10 treaty resources, and what actions can the Department
11 take in relation to other agencies to ensure the
12 protection of sacred sites and treaty rights.

13 And finally, a general question is, what is
14 the most pressing need for the protection and
15 restoration of Tribal homelands that our office and
16 the Assistant Secretary for Indian Affairs can help
17 address. So, with that we want to begin the
18 consultation process and hear from you all. We want to
19 first make sure that we're hearing directly from
20 elected leaders of federally recognized Tribes and
21 Tribal or designated representatives of federally
22 recognized Tribes. And in addition, that -- make sure

1 that we're hearing from representatives of inter-
2 Tribal organizations.

3 We have had a number of instances where
4 representatives or group members from organizations
5 that are not federally recognized Tribes or connected
6 to Indian country have attempted to participate in our
7 consultations. And so, we're going to -- we always try
8 to moderate to make sure that we're prioritizing
9 feedback from Tribal governments and inter-Tribal
10 organizations as this is our government-to-government
11 relationship so please bear with us as sometimes
12 happens with this format. And I also ask you to be
13 mindful of everybody's time. If you've made a comment,
14 make sure that, if you have something you wish to add,
15 that others have had an opportunity to comment first.
16 And so, with that, Liz, I'm going to turn it back to
17 you to open the floor up.

18 MS. APPEL: Great and, as a reminder, this
19 session is being recorded, and this is a formal
20 government-to-government consultation session. So, as
21 Assistant Secretary Newland has noted, we ask that
22 only Tribal leaders and designated representatives of

1 Tribes -- federally recognized Tribes -- speak. And we
2 do have already a comment from Chairman Allen.

3 CHAIRMAN ALLEN: Thank you, Liz -- lower my
4 hand here. So, Bryan, thank you and Liz for holding
5 these sessions to talk about this important subject
6 matter. And what gives me great comfort is I know that
7 it is very important to you personally, coming from
8 your backyard up in Michigan, and how important it is
9 throughout Indian country, including you noted the
10 Alaskan issue of recovering their homelands and
11 putting it back into trust.

12 So, I'm sending in our comments and
13 recommendations. So, the one thing that I would
14 emphasize on your series of questions, I am going to
15 focus in on one that is a hot issue when Tribes go
16 through the process of putting their land into trust.
17 And the pushback -- the biggest pushback is twofold.
18 In the local area -- local communities, the local
19 governments worry about the loss of tax revenue for
20 their governmental operations and public safety and
21 fire protection, et cetera.

22 And so, the Department of Interior has a

1 forum where you can make payments in lieu of lost
2 taxes. It's an act that was passed back in 1976. You
3 use it primarily for parks and fish and wildlife and,
4 I think, god, midland and minerals, et cetera. So, it
5 is a process you used for quite some time. I do not
6 exactly what needs to be done so that, when we take
7 land into trust or you take land into trust for the
8 benefit of the Tribes, that the identified lost tax
9 revenue for those local governments in our communities
10 could be restored and to take that off the table.

11 The other issue is jurisdictional issues and
12 so -- let me finish with the tax -- with the payment
13 of taxes. I think that that act needs to be amended.
14 So, if administration could advance it as a priority,
15 that would be very helpful for our cause.

16 The second issue I just want to raise
17 quickly, an obvious one, I think, is the local
18 governments usually complain about jurisdiction. In
19 other words, what are the Tribes going to do with our
20 property? Is it conservation, is it housing, is it
21 economic development, et cetera? And I would point out
22 that, yes, we need to pay attention to their issues,

1 and we need to respond to it.

2 But quite frankly, if you compare counties to
3 counties, states to states, et cetera, cities to
4 cities, they all have ongoing disputes over what does
5 the other jurisdiction do with regard to land
6 management. I think the main issue and the question
7 is, does the Tribe have a land management set of codes
8 and laws that oversee the kinds of activities that we
9 engage with the land we're going to put into trust for
10 the various purposes that are of value to our
11 community.

12 So, I'll leave it at that. The other issues
13 on terms of process and staffing capacity, et cetera,
14 you already know from our perspective, and I deeply
15 appreciate that you and the Bureau are working hard at
16 moving this agenda constructively forward. So, thank
17 you for this opportunity, Bryan.

18 MR. NEWLAND: Thank you, Chairman, I
19 appreciate those comments. And just to clarify, on the
20 land and the trust process with respect to
21 (inaudible), would you advocate for that to apply to
22 all trust acquisitions, including individual Indian

1 parcels or just Tribal trust things?

2 CHAIRMAN ALLEN: Good question, and I think
3 that my initial reaction would be all trust actions. I
4 do not know the details of individuals processing land
5 into trust for individual purposes. But for Tribes,
6 definitely, because it's a Tribal jurisdictional
7 agenda, at least from my perspective. And I,
8 personally, I think that, in order for an amendment to
9 the act to include Tribal trust land, it would be
10 easier if it stays focused on Tribal governmental
11 purposes.

12 MR. NEWLAND: Thanks, Chairman Allen, I
13 appreciate that, and it's always great to see you and
14 hear from you. Before we call on Governor Chavarria, I
15 just want to acknowledge that Deputy Assistant
16 Secretary Kathryn Isom-Clause has joined us, along
17 with Deputy Solicitor for the Department Ann Marie
18 Bledsoe Downes as well, both of whom are instrumental
19 to our work in this area. Governor Chavarria?

20 MR. CHAVARRIA: Okay. Well, thank you, Mr.
21 Assistant Secretary. We appreciate your time and also
22 the other staff from the Interior. So, I'm not too

1 sure, Mr. Assistant Secretary, do you want us to
2 address all the questions, or shall we just
3 concentrate on land-into-trust at this time and
4 leasing rights-of-way.

5 MR. NEWLAND: You can address any or all of
6 them if you choose.

7 MR. CHAVARRIA: All right. Then I'll kind of
8 prepare of responses to all.

9 MR. NEWLAND: And I'll -- well, I will note
10 too that you can submit more detailed comments in
11 writing if there's any specific issue you want to talk
12 about here in this forum.

13 MR. CHAVARRIA: Okay, understood, Mr.
14 Assistant Secretary. But again, at the onset, you
15 know, it is important to stress the central role in
16 fulfilling the federal government's direct
17 responsibility to Tribal nations to ensure that Tribal
18 interests are being accounted for as informed and
19 proper consultation like today. The first
20 responsibility is based upon the political status of
21 us as unique Tribal governments involved and engaged
22 in that government-to-government relationship.

1 So, you understand where I'm coming from, Mr.
2 Assistant Secretary, these are usually opening remarks
3 that I made for all Tribal consultations sessions
4 across the federal agency spectrum. And so, I think
5 for land-into-trust, it is an onerous process here in
6 the southwest. It takes time and can be costly, but
7 the main obstacles to Tribes recovering their former
8 land are the cost of acquiring the land and the
9 unwillingness of many landowners, as Chairman Allen
10 had mentioned, including the United States,
11 particularly the Forest Service, to transfer land to
12 Tribes.

13 The land-into-trust process does have flaws,
14 however, because it requires many discrete steps,
15 nearly all of which are handled by the Bureau of
16 Indian Affairs or the Office of the Solicitor and over
17 which Tribes we have no control with that. It can be
18 stretched out for years, for even a small parcel
19 uncontroversial transfers.

20 To review with the Bureau of Surveys of
21 parcels to be transferred have become an especially
22 problematic problem and step for us. BIA or often the

1 BLM or Forest Service, their surveyors can often hold
2 up transfers because of relative minor discrepancies
3 in the survey even when we already got title
4 insurance. We have the title from the title companies
5 will even disregard that little problem. But getting
6 preliminary title opinions from the Solicitor's Office
7 can take long time, Mr. Assistant Secretary.

8 So, it is difficult to imagine what kind of
9 solutions to bring to this table. The only thing I can
10 think of is having a BIA certified surveyor within the
11 southwest region instead of having to rely on BLM or
12 other federal agencies to do that work. Now, because
13 it's more accountable in getting that process done in
14 a more timely manner, and so this is very important to
15 getting more employees trained or hired to fulfill
16 these processes faster to stop the delay that occurs
17 from my Pueblo here in Santa Clara which is
18 unfortunate. So, that's very important.

19 I think the second question was the homeless
20 or landless Tribes. That's not applicable to the
21 Pueblo, not going to go into that one. I think the
22 other one, how can department improve its land-into-

1 process to facilitate protection of sacred sites,
2 conservation, and exercise of civil criminal
3 jurisdiction. There is nothing that can be done to
4 facilitate the exercise of civil and criminal
5 jurisdiction. Those matters that arise by operation of
6 law once the land is placed into trust for a Tribe.
7 But with respect to facilitating the protection of
8 sacred sites, the Department could take the lead in
9 assisting Tribes in identifying sacred sites that are
10 under the control of other federal agencies and then
11 find ways to either transfer such sites to Tribes
12 directly or establishing special protective zones
13 around such sites that would enable Tribes to resume
14 traditional practices in connection with those sites.

15 So, for example, we're surrounded by Forest
16 Service land, BLM land and Park Service land. And so,
17 this is very critical to have that type of inter-
18 office communication which is very critical because
19 (inaudible) around our executive order land, our trust
20 land and their restrictive fee and fee simple lands,
21 which the Pueblo all maintained doesn't mean you have
22 those aboriginal connections to go those other

1 landscape which is very critical. So, that's very
2 important as well, sir.

3 Let's see, we have nothing to deal with
4 agricultural leasing. So, I'm not going to go into
5 that one. And I believe for the taxation, Department
6 of Interior leasing regulations, specifically 25 CFR
7 162.017(b) and (c) is applicable to residential
8 agricultural business and (inaudible) lessors leases
9 on Indian land provide that activities conducted on
10 leased Tribal lands are not subject to any tax imposed
11 by state or political subdivision of the state.

12 Activities may be subject to taxation by the
13 Indian Tribe with jurisdiction. So that's very
14 important that we have Tribal tax administrations that
15 can impose tax on these type of leasing for those type
16 of regulations. Also, Department of Interior right-of-
17 way regulation, specifically 25 CFR 169.10(a) and (b),
18 likewise, provide that improvement activities and
19 right-of-way interests are not subject to any tax
20 imposed by the state or the political subdivision of a
21 state and that improvement activities and rights-of-
22 way interests may be subject to the taxation of that

1 Indian Tribe that has jurisdiction. So, I think that's
2 very critical to understand as well.

3 And so, for our land here in Santa Clara, as
4 I mentioned have executive order from the president.
5 We have trust land which is our forested canyon and
6 the original grant. That is restrictive fee and fee
7 simple, and so that's very important to understand
8 when we reacquire those lands that were tying it back
9 to 1924 during the Pueblo Lands Act. We are
10 reacquiring those lands. However, we got to do a
11 survey and that survey is sent regional office, but it
12 takes up to a year because they're saying we didn't
13 dot the I and cross the T but yet we still have the
14 title to that land. And that holds us up from economic
15 development, housing and other activities. I think
16 that's very critical that they help support the
17 initiative of the Tribe, which is very important at
18 this time.

19 So, I'll let other tribal leaders speak, and
20 then I'll try to get back on later to address the
21 other issues, Mr. Assistant Secretary, but thank you
22 for your time.

1 MR. NEWLAND: Thank you, Governor Chavarria,
2 I appreciate your thorough comments and your very
3 specific feedback. It's always really helpful to us
4 when we get specific recommendations. Thank you.

5 MS. APPEL: If you would like to make a
6 comment, please press the raise hand icon at the
7 bottom of your screen or, if you're joining us by
8 phone today, please press star nine to raise your hand
9 by phone. And I do have someone from Chickaloon
10 Village.

11 MR. WADE: Hello, you hear me?

12 MR. NEWLAND: You betcha.

13 MR. WADE: All right, this is Doug Wade. I'm
14 a councilmember for Chickaloon Village. We're kind of
15 late to this program. I've been trying to get land
16 into trust for a while. And it was last week they said
17 they're not doing it in Alaska, although we did win
18 that Supreme Court decision. We've got a couple things
19 going. I'm liking what you say about reestablishing
20 our community. We have -- right now we're doing the
21 Veterans are getting their allotments.

22 There's land -- the BLM has set aside three

1 parcels of land, one up by Forty Mile country up by
2 the Yukon, one east of Cordova and west of Dillingham
3 and which doesn't really do any of our stuff. But the
4 BLM has land where my grandmother was born, and that's
5 why I was selected. I would like to make the community
6 there again like we used to have.

7 I've got a couple cousins that were in the
8 Marines that have allotments due, an uncle that was in
9 the Navy. I would like to pick those lands where my
10 grandmother is from where there used to be seven villages
11 where there is none anymore and redo this community.
12 And so -- yeah, when land things come along, because
13 we are on the road system, none of our traditional
14 land was available. It was all patented and given
15 away. My mother tried to get an allotment, and they
16 started working and clearing and getting ready to
17 build. And they gave it a homestead right on top of
18 where she wanted her allotment, and they just told her
19 that, sorry. So, we, my family, has been fighting for
20 an allotment for years. So, I don't know where to go
21 from here, but I'd sure like to start a dialogue with
22 you.

1 MS. WADE: Hi, also I'm Lisa Wade. I'm the
2 executive director for Chickaloon Village. And I would
3 also like to add that we have engaged in the process
4 before. However, it was very unclear about length of
5 time and process and then, of course, everything
6 derailed. And so, it's very up in the air regarding
7 Alaska, and we would like to see clarity of process.
8 And then following up on Governor --

9 MR. NEWLAND: Lisa, can I -- can I interject
10 just to make sure I understand your question.

11 MS. WADE: Sure.

12 MR. NEWLAND: Are you talking about the
13 Veteran --

14 MS. WADE: No, I'm specifically speaking
15 about the land-into-trust meeting originally attended
16 at BIA. And there -- they had these wonderful
17 pamphlets they put together and everything that
18 outlined the process, but then they could not commit
19 to any kind of timeframe on the process. And again,
20 echoing the previous speaker's comments about
21 timeframe and complexity of the process. The one thing
22 that I would suggest as an add-on to Governor

1 Chavarria's comments where he was calling for a BIA
2 surveyor. I would like to suggest that you utilize
3 Tribal surveyors and work collaboratively with Tribes
4 so that we can build capacity within and partner in
5 that way.

6 We have a lot of infrastructure we're already
7 putting in place. And so, wherever possible if we can
8 look at the services that we offer so that we don't
9 have to hold up the process waiting on outside
10 entities, that would be great, including we have title
11 companies that are owned by different Tribes up here
12 in Alaska. So, if we could look at utilizing the
13 infrastructure that Tribes are already developing and
14 help utilize those resources, I think that could
15 expedite the process as well. And thank you.

16 MR. NEWLAND: Thank you for that. And going
17 back to your question, Mr. Wade, about understanding
18 the BLM -- the Veteran's selection process, would
19 invite you to follow up with us directly on that
20 question. We'll put you in direct contact with the
21 folks who are working on that from BLM. Maybe if Rose
22 Petoskey here can provide her email in the chat.

1 MR. WADE: Thank you.

2 MR. NEWLAND: Thank you.

3 MS. APPEL: And our next comment comes from
4 Angela Wade.

5 MS. WADE: Hi, just as a follow-up from my
6 father and my cousin that just presented from
7 Chickaloon Village. I'm the Tribal Historic
8 Preservation officer, and land-into-trust is a barrier
9 for us because the Park Service will not recognize us
10 as Tribal Historic Preservation officers without trust
11 land. So, it further complicates the work that we do
12 here in Alaska to defend sacred sites.

13 So, there's more urgency, in my opinion, to
14 get land into trust here, not that we don't -- we
15 don't feel like we need to have NPS recognition. We're
16 sovereign Tribes, and we can have (inaudible) if we
17 want. However, it makes the funding stream locked up,
18 and it makes our recognition a little more complicated
19 from other federal agencies. So, I just wanted you all
20 to be aware of that, that it's a pretty complicated
21 and multifaceted issue for us in Alaska.

22 MR. NEWLAND: Thank you for that comment, Ms.

1 Wade, and expect a follow-up from us on that as well.

2 MS. APPEL: And if you'd like to make a
3 comment, please press the raised hand icon at the
4 bottom of your screen, or if you're joining us by
5 phone, please press star nine. And our next comment
6 comes from Governor Chavarria.

7 MR. CHAVARRIA: The element of opportunity to
8 my other Pueblo leaders and Tribal leaders across the
9 country is very important. But I want to touch upon
10 the sacred sites and treaty rights. You know, for
11 Santa Clara Pueblo, our traditional use area ancestral
12 homelands occupy many thousands of acres outside of
13 the current day Pueblo land. Much of our original
14 homeland is located on these adjacent lands, as I
15 mentioned, managed by the Valles Caldera, the U.S.
16 Forest Service and BLM.

17 So, co-management and rigorous protection of
18 natural resource and culture resource in this adjacent
19 lands is critical to protecting, restoring and
20 enhancing the health, integrity, diversification,
21 resiliency and sustainability of these areas which are
22 priceless to us because their traditional and cultural

1 significance is critical to maintain our traditional
2 cultural religious activities associated with the
3 landscape. So, yes, it is critical that we have
4 constant collaboration with Department of Interior but
5 also non-Department of Interior fellow agencies on how
6 to manage these activities because they affect both
7 the current day and ancestral Pueblo land and
8 protecting that cultural resources, which is very
9 important for the future generation. The things we do
10 today is not for us. It's for the future, the ones
11 that are yet unborn, the ones that are going to come
12 and take over our positions into the future.

13 These federal lands adjacent to our Pueblo
14 are part of our cathedral. It's our pharmacy, our
15 grocery store, our cultural and biological classroom
16 for our children where they learn from that landscape,
17 learn to speak their language, learn to understand
18 what plant form is used for medicine, in return
19 harvesting that elk that year for our clothing for
20 traditional attire. So, this is very important.

21 And unfortunately, in the past 20 years,
22 Santa Clara Pueblo has been impacted because maybe the

1 climate change. And I know the session is on Thursday
2 about with the BIA is fires. So, here in the southwest
3 region we have multiple drought years, and then we had
4 fires in 1998, 2000, 2011. All these fires started off
5 Pueblo land on Forest Service land and Park Service
6 land. What was very hurtful is that, in between
7 Bandelier and the Valles Caldera, we have the Los
8 Alamos National Laboratory. And in order to save that
9 national security, in order for the fire not to ignite
10 those radioactive waste burials at LANL, they diverted
11 that fire north of LANL, and our lands were
12 sacrificed. Our lands were -- that's where the fire
13 hit them. In order to save the laboratory, I
14 understand that. But yet our lands are precious.

15 Then once you have suppressed the fire,
16 what's happening in California now, we have the
17 monsoon season, and then we were hit with flash
18 floods, mud flows impacting our traditional cultural
19 properties, the habitat, no more fish within our Santa
20 Clara Creek. Having to work with FEMA and disaster
21 declarations which is another cost. So, this is very
22 important and one of the highest priorities in

1 protecting all these lands from fires, floods, insect,
2 disease and other threats, and then it's a cultural
3 health for us because it's interwoven within the
4 forest, the landscape.

5 To continue that larger interconnective
6 cultural landscape, to continue our ways of life, our
7 watershed must be healthy. For the water to be healthy
8 for habitat, for animal, for consumption, for
9 traditional cultural practices, the products of that
10 landscape. And so, it is very important that we work
11 with Interior Secretary, with the USDA Secretary for
12 the Tribal Forest Protection Act.

13 That Act was already authorized since 2004,
14 but yet there was no appropriations. So, we had to
15 rely back on Interior BIA for the reserve treaty
16 rights funds. Those reserve treaty rights funds allow
17 us, the Pueblo, to do these biological ecological
18 clearances on Forest Service land to then do this type
19 of work on a landscape-scale level. I continue to
20 advocate Congress to include Park Service because
21 right now, even though Park Service is within
22 Interior, the TFPA doesn't -- MPS is not part of TFPA.

1 It's only U.S. Forest Service and BIA lands, trust
2 land. So, that's very important that we expand that
3 because, like I mentioned, these fires also started on
4 Park Service land which is very important.

5 So, I believe DOI can play a key role in
6 assisting Santa Clara Pueblo in protecting our sacred
7 places. Sacred places include our current-day lands,
8 Interior lands adjacent to our Pueblos, other non-
9 Interior federal agency land adjacent to our Pueblos.
10 And I believe DOI can help us with other lands that's
11 off reservation which includes, example, Chaco Canyon,
12 Bears Ears, White Sands, Valles Caldera, Bandelier,
13 the Great Sand Dunes. These are all associated with
14 oral histories, our songs and our prayers, now which
15 is very important.

16 And so, I have additional discussion but also
17 need this for the record last week, ultimately,
18 however, wherever possible, Santa Clara Pueblo is
19 interested in beyond shared stewardship to actual
20 return of ownership of our ancestral homelands. We can
21 do a very better job of land management, prescribed
22 treatment. So, we urge DOI to look for opportunities

1 to facilitate those land transfers back to the Pueblo
2 because we can continue -- we can, as a people, we
3 have those ties to the places. Therefore, we have the
4 most vested interest in protecting these areas of
5 landscape to continue our traditions, cultural and
6 activities. In other words, how do we get those lands
7 back to the respective Pueblo tribes and nation
8 sovereign political tribal governments which is very
9 important.

10 I believe using the executive order of the
11 president, tribal consultation, government-to-
12 government, this is very critical because we've lost -
13 - all of us on this call -- lost lot of our aboriginal
14 land. And so now, we've got to work with the other
15 federal governmental agencies in order to restore,
16 maintain, protect, which is very important. But we can
17 tell our own story rather than having them telling the
18 story on our behalf. So, these are very important to
19 understand that even through NEQA, NEQQ is very broad.
20 We have got to also consider the environmental justice
21 impacts that it has on these landscapes, which is very
22 critical. Because once a cultural traditional site is

1 destroyed, it's lost forever. You can't replicate it.
2 It's a non-renewable resource.

3 It's all very important of your question
4 under Sacred Sites and Treaty Rights because it's very
5 critical that you can't mitigate this later on under
6 Section 106. And so, as I mentioned, I have a lot more
7 discussion. But out of respect to my other brothers
8 and sisters on this call, we'll go ahead and put all
9 our thoughts together and submit, I believe, by
10 November 5th, I think to submit our written comments.
11 So, we'll get that together. But again, thank you for
12 the time and opportunity to speak one more time.

13 (Native language.)

14 MR. NEWLAND: Thank you, Governor.

15 MS. APPEL: And our next comment comes from
16 Director Stout with San Felipe Pueblo.

17 MR. ORTIZ: Good afternoon, Assistant
18 Secretary Newland. This Governor Anthony Ortiz from
19 Pueblo of San Felipe, New Mexico. And just to, before
20 I start anything, I just want to introduce my
21 Lieutenant Governor James Tenorio and my Tribal
22 Administrator Annie Oandasan, and DNR Director Pinu'u

1 Stout. Before I start, with all the respect --

2 (Native language.)

3 And again, thank you, Assistant Secretary
4 Newland, for giving us this time this afternoon to
5 listen to us of our concerns and our needs within our
6 respective Pueblos Tribes. The Pueblo of San Felipe
7 will submit written comments in greater detail. But
8 today we would like to introduce some of our concerns.
9 As always, our hope is that the Interior and United
10 States government will hear us and work to improve the
11 trust relationship and to support our self-
12 determination and cultural preservation goals.

13 As Governor Chavarria mentioned, the fee-to-
14 trust process is (inaudible), especially for
15 properties the Pueblo purchased in the past to restore
16 our ancestral homelands and to restore our aboriginal
17 land grant. The Pueblo Lands Act calls for aboriginal
18 grant lands, lands that have been repurchased to go
19 back into the grant in the same status as when it was
20 removed restricted fee. We need the BLA to ensure it
21 fully understands the Pueblo Lands Act. Regarding
22 leasing and rights of way, the plans for agricultural

1 or utility trespass are too low, and the BLA does not
2 have the manpower to enforce existing trespass laws
3 leaving the Tribe to deal with it on our own.

4 Regarding sacred sites, the Pueblo of San
5 Felipe has a serious matter before the BLM and
6 Interior since 2014 when the BLM refused to
7 acknowledge and protect our sacred sites, despite
8 support from all the Pueblo Council of Governors, the
9 National Congress of American Indians and our
10 neighboring Pueblos. The BLM should not be allowed to
11 decide what cultural patrimony is, Tribes should
12 decide.

13 In this case, the BLM performed an ecological
14 survey in land within the exterior boundary of the
15 Pueblo of San Felipe without consultation and found no
16 cultural sites. When we informed the BLM this was a
17 site sacred to San Felipe, Santo Domingo, Cochiti, the
18 BLM refused to listen. When San Felipe leadership
19 traveled to Washington D.C. to consult, documents
20 obtained via FOIA showed that Tribal leaders were
21 deflected.

22 But Interior must do better to ensure BLM is

1 listening, consulting and protecting culture and
2 sacred sites. We look forward to working with you,
3 Assistant Secretary Newland, to ensure the Ball
4 Ranch ACEC and other cultural sites are protected.
5 Having that said, we've been working on the ACEC, also
6 known as Espinosa Ridge, which there is a lot of
7 cultural and sacred sites in the area. And BLM at one
8 time said that there were none. But for that reason,
9 that's how BLM took over that property because this
10 property was part of the transition that took place in
11 the early 2000s that San Felipe had reacquired or
12 bought properties around the Ball Ranch properties and
13 other areas.

14 So, BLM pulled that property back, supposed
15 to be a Phase 2, that the San Felipe is supposed to
16 work on to get that property back. BLM never owned
17 that property. So, we are continuously working on that
18 to reacquire our ancestral land because that's the
19 only way that those sacred sites can be protected and
20 be preserved. There is numerous sites in that area on
21 account of what BLM is trying to do to permit for
22 excavation of the paleos. The sacred site is just

1 right above, I would say inches, not too far away.
2 It's going to be destroyed if those excavations took
3 place.

4 So, with that not only talking about our
5 local issues but other matters having to do with what
6 we've been echoing and be voicing on the protect and
7 preserve. But for instance, Bears Ears, Grand
8 Staircase-Escalante, Chaco Canyon and all those areas,
9 they all coincide of what's out there that is sacred
10 to us and our ancestrals that migrated those areas.
11 And we as Pueblo people from San Felipe, New Mexico,
12 my people, traditional people, are continuing to go
13 out there and pay the pilgrimages, paying respect to
14 those areas, praying, asking for blessings, for not
15 only my people of San Felipe but for everybody as well
16 throughout the nation and, of course, for you all that
17 you have that strength and power in your office to
18 help us, to assist us with this area that is very
19 sacred to us.

20 So, I appreciate very much for giving us this
21 time to listen to us, Secretary Newland. Thank you
22 very much.

1 MR. NEWLAND: Thank you, Governor Ortiz. I
2 appreciate your comments, especially referencing some
3 of the resource issues and enforcement issues around
4 trespass. And I also appreciate you recognizing your
5 team and know how challenging it is to make a Tribal
6 government function and how busy you all are, so
7 appreciate you taking your time to share your thoughts
8 and recommendations with us.

9 MS. APPEL: Our next comment comes from
10 President Werk.

11 MR. WERK: Let me lower my big yellow hand
12 here. Good afternoon (Native language.) Can you hear
13 me okay?

14 MR. NEWLAND: You betcha.

15 MR. WERK: Hey, good to see you again,
16 Assistant Secretary. I just wanted to say hello to
17 everyone on the call. We even have some of our
18 attorneys here on the call from Fort Belknap. I think
19 some of our counsel might be trying to jump on. I
20 reforwarded them our -- the invite. But just want to
21 let everyone know that you're in my prayers, you know,
22 that's on the call, Tribes that are out there. I've

1 really heard some good comments and good words so far,
2 and I'll keep praying for you folks, you know, and
3 hope you continue to do well as we try to get through
4 this pandemic, you know, and continue to do this
5 business in a virtual world.

6 You know, what I will say is that I -- you
7 know, I appreciate this call. We've been on plenty of
8 consultations from Fort Belknap up here and submitted
9 quite a few comments. I think, you know, we're
10 probably the last since the administration started,
11 you know, whether that's through Covid or through
12 Executive Order 13175, which every time I get on one
13 of these calls, I'm going to bring up in the
14 president's January 26 memo. And you folks have been
15 doing a good job of implementing that, and I
16 appreciate it.

17 Wasn't really -- I had actually forgot about
18 the consultation, and I seen a reminder this morning.
19 So, I wasn't really prepared to give a big speech
20 today, but we'll definitely be submitting comments by
21 November 1st with a framing paper that you mentioned,
22 Bryan.

1 But you know, there's a few things that I
2 would just like to speak to if I could because this is
3 very, very -- I can, you know, hear already from the
4 other Tribal leaders and just wanted to thank the
5 Governor also for his prayer, very good comments. And
6 I -- to me personally, you know, this is probably one
7 of the most important -- everything's important -- but
8 probably one of the most important consultations that
9 I've seen to this point when it comes to our lands,
10 you know, because that's our sovereignty and our
11 identity still, as far as I'm concerned.

12 And, you know, we're fortunate here in Fort
13 Belknap that, with the A'aninin and Nakoda that almost
14 100 percent of our land is in trust. And you know,
15 since the beginning when our treaties were made and
16 then we were placed on reservation, our tribal leaders
17 have always done the best they could, even now, to
18 make sure that we're protecting our homelands here.
19 And I just wanted to speak to that a little. I guess
20 there's just some things that are familiar to here,
21 what's happened here in Fort Belknap over time and is
22 currently going on, you know, that you folks know at

1 Interior that we're currently trying to settle our
2 water rights and there's the land transfers included
3 in that, even land that was originally a part of our
4 homelands or territory and even a part of the
5 reservation that was already established and land was
6 ceded after that.

7 And you know, I just wanted to probably, as
8 far as the questions go, wanted to speak to the last
9 question overall. And I think, for me, if I just had
10 to broadly comment on it now, the most important thing
11 is making sure that we are sticking to the treaties
12 that were originally put in place. I really believe
13 that's the most important thing. And it was our
14 intent, not just the United States, but it was our
15 intent that we gave in those treaties that needs to be
16 upheld to this very day.

17 And we know that that word hasn't been kept
18 by the United States over time, it just hasn't. And
19 even after the reservation was established, it wasn't.
20 And so, I think that's the most important thing, even
21 what you've seen recently that's been upheld by the
22 Supreme Court, you know, from what I've seen, these

1 recent cases where the Supreme Court has really stood
2 up to protect treaties and upholding them, that's what
3 they look to that I see all the time. They go back to
4 the treaty. And so, that's something that we should be
5 mindful of and keeping that word.

6 You know, a few issues that I could speak to,
7 you know, right now, we have, you know, in our water
8 settlement. We have a land transfer where we want some
9 of our land back that was originally part of the
10 reservation where gold was found, and it's a CERCLA
11 site now. And 1888, the reservation was established
12 in, and seven years later you had some commissioners
13 that came out at that time when the reservations,
14 right, were still really young with their marching
15 order from Interior and from Congress to cede more
16 lands after Tribes gave up millions of acres already.

17 And I'm getting to a point here but I'm
18 making an example of how, over time, the word hasn't
19 been kept. And in the Grinnell Agreement, I've been
20 speaking about this a lot recently because Grinnell
21 and Pollock and Clements, they went all over the
22 country at that time to cede more lands after Tribes

1 were already placed on reservations. And I've looked
2 at some of those other -- those other Grinnell
3 agreements, and it's the same template. It's the same
4 thing. But there's specific language in there about,
5 even going out and forcing Tribes, like they did here
6 in Fort Belknap. They threatened through starvation
7 and forced our Tribal members back then to cede land,
8 or they said we'd starve you.

9 At the same time in the report, by ceding
10 those lands, they gave their word to Interior and they
11 gave their word to Congress that our water would be
12 protected, specific language, no irreparable harm. Our
13 stones for building would be protected. Our timber
14 would be protected, and that hasn't happened, you
15 know. We have a CERCLA site up there right now where
16 there's a perpetual nightmare with perpetual treatment
17 for I don't how long into the future.

18 And, you know, we're on these calls here, you
19 know, well over a hundred years later talking about
20 this still where we want that word upheld. And so,
21 part of getting to my point with that is that, if
22 we're going to go down this road with protecting and

1 restoring Tribal homelands, we need to always, always
2 keep that word that was upheld in those treaties
3 because it hasn't been to this point. And so, like
4 we're asking, if we're going to get lands restored
5 back to the Aaniih and Nakoda people here that was a
6 part of the reservation or that was a part of our
7 historical territory, then the United States needs to
8 maintain its trust responsibility with that. That's a
9 real major point that I want to make here today.

10 You cannot Tribes to give a waiver or release
11 liability to the United States if that land is placed
12 back into trust. The United States needs to stick to
13 their word like they did in the treaties and uphold it
14 and say that we will maintain our trust responsibility
15 even if Tribal lands are restored back to Tribes.

16 Another example that I wanted to give was,
17 fast-forwarding when you think about treaties and
18 being placed on reservations, you know, in 1935 the
19 two Tribes here decided to opt into IRA. And even in
20 our constitution, and I'll read it verbatim here, in
21 Article 1, it says to obtain all lands of this
22 community of the present and future generations lands

1 needed for home and livelihood. And right now and
2 we've been -- just as an example, our council back in
3 the 80s purchased some lands outside of the
4 reservation but that are contiguous to the
5 reservation.

6 1972 we had Submarginal act where land was
7 placed into Tribal trust. So, there's no issue who has
8 jurisdiction or authority over that, it's us here. But
9 we also -- we also purchased some lands, like I said,
10 that are still into Tribal fee to stay. And we are
11 still into the middle of a dispute with -- we were,
12 now, we're heading that way again with the state of
13 Montana or the state Fish and Wildlife because there's
14 jurisdictional issues down there for hunting. But our
15 council has always kept its position, in accordance
16 with IRA -- IRA and our constitution, to obtain for
17 all lands of this community of the present and future
18 generations, the landscapes, for home and livelihood.

19 So since the 80s, we have asserted our
20 jurisdiction over that land. And now, the state is
21 stepping and saying that, you know, they have got
22 jurisdiction over it. And that's not right because

1 even the state needs to follow federal law and needs
2 to follow IRA and needs to respect our own
3 constitution. And that's where -- as far as an ask
4 today, we need to help from you folks, Assistant
5 Secretary, and over at Interior to advocate for us.

6 I will say, in the meantime, we are -- we
7 have restarted the process for fee-to-trust
8 application, and I have already seen good things from
9 our local superintendent here in the regional office
10 to get that put into place. But I think I'm going to
11 kind of wrap. There's a few things that I had an
12 interest in is -- I got to check with our own
13 attorneys or they could check with court, you know, on
14 what's going to happen and Herrera and unoccupied
15 lands.

16 Another issue, treaties, right, where we
17 should still have rights outside of the reservation.
18 And I got to mention buffalo, too, you know, because
19 for me, you know, we wanted see buffalo even brought
20 back outside of the reservation because that was a
21 part of agreement with the treaty also. So, I'm just
22 going to stop there. But we'll submit written comments

1 for sure, and I appreciate you folks having this call
2 and thank you very much.

3 MR. NEWLAND: Thank you, President Werk. I
4 appreciate your comments, and it's always good to see
5 you and hear from you. And I hope you and your family
6 and your community are all healthy and safe. I really
7 do appreciate your advocacy about treaties, and that's
8 something that we here at the Department are trying to
9 do better at under this administration and this
10 Secretary, not wait a court to tell us you have to
11 uphold your treaty commitments and obligations but to
12 actually do that because that's what the law and the
13 moral obligation of the United States requires.

14 And as part of that, we want to make sure
15 that we are abiding by the canons of treaty
16 construction that the courts have set down over the
17 years and be proactive on that and make sure that
18 we're fulfilling the commitments that you referenced
19 and also that we're not reading the treaties narrowly
20 as the canons require. So, for example, if a Tribe has
21 reserved the right to hunt or fish, that we're playing
22 our part to protect that habitat for deer, elk and

1 fish so that the right can be exercised in a
2 meaningful way. Thank you.

3 MR. WERK: Yes, if I could, sorry -- I
4 appreciate that, and you remember before, I just
5 wanted to mention it again for the record and
6 obviously it ties in with this call, but the other
7 consultation you folks did on the Executive Order, I
8 just wanted to mention again, you know, on the 25 CFR
9 -- I think it's 151.11, the Secretary's authority,
10 right, on restoring lands, that, you know, just keep
11 that on everyone's minds but -- yes, I agree, I know
12 I'm getting fired up here. But I really -- you know,
13 we've had some great meetings already, Bryan, and I
14 really think that you folks are going to do a good job
15 here like you say and, with Secretary Haaland's
16 leadership in their priorities. So, I'll stop there to
17 cede time to other Tribal folks on the call. Tribal
18 leaders, thank you.

19 MR. NEWLAND: (Native language.) Thank you,
20 President Werk, and don't apologize for being fired
21 up. I appreciate people getting fired up about these
22 issues. Liz?

1 MS. APPEL: Yes, our next comment comes from
2 Governor Mitchell.

3 MR. MITCHELL: Good afternoon, can you hear
4 me?

5 MS. APPEL: Yes, sir.

6 MR. MITCHELL: Cool. I hope everybody's doing
7 well. To the points that former governor -- current
8 governors were making regarding the sacred sites
9 protection, I just wanted to follow up a little bit on
10 one was the White House Executive Order 13007, we
11 would recommend enforceable rights to protect our
12 sacred sites because the current EO does not provide
13 any enforcement.

14 Secondly, recommendations to support
15 legislation under development to update federal land
16 management and laws and respects and evaluate the
17 governmental status of Indian Tribes, provide Tribes
18 the first right of refusal for all federal lands
19 listed for disposal. Also, by the same token, just a
20 few other things, as Governor Chavarria and Governor
21 Ortiz already spelled out for you all, here in the
22 southwest in the great state of New Mexico, we are all

1 facing this issue regarding how do we protect sacred
2 sites, how do we protect the landscape? With the ever
3 so issue of fracking and development, the Tribes are
4 on the losing end of protection. Number one, the
5 developer has a lot more money in his pocket whereby
6 we're tied down by less of that.

7 And at the front end of that, the Tribes are
8 losing out on their culture, their language and
9 keeping their traditional system alive. As I keep
10 saying to everybody, our traditional core values are
11 tied into the landscape. And so, you know, we're going
12 to need to do a little bit better job on making sure
13 that all the treaties and all of the agreements that
14 were put in place are adhered to.

15 Also, with the lands, there's a lot of things
16 happening in the mountains, and one of them is Terrero
17 mines issue. That's another issue of mining, but
18 history has it that in the Pecos wilderness in the
19 Terrero area (inaudible), the forest area was already
20 mined years ago and contaminants flow through the
21 Pecos River. And so, here we go again, history does
22 repeat itself, and I think it would behoove you all to

1 make sure that these areas are protected in
2 perpetuity.

3 To Governor Chavarria's point, I support his
4 talks about returning the lands back to the first
5 environmentalists, which are the Pueblo people or the
6 Native people and Indigenous peoples of this land.
7 They know how to handle the lands. They know how to
8 work it, and they know what to do when it comes to
9 addressing those things.

10 So, we look forward to hoping that, you know,
11 all the requests and what you asked of this
12 consultation does not fall on deaf ears. That, you
13 know, we would want to see progress, and we want to
14 see things getting done as the speaker before me said,
15 it's been over a hundred years, and still yet we're
16 spinning our wheels.

17 And so, you asked for this and, you know,
18 we're letting you know that much more has to be done.
19 I believe that any -- in any projects anywhere across
20 the country that the Tribes should be the first ones
21 at the table and not thought of as the second step
22 thereafter. Oh, we forgot the Tribes. No, the Tribes

1 should be right up front with every single issue
2 that's coming before that. We never asked to be on
3 lockdown or reservation, but here we are locked on the
4 reservation and our ancestral homelands are now ceded
5 by non-Natives. And it's being developed and all these
6 TCPs, cultural traditional places, are being lost by
7 way of development.

8 And I think a little bit better job needs to
9 happen going forward to be more proactive in making
10 sure that these things happen in a timely manner in
11 our lifetime, not another 100 years from now. So, you
12 asked to be a little bit fired up, and I think that's
13 as fired up as I can get.

14 As far as the forests, Tribal Forest Act,
15 yes, we were impacted by forest fires here in
16 northcentral New Mexico. We're located over the hill
17 from the capitol city of Santa Fe. And the Medio fire
18 impacted us, and the Portico (ph) fire impacted us. It
19 exposed our TCPs and, you know, now we have to really
20 work alongside with all the other agencies to make
21 sure that these areas are protected in perpetuity.

22 But by the same token, we're having issues

1 with the U.S. Forest Service because we recently
2 learned that jobs were -- a gentleman retired from his
3 position, but the newcomers coming in have no clue or
4 records of our meetings, our other issues that we were
5 discussing. So, that's critical and it's very
6 important to us that we have that dialogue and that
7 paper trail. So, you know, again, all the issues that
8 previous speakers spoke before me. I don't want to be
9 repetitive, but I do support their issues. And
10 hopefully, we can see a better outcome and a favorable
11 outcome to all the Tribes across this nation. Thank
12 you.

13 MR. NEWLAND: Thank you, Governor, for your
14 comments. And we're going to work really hard to make
15 sure that there is actions behind our words and that
16 your advocacy does not fall on deaf ears that, you
17 know, that something -- some improvements come out of
18 this process. Ordinarily, we would not do such an
19 expansive consultation on so many subjects. But we
20 know that we've got a limited period of time and a
21 special moment in history, with this Secretary, this
22 President.

1 And so, we're trying to make sure that we're
2 getting direction from Indian country because really,
3 as earlier speakers have said, how essential lands are
4 to identity as Indian people, no matter where you
5 live, that we're getting direction from Indian country
6 because these are the cornerstones of our agenda and
7 our work going forward. So, thank you for that.

8 MR. MITCHELL: Thank you.

9 MS. APPEL: Okay. Our next comment comes,
10 again, from Chickaloon Village.

11 MR. HARRISON: Good afternoon, this is Chief
12 Gary Harrison from Chickaloon. And I have got a couple
13 of questions and maybe comments. One of them was, I
14 was talking with my nephew the other day, and we were
15 looking at a piece of land that was already into trust
16 and said that, if the Village got it, it would have to
17 come out of trust. And I was, like, well, that
18 shouldn't be that way, but it has to do with the
19 Alaska Trust thing.

20 And I'm also wondering when will the process
21 start for the Alaska Tribes to be able to put land
22 into trust. And I'm wondering that, if some of the

1 lands that want to be put into trust, if they're
2 corporate lands right now, if they will be able to be
3 put into trust. And when we talk about getting our
4 homelands back, I'm wondering how far is that really
5 meant because we do have lands -- some of them are
6 cultural lands that are owned by the state or the
7 state mental health trust that we would like to get
8 and put into our own trust because we have to argue
9 with them all the time over trying to save some of
10 these lands, and we shouldn't have to.

11 Some of this stuff that they want to do and
12 the places they want to do it just don't make sense.
13 So, that's really -- I think that's basically it for
14 now. And I don't know if I can get any answers right
15 now or if you'll have to get back with us.

16 MS. WADE: May have I have a --

17 MR. HARRISON: Yes, of course, please.

18 MS. WADE: This is Lisa Wade again, Executive
19 Director. I would really love it if someone could
20 actually from the Department of Interior reach out to
21 us. I don't know if there are other people on the call
22 from Alaska, but we have such a unique situation up

1 here. While this is a government-to-government
2 meeting, it's, you know, not a specific consultation
3 based on our needs. So, it would be really great if we
4 could have a one-on-one conversation about the unique
5 circumstances that we're facing here in Alaska.

6 MS. ISOM-CLAUDE: Hi, if I can jump in. This
7 is Kathryn Isom-Clause, Deputy Assistant Secretary for
8 Policy and Economic Development. I see Rose Petoskey
9 has also put on her camera. She's our point person in
10 the Alaska area whose just come onboard recently. So,
11 we will definitely commit to following up with you
12 individually so we can kind of save bulk of time here.
13 But I'll put my email address, and I think Rose has
14 already put her email address in the chat. But we'll
15 get in touch with you and follow up. Thank you.

16 MS. WADE: Chin'an, thank you very much.

17 MS. APPEL: Thank you. And once again, if
18 you'd like to make a comment, please press the raise
19 hand icon at the bottom of your screen. Or if you're
20 joining us by phone, press star nine to raise your
21 hand. And we have another comment from Governor
22 Chavarria.

1 MR. CHAVARRIA: Hey, Assistant Secretary
2 Newland, getting fired up here. So, what's very
3 important is to understand Pueblo history. You know,
4 in 1834 in America, the federal government extends
5 protection to what they called savage Indian Tribes
6 through the Nonintercourse Act. In 1877, United States
7 v. Joseph, the Supreme Court recognizes Pueblo Indians
8 as semi-civilized and, thus, not worthy or deserving
9 federal protection as extended to the savage Indians
10 back in 1834.

11 The Pueblo people owned their lands in
12 communal fee simple title, a title superior to the
13 United States. Due to small populations, lack of legal
14 sophistication and lack of federal protection,
15 encroachment was rampant on our lands. In 1910 during
16 the Enabling Act, as a condition of statehood, New
17 Mexico agrees the Pueblos will remain under federal
18 and not state jurisdiction. Pueblo lands are exempted
19 from taxation unless Congress consents. State laws do
20 not apply to Pueblo lands.

21 1913, United States v. Sandoval, the Supreme
22 Court held the Pueblos of New Mexico were dependent

1 Indian communities entitled to federal aid and
2 protection. Congress possesses primary power to
3 designate Indian communities so, therefore, the
4 Enabling Act of 1910 was constitutional. Even though
5 the Pueblos were not considered to be savages, the
6 Nonintercourse Act of 1834 was also applicable to the
7 Pueblos of New Mexico. The Pueblo lands were exempted
8 from tax, and our lands could not be alienated without
9 federal consent.

10 So, since 1848, the federal government has
11 been negligent by failing to protect Pueblo lands and
12 water. This is where I mention the Pueblo Lands Act of
13 1924. So, that decision of Sandoval in 1913 placed all
14 titles in Pueblo country under a cloud. Again, due to
15 the moral negligence, Congress passed the Pueblo Lands
16 Act. The Act intended to permanently settle title
17 disputes to non-Indian lands with finality, confirm
18 Pueblo landholdings and protect Pueblo lands from
19 future diminishment and alienation.

20 Non-Indian claimants kept their title under
21 certain conditions while the Pueblos were to be
22 compensated for loss of lands and water. So, in

1 consideration of Senate or S2932, which became the
2 Pueblo Lands Act, the Senate (inaudible) and surveys
3 found, in as much as the decision of the Supreme Court
4 of United States, as referenced above in Sandoval,
5 held that the United States was the guardians of these
6 Indians, meaning the Pueblos.

7 And so, this is very critical because, also,
8 in 1926, United States v. Candelaria, adverse position
9 does not apply to Pueblo Lands. So, this important
10 history is very critical for the Pueblos here in New
11 Mexico. And so then, Assistant Secretary, this is why
12 consultation, in my eyes and the Pueblos' eyes,
13 meaningful consultation requires dialogue with Tribal
14 partners with the goal of reaching consensus.

15 Consultation must mean more than merely
16 checking off the box and cataloging the objections of
17 Tribal nation. Rather, the federal agencies have that
18 trust responsibility to sit down with Tribal nation,
19 engage in a meaningful dialogue to reach consensus and
20 agreement on key issues. However, too often, federal
21 agencies determine Tribal concerns can merely be
22 mitigated without obtaining agreement from the Tribes.

1 So, the goal of sitting down at a table
2 together should be of mutual understanding and
3 agreement. Otherwise, what's the purpose of
4 consultation? And that's not meaningful, Mr. Assistant
5 Secretary. So, I feel as a matter of environmental
6 justice, all federal agency officials and Secretary
7 must use their inherent authority and discretion to
8 deny any projects adversely impacting Tribal cultural
9 resource when there is no way to mitigate.

10 As I mentioned, these environmental justice
11 impacts Tribal cultural resource, including the
12 numerous traditional cultural properties found and
13 adjacent to our homeland. That's all well within our
14 original landscape, (inaudible) trail, ritual areas,
15 pack gathering areas, which is again a nonrenewable
16 resource. So, NEQA environmental justice concerns may
17 help inform the NHPA mitigation requirements and the
18 NHPA Tribal (inaudible) work may help inform the NEQA
19 alternatives.

20 Western views of archaeological resources
21 order over Native peoples more -- there has to be an
22 understanding because, too often, only archaeological

1 resources are noted in the literature while cultural
2 resource can only be made known to conducting self-
3 survey if qualified Pueblo culture representative
4 advising whether an area contains traditional cultural
5 properties, resources, again, which is very important.
6 And this goes back to Governor Ortiz's comment, which
7 is very critical.

8 So, as Pueblo Tribes and nations, for us in
9 New Mexico it goes back to the recent finding in White
10 Sands of these footprints that outdate the theory of
11 scientists, of archaeologists. And that's just showing
12 the fact that we, as Native people, have inhabited
13 these areas since time immemorial. What more data do
14 you need?

15 But for us, because of the way scientific
16 archaeological, we need that data to produce our ties
17 to the landscape. Our footsteps are already embedded
18 in these landscapes. And so, as I mentioned, for us
19 here in Santa Clara, for too long -- over 100 years --
20 because of the negligence of the federal government of
21 not protecting our land, we were put in this situation
22 which goes back to local governments trespassing on

1 our land, water, sewer, roads without valid rights-of-
2 way easements, which is very critical. That includes
3 the state of New Mexico Department of Transportation,
4 Río Arriba County and the city of Espanola.

5 And so, as Assistant Secretary, Secretary of
6 Interior, you have that inherent authority to protect
7 us. And again, I go back to those decisions of our
8 history, which is 1913 United v. Sandoval, because
9 we're not all the same, we're all unique. But we must
10 continue to fight for the future just as our grandpas,
11 the leaders of the past, fought for us to be here
12 today.

13 And so, I understand you, Assistant
14 Secretary, as the chairman of your respective tribe,
15 that you do have that understanding. But again, we're
16 all unique. So, there are some Pueblo laws that are
17 specific to the Pueblos in New Mexico in relation to
18 the other Tribal laws throughout the nation. So, I'm
19 going to attach this document that I've created and
20 used with previous Secretary under the previous
21 administration because they need to know and
22 understand why we're so adamant about protecting our

1 lands -- our land, our water -- for the future
2 generations of our people, especially for our people
3 here in Santa Clara, which is very critical.

4 And so, as I mentioned, there are so many
5 things we can talk about, Mr. Assistant Secretary.
6 Time is not always there. And so, it is very crucial
7 that we take these opportunities when Interior calls
8 these sessions to speak out and identify the
9 challenges, the obstacles. But what is the outlook?
10 What are we all searching for? And for us it's
11 protecting that landscape, protecting the water,
12 protecting that resource, protecting that traditional
13 cultural property. But how do we do it when these
14 lands are managed by other federal agencies?

15 And so, the only way to do that is to give
16 those lands back to us, which is very critical to help
17 us be self-sufficient, to help us work with a
18 sovereignty, as political Tribal sovereign
19 governments, which is very important. And so, I just
20 hate to sit back and not say anything, but it's very
21 important.

22 This is an opportunity to have our Tribal

1 leaders with you, Mr. Assistant Secretary, so that you
2 fully understand the issues, challenges and concerns
3 we do have, which may have happened 100 years ago, but
4 we're still dealing with that today. So, out of
5 respect, thank you very much. Okay? (Native language.)

6 MR. NEWLAND: Thank you, Governor. I
7 appreciate you taking the time to advocate.

8 MS. APPEL: And our next comment comes from
9 Chairman Alex.

10 MR. ALEX: Good afternoon, Secretary Newland.

11 MR. NEWLAND: Good afternoon.

12 MR. ALEX: Thank you for taking some time to,
13 I guess, hear us out. First, a week ago today we had a
14 discussion with your office and you about our hunting
15 rights in Idaho. I just didn't want to forget about
16 that. We would like to the states to understand and
17 know that is the 21st century and back in the 1800s,
18 we did not make an agreement. We made an agreement
19 with the federal agreement and that, you know, that
20 there were certain agreements that was breached and
21 that we would like them to abide by.

22 Second, we are a Tribe of around 260-plus,

1 residing mostly in northern Utah and southeast Idaho.
2 We used to reside in Washakie, Utah, which is an area
3 that Chief Washakie would come and visit with us
4 sometimes, leaving Fort Washakie, Wyoming. My
5 understanding is that he liked the climate, and he
6 liked it -- he liked the valley there.

7 Well, we were moved out of that area and
8 moved to Nevada. This is a lush, green mountainous
9 area, and we were given a reservation at that time in,
10 I believe, Fort Carlin, Nevada, which was -- turned
11 out to be sand, sagebrush and no water. And my
12 relatives at that time rejected that land and moved
13 back to what they were familiar to. In the process,
14 they moved back and were settled in and were a lot of
15 acreage, and a lot of it was -- they were never
16 educated to the way of taxes.

17 So, some of them didn't pay their tax, and
18 the land went to people that paid their taxes and,
19 therefore, they lost it. Some of them that did
20 maintain it and had made friends with non-Indians who,
21 like my grandfather, educated them in the way of taxes
22 and said, Elias, you have to pay your taxes in order

1 to keep your land, and he did.

2 In the end, there was a little settlement
3 there in Washakie, and those people were burned out of
4 their homes by -- I hate to say it -- but the LDS
5 church. And that was a church farm there, a lot of the
6 land, and so they were under the impression the
7 Seminoles properties were church properties. So, a lot
8 of them sold their land and moved out.

9 Well, now, it was sold to a cattle company
10 and, from the cattle company, they sold it to the
11 Kingston clan, a polygamous breakoff of the LDS
12 church. And they, as you probably -- I don't know
13 you've read or not -- are behind on their taxes, and
14 they tried to dodge taxes. And some of the land that's
15 owned that's in that valley that we owned previously
16 is up for -- to the IRS to seize. We would like
17 assistance in getting that valley back.

18 I remember living there till I was seven
19 years old and my brother until he was nine, and we
20 would sure like to go back there before -- before our
21 demise, and our children can inherit that land back.
22 We're a progressive Tribe. We recently just opened up

1 a dental office and a medical office to the community
2 in Brigham City, doing well, and we're looking at
3 other avenues of revenue for our Tribal members. And
4 whatever assistance you can give us in both of these
5 fields would be much, much appreciated. And with that,
6 I'll leave. Thank you.

7 MR. NEWLAND: Thank you for that, and I
8 always appreciate hearing, you know, the context and
9 the -- the context and unique factual history that
10 each Tribe has, and Governor Chavarria or Governor
11 Mitchell had mentioned earlier about every Tribe being
12 unique and coming to these issues with a unique
13 perspective. So, thank you for that.

14 MR. ALEX: Okay, thank you. Thank you.

15 MS. APPEL: Okay. And I see, Governor
16 Chavarria, you have your hand up. Is that left over,
17 or did you have another comment?

18 MR. CHAVARRIA: Sorry about that, it's left
19 over.

20 MR. NEWLAND: Yeah, I was going to say let --
21 I think we have some folks who haven't had a chance to
22 comment.

1 MS. APPEL: Okay. We have Nicole Shura (ph).

2 MS. SHURA: Here, introduce yourself.

3 MR. KNIGHT: Oh, am I on?

4 MS. SHURA: Yes.

5 MR. KNIGHT: Good afternoon, my name is Terry
6 Knight. I'm the Tribal Historic Preservation Officer
7 for the Ute Mountain Ute Tribe, and I have a question
8 regarding hunting rights. Back about 1874 or so, the
9 federal government was supposed to enter into an
10 agreement with the -- with the Ute here in Colorado.
11 And one their agreement principles was hunting rights,
12 the Brunot hunting right.

13 About that time, Congress said that they were
14 not going to enter into any more treaties with the
15 Tribes, and so a guy named Felix Brunot was sent out
16 here to settle some differences with the Tribe and
17 also hunting areas. So, came up with an area -- at
18 that time, it was a million square acres there in
19 Colorado that Felix Brunot went into an agreement with
20 the Ute Tribes in lieu of a treaty. And a few people I
21 talked to, you know, they said, well, an agreement
22 like that has the same status as a treaty.

1 But here, since that time, state of Colorado
2 and the government, through BLM and the National
3 Forest, have selected areas for different development
4 or whatever -- what do you call those -- land
5 exchange. And some of the land that is designated as
6 wilderness area now was not talked about at that time.
7 And the latest one here, about a month or so ago,
8 maybe a little bit more, I was informed that there was
9 a place called Wilson Mesa that's about 10 miles south
10 of a place called Placerville on Highway 145 going to
11 Montrose, and that's within our -- the Brunot hunting
12 rights area.

13 And my question is, can -- can the National
14 Forest Service do that legally? They can sell or
15 exchange land within that Brunot hunting area. Seems
16 like, with the few people I talked about, that they
17 couldn't do that because that agreement carries the
18 same weight as a treaty. That's my question, can they
19 do that? They've been doing that all along, and
20 several years ago, maybe longer, we had a meeting with
21 the Colorado State Forestry Department or -- what do
22 you call it -- Fish and Wildfire over in Colorado

1 Springs. And at that time, the Southern Ute Tribe had
2 done some research, and they said, out of that one
3 million square acres, there was about 300,000 acres
4 that we could not use for hunting or whatever else was
5 in that agreement, fishing and gathering of herbs and
6 all that. We couldn't do that because it was township
7 private land and other kinds of land that we could not
8 exercise rights on. Now, my question is, can the
9 Forest Service do that?

10 Seems like they're always stripping that
11 agreement or that treaty area without proper
12 consultation with the Tribes. So, that's kind of
13 bothering me because, here in the state of Colorado,
14 when I was on the Tribal Council back in -- I can't
15 believe it was 1977 or '78, I was one of the
16 signatories to that Brunot hunting rights area for the
17 Ute Mountain Ute Tribe. And there's more to that
18 story. I don't think you want -- you know, you have
19 that much time. But, you know, we signed it, and we
20 made the agreement with the state because that's how
21 Congress wanted it. And so, you know, where -- where
22 do we stand on that?

1 I don't how many acres that is on that Wilson
2 Mesa. I don't know if it's 60 acres or 600 acres. I
3 mean, it's an amount I cannot remember. But can they
4 do that? Can the National Forest Service do that, sell
5 or whatever, that area and that our hunting rights
6 decision? What -- how can we then exercise our hunting
7 rights in that area if there's somebody that's going
8 to own that amount of land, that acreage is going to
9 become private land? That's something that we cannot
10 hunt on, private land without permission.

11 But initially, according to that agreement,
12 there was nothing like that. There's some other -- a
13 couple of the instances that's happened here in
14 Colorado -- southwest Colorado with the Forest Service
15 again. Where -- I'm thinking, how -- how can we get
16 past that because, with the expansion of people
17 wanting to exercise their right, wanting to have
18 homes, whatever, up in the mountains or want to
19 recreate, where does that leave our hunting rights?

20 Can the Forest Service or state just come in
21 and -- and say this so many acres is going to be, you
22 know, not available for you to hunt on anymore? You

1 know, that -- and probably some other Tribes have some
2 similar kind of experiences. But I'm asking you
3 people, you know, somebody might have an idea how we
4 can take care of that. And I was thinking, well, you
5 know, if that's within a treaty concept, I thought,
6 well, those people that took them lands from us or the
7 National Forest sold lands to, that should all be
8 reverted back to the Tribes, the two Ute Tribes in
9 Colorado. It should all come back to us, and a lot of
10 people are going to scream and yell and whatever.

11 There should be a good way we can work this
12 out, some kind of agreement or something. But that, to
13 me, that seems -- a lot of these things were done
14 without our knowing or any real consultation with the
15 Tribes. They just did it. Because to me, they just
16 totally stepped all over our hunting treaty right --
17 treaty hunting rights. So, I'm presenting that to you.
18 Maybe somebody might have a good idea or tell us which
19 way we could go to stop those kinds of things. That's
20 all.

21 MR. NEULAND: Thank you, Mr. Knight, I
22 appreciate that. I think, to give you an answer to

1 your very specific question about the -- is it the
2 Brunot or Brunell Agreement, I can't remember. I think
3 we're going to have a follow-up conversation with you
4 and with the Tribe to better understand that.

5 Generally familiar with that agreement, but I want to
6 make sure that we have the right folks at the table
7 from here and from the Tribes to have a more specific
8 discussion about it. I would invite that conversation.

9 MS. APPEL: Okay. We have another comment
10 from President Werk.

11 MR. WERK: Hey, good afternoon again. Just
12 couldn't help myself, you know, this is great. But
13 there was something, I guess, before we do our written
14 comments, that I wanted to mention also. I think I
15 heard some of it already from the Tribal leaders, and
16 it's another comment asking Interior to, you know, to
17 do everything you can through regulations or advocacy
18 for legislation to fix, you know, improper taxation by
19 states on Indian lands. You know, you think about
20 sovereignty of states and Tribes, right. You know, for
21 example, here in Montana, Montana don't have the
22 authority to tax Wyoming.

1 And at what point, you know, or why did the
2 United States, you know, start taxing activities in
3 our areas of jurisdiction for Tribes. You know, and
4 getting back to those treaties again, you know, our
5 homelands were, you know, were established for our
6 benefit, right, in upholding that again. But, you
7 know, states continue to extract their taxing
8 activities on our land. You know, and it limits our
9 abilities, you know, and Tribes, you know, not taxing,
10 you know. And you know, for governmental functions
11 and, you know, Tribal governments can't, you know, tax
12 business activities, and we don't have the kind of
13 money needed for infrastructure.

14 You know, and it even limits or creates these
15 -- you know, it limits our economic development here,
16 you know, for better opportunities for the government
17 and Tribal people. So, that's just another thing as
18 far as, you know, you folks over there coming up with
19 ways, like I said, through legislation or advocacy for
20 legislation and regulations to fix that based on our
21 treaties. So, thank you.

22 MR. NEWLAND: Thank you, President Werk.

1 MS. APPEL: And as a reminder, if you'd like
2 to make a comment, please press the raise hand icon at
3 the bottom of your screen. Or if you're joining us by
4 phone, press star nine to raise your hand.

5 MR. NEWLAND: Well, I want to take a moment,
6 just in case there's anyone who's wanting to make a
7 comment here in our last 15 minutes, just to kind of
8 recap some of the themes that we're hearing today and
9 then throughout this consultation. We have heard
10 consistently that the land-into-trust process is -- it
11 takes too long and it's too costly to Tribes. That was
12 a theme that's come out today.

13 Have heard a number of comments today about
14 returning federal lands to Tribal lands to Tribal
15 ownership in appropriate circumstances, and then also
16 some of the challenges that Tribes are having --
17 landless Tribes are having with historic preservation
18 and cultural preservation issues when you don't have a
19 land base in working with other federal agencies. A
20 number of comments today regarding treaties and the
21 need fulfill the federal government's treaty
22 obligations, and some specific comments related to our

1 jurisdiction and our existing regulations related to
2 taxation.

3 We've got 15 minutes left in this scheduled
4 consultation. Again, we invite and encourage written
5 comments all the way up until November 5th deadline.
6 It's the 5th, right, Liz? Okay. We're dealing with a
7 number of consultation deadlines with different
8 timeframes so what to make sure I have that right.

9 And your written comments will feed into our
10 policymaking process on a number of fronts, and I
11 promise you they do get read. And they get read by
12 those of us who are doing the policy development work.
13 I'm going to put out one last call for comments here.
14 I think we've probably got time for at least one,
15 maybe two more, before we wrap up today.

16 MS. APPEL: As a reminder, if you'd like to
17 make a comment, please press raise hand icon at the
18 bottom of your screen, or press star nine if you're
19 joining us by phone.

20 MR. NEWLAND: Last call for comments.

21 MS. APPEL: And we do have another comment
22 from Pueblo of San Felipe.

1 MR. ORTIZ: Thank you very much. Again, this
2 Governor Ortiz of Pueblo of San Felipe of New Mexico.
3 Just wanted to comment on being appreciative of what
4 you're doing, Assistant Secretary Newland, and it's
5 good to be on this call and talk to you and give you
6 our concerns our needs within our respective Tribes
7 here. And Tribal consultation, government
8 consultation, government-to-government, is a must of
9 anything that pertains to us as Tribal nations and, of
10 course, everything that you all -- the governments
11 working towards of anything that's before your table.

12 I appreciate very much that we be involved
13 firsthand, to be invited to the table to have our
14 input of what's going to work for us as Tribal leaders
15 here within our respective Tribes. It's the one way of
16 protecting and preserving those cultural and sacred
17 sites is to partner and to go hand-in-hand to consult
18 continuously of our efforts that we put into all these
19 areas.

20 So, again, appreciate very much, and I want
21 to thank Biden administration, of course, all of you
22 underneath that administration, of the work and

1 efforts that you are doing. Thank you for your
2 services, Assistant Secretary Newland.

3 MR. NEWLAND: Thank you, Governor Ortiz. I
4 really appreciate that, and we have got an incredible
5 team here in our office and across the Department that
6 really pours a lot into these efforts, as I know you
7 guys do in your communities. So, thank you all as well
8 for your service. Liz, I think we have got time for --

9 MS. APPEL: Okay, we have another comment --a
10 new comment from Harry Little Thunder. Mr. Little
11 Thunder, could you unmute your --

12 MR. LITTLE THUNDER: Yeah, can you hear me?

13 MS. APPEL: Yes, thank you.

14 MR. LITTLE THUNDER: Okay. My name's Harry
15 Little Thunder from Eagle Butte, South Dakota, and the
16 Cheyenne River Sioux Tribe, Lakota Tribe. I'd like to
17 say thank you for taking a few moments to hear my
18 comment. There are several things that we are working
19 on through the Seven Council Fires treaty council here
20 in South Dakota, represented by seven Tribes.

21 I think the main one that we were talking in
22 the last few years was honoring the treaties. And

1 second is returning the federal lands and, along with
2 their lands was the language. And I think the third --
3 the fourth one, I'll be really brief about it. I am in
4 a dilemma, and I need somebody's help with the trust
5 land. We have acres of land that one of our relatives
6 sold five acres, and we have a will that's saying from
7 our auntie that wasn't supposed to be sold at all.

8 And I was told that, in order to get it back,
9 someone said put it back in trust and get it back
10 again. So, that's where I'm at with it. So, if I can
11 get any kind of help from you guys, I would appreciate
12 it. I think -- Elizabeth Appel, I think you got my
13 email?

14 MS. APPEL: Sorry, yes, I do. Thank you.

15 MR. LITTLE THUNDER: Okay. So, that last
16 question, I'm looking forward to that because we're
17 planning to go into a Tribal court to seek remedy that
18 because this land that my relative sold was ancestral
19 land was my grandpa who was a chief, and he owned the
20 log cabin. And right now, we're putting no trespassing
21 sign around the house, and the person that bought the
22 land that we didn't know about, they put in water

1 line, and we haven't heard anything.

2 So, we're going through mediation to -- now,
3 to a civil action. So, what I'd like to have is that
4 five acres back because that's my grandpa's log cabin
5 sitting on there, and it's a considered a historical
6 site. So, that's my question, comments. Appreciate,
7 thank you.

8 MR. NEWLAND: Thank you, Mr. Little Thunder.
9 We appreciate that. We've got your email address, and
10 we'll see if we can have someone follow up with you.

11 MR. LITTLE THUNDER: Appreciate that.

12 MR. NEWLAND: I see Governor Mitchell's here,
13 Liz, with his hand up. I think we can take your
14 comment, Governor Mitchell, if that's okay. And then
15 we'll have to wrap up the session.

16 MR. MITCHELL: Thank you. Again, I just
17 wanted to say thank you all for putting out your hand
18 and trying to help all the Tribes. And I want to wish
19 you guys luck and, hopefully, you guys can achieve the
20 goals that you set out for yourselves. And for the
21 record, I will say this to whomever I speak to here in
22 the state of New Mexico, and I'm going to say this for

1 you guys.

2 The Pueblo of Tesuque has never, ever given
3 up on rights to hunt, to fish, to gather to practice
4 our religion anywhere in the state. And I hope that
5 you all can take that to heart because I believe
6 that's a model of all the tribes from coast to coast.
7 So, with that, I just want to wish you luck, life,
8 health, and I hope everything goes well for yourselves
9 and your personal lives. Thank you very much.

10 MR. NEWLAND: (Native language.) Thank you,
11 Governor Mitchell. And thanks to everybody for joining
12 us here today, sharing your time with us -- we know
13 busy you are -- sharing your comments and guidance on
14 these important issues. I want to thank Liz for her
15 excellent work. Those of you have attend Tribal
16 consultations with DOI leadership often have seen Liz
17 Appel's name and face here, and we couldn't pull these
18 off without her. So, thanks, Liz, for helping to
19 organize these.

20 Again, we invite you to submit written
21 comments as well as part of this all the way up until
22 November the 5th. And I want to wish you all and your

1 families and communities good health and wellness
 2 going forward. (Native language.) Thank you so much
 3 for joining us today. That concludes our consultation
 4 session.

5 (Thereupon the meeting adjourned at 2:55
 6 p.m.)

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CERTIFICATE OF NOTARY PUBLIC

I, SHONDRA DAWSON, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Shondra Dawson

SHONDRA DAWSON

Notary Public in and for the
District of Columbia

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I, CARLOTTA BARR-SMITH, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



CARLOTTA BARR-SMITH

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