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HELD ON

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<p style="text-align: right;">Page 2</p> <p>1 WASHINGTON, D.C. 2 WORKFORCE EFFICIENCY/PRODUCTIVITY AND 3 EMERGENCY PERMITTING CONSULTATION 4 HELD ON 5 THURSDAY, JUNE 5, 2025 6 10:06 A.M. 7 8 MR. DAVIS: Please stand. 9 MR. HARVIER: Good morning, everyone. My 10 name is Martin Harvier, President of the Salt River- 11 Pima-Maricopa Indian Community. Grateful to be able 12 to offer the prayer. As I pray, pray in your own 13 way. Let's go to prayer. 14 Our Father in Heaven, as we humbly bow our 15 heads before thee this morning, Heavenly Father, we 16 give thee thanks. We give thee thanks for the 17 opportunity as representatives of our communities to 18 come here this morning to be able to speak. And we 19 pray, Heavenly Father, as those that come forward 20 this day will be able to say those things that is in 21 their hearts and on their minds. 22 And we pray for those that will be sitting 23 here that will be listening, that they too, that 24 their hearts and their minds may be open to the 25 requests that will be given. Heavenly Father, we're</p>	<p style="text-align: right;">Page 4</p> <p>1 Watch over and keep them safe, wherever they may be. 2 Again, we're grateful for the many 3 blessings. Again, we ask that you be with us this 4 day. In this prayer, we humbly ask in the name of 5 thy son, Jesus Christ. Amen. 6 MR. DAVIS: Thank you, Chairman, for that 7 prayer and starting us out in a good way. 8 Again, Scott Davis here. Certainly 9 honored to be here. Before we get started, I know 10 on behalf of Secretary Burgum, very busy. I'm not 11 sure where he's at today. Maybe in Alaska 12 somewhere. I'm not sure. 13 But in this place, pitch hitting today, we 14 have Mr. Robert Lockwood, Deputy Chief of Staff, to 15 kick things off on behalf of Secretary Burgum. 16 So, Robert, if you will, please. Thank 17 you. 18 MR. LOCKWOOD: Sure. Good morning. Can 19 everybody hear me okay? Well, thank you very much 20 for coming. And as Scott said, the Secretary is in 21 Alaska today. He wishes he could be here, and he's 22 asked me to sit in and listen while he's in Alaska. 23 They're doing an energy tour. They're visiting 24 parks, and he's held two meetings. One was a 25 roundtable with the Alaska Federation of Natives in</p>
<p style="text-align: right;">Page 3</p> <p>1 grateful for this opportunity that we have, at this 2 time, in this world to be able to lead our 3 communities. And we're grateful for all of those 4 that have come before us to pave the way, and we're 5 truly grateful for the work that they have done on 6 our behalf. And we pray that this day, as we go 7 forward, that we may be able to pave the way for 8 those that are coming after us. 9 Heavenly Father, as we are here, we pray a 10 blessing on our families that are back at home, that 11 they're watched over and taken care of. Bless our 12 elders. Give them the things that they stand in 13 need of. Bless our young people, as most of them 14 are out of school, that they're making good 15 decisions. 16 We ask you to bless those that are 17 protecting our community as first responders, our 18 police and our fire, our health officials. Watch 19 over and keep them safe. And as always, Heavenly 20 Father, we're grateful for the freedoms that we 21 enjoy, to be able to be here, to say what's on our 22 minds, that is given to us because of those veterans 23 that served our country, that allowed us to do the 24 things that we do. So we ask you to bless those 25 veterans that served and those that are serving.</p>	<p style="text-align: right;">Page 5</p> <p>1 Anchorage, and he met with tribal leaders on 2 Alaska's North Slope, as well, so a full portfolio 3 of work that he's got up there. 4 I currently serve as his Deputy Chief of 5 Staff, and I'm encouraged just to see the 6 participation here today. And from what I've heard 7 from Scott, and Kelly, and Janelle and every -- Ken 8 and everybody who's been traveling, these 9 consultations have been going very well. Because 10 these are crucial for us, both at BIA and the larger 11 DOI, to hear direct feedback from you guys who are 12 leaders, given the amount of pressing issues that 13 everybody is facing today, so thank you for making 14 the time to travel to be here today. I'm looking 15 forward to hearing what you guys have to say. 16 For those who haven't met Secretary 17 Burgum, he was the Governor of North Dakota for 18 eight years, and he had a fantastic relationship 19 with the five tribal nations who they shared 20 geography with. And that was forged through 21 communication, through listening, through 22 collaboration, and then ultimately making a plan and 23 getting things done, and that's the approach that 24 he's brought here to DOI. 25 I know, to date, that I think DOI, at</p>

<p style="text-align: right;">Page 6</p> <p>1 large, everybody on our staff has had something like 2 170 meetings or met with 170 tribes. The secretary 3 has had a handful of bilaterals. He spoke at the 4 National Congress for American Indians. A few weeks 5 ago, he had a day-long meeting in his office, which 6 we converted into a conference room with STAC, the 7 Secretary's Tribal Advisory Council. That went from 8 breakfast through an evening reception, and that was 9 just talking, listening, collaborating. 10 And one of the takeaways from that was -- 11 that I thought was uniquely powerful -- was that we 12 had FBI Director, Kash Patel. The Secretary, and 13 our staff arranged for him to come visit, to talk 14 about missing and murdered Indigenous people. And 15 the FBI Director Patel also met with the family of 16 Emily Pike, who was horrifically murdered. And then 17 afterwards, we saw that the FBI put up a \$75,000 18 reward for additional information that can allure to 19 that. 20 And so the Secretary later shared with 21 other members of the Cabinet like the direct impact 22 that having the FBI Director would go. So at future 23 meetings for STAC, we're going to have the 24 Secretary's priority as further Cabinet engagement 25 with tribal leaders, as well. So these are key</p>	<p style="text-align: right;">Page 8</p> <p>1 MR. DEARMAN: Good morning, tribal leaders 2 and stakeholders. I'm Tony Dearman, Director of the 3 Bureau of Indian Education. 4 MR. MERCIER: Hi, I'm Bryan Mercier. Good 5 morning. I'm Bryan Mercier. I'm the Director of 6 the BIA. I will actually not be facilitating. I'm 7 going to hand it off to Kelly Rael to facilitate 8 today because -- we apologize in advance -- a few of 9 us on the stage here need -- or on the panel need to 10 sneak out at 11:00 for a very important meeting with 11 the new deputy secretary, but we will be returning 12 after that meeting, so apologize in advance for 13 that. 14 But I'll hand it off to Kelly, who will be 15 our emcee. Thanks. 16 MS. RAEL: Okay. Yeah. My name is Kelly 17 Rael. I'm currently serving as a Senior Advisor to 18 the Assistant Secretary of Indian Affairs, and thank 19 you for coming. 20 MS. BEAUREGARD: Everyone, just before we 21 get started, I'm going to run through a few 22 housekeeping notes. So we are here today to gather 23 comments on two topics: The Assistant Secretary for 24 Indian Affairs Reorganization Plan as part of 25 Executive Order 14210, Department of Government</p>
<p style="text-align: right;">Page 7</p> <p>1 priorities to him. 2 Let me see what else that I'd like to 3 cover. No. 4 So I know that we've had consultations, 5 both formal and informal, from Alaska, I guess, here 6 through Washington, and everywhere in between. And 7 so I just wanted to say thank you to you guys for 8 being here. And then thanks to the staff that I 9 primarily work with, which is Scott Davis, Ken, 10 Kelly, Janelle, and Bryan, and a whole host of 11 wonderful teams. So again, thanks for letting me 12 join you guys here today on behalf of the Secretary, 13 and look forward to hearing what you have to say. 14 MR. DAVIS: Thank you, Robert. So before 15 we get started, we'll just go down the line here and 16 introduce the team here, starting with Kevin, then 17 we'll end with Bryan. And Bryan will get us kicked 18 off as today's Iapaha (phonetic), or facilitator. 19 So, Kevin, if you want to start, and Tony. 20 MR. BEARQUIVER: Good morning. Kevin 21 Bearquiver. I'm the Deputy Bureau Director for the 22 Bureau of Trust Funds Administration. I'm glad to 23 be back in D.C. I'm an enrolled member of three 24 affiliated tribes from the great state of North 25 Dakota, so thank you. Good morning, everyone.</p>	<p style="text-align: right;">Page 9</p> <p>1 Efficiency Workforce Optimization Initiative; and 2 the DOI Emergency Permitting Procedures as part of 3 Executive Order 14156, Declaration of a National 4 Energy Emergency. For clarity throughout today's 5 session, we will refer to these as Workforce 6 Efficiency and Productivity, and Emergency 7 Permitting Procedures. 8 Today's consultation session is being 9 recorded. My name is Rebecca Beauregard. I'll be 10 facilitating today's consultation. I'm here with my 11 colleagues, Kyle Vint and Taylor Mason. We are 12 contractors to the Department of the Interior. We 13 are here as impartial facilitators supporting the 14 department's team in conducting these consultations. 15 Also here today is Derrick Beetso of Hayilka, who 16 is part of our contractor team, and recording your 17 comments made here today. 18 Representatives from the Department of the 19 Interior are here and actively listening to your 20 comments. All comments you share today will be 21 passed along to them after the session. This is an 22 opportunity for tribal leaders to provide input on 23 Workforce Efficiency and Productivity, and Emergency 24 Permitting Procedures. We greatly appreciate you 25 all for taking the time to attend today's</p>

<p style="text-align: right;">Page 10</p> <p>1 consultation.</p> <p>2 So housekeeping notes, there are emergency</p> <p>3 exits clearly marked throughout the venue. Please</p> <p>4 take a moment to make sure you're aware of the</p> <p>5 nearest exit to your position. In the event of an</p> <p>6 emergency, please proceed to the nearest exit.</p> <p>7 Please have your visitor's badge visible at all</p> <p>8 times. Any time you exit this building, you will</p> <p>9 need to enter at the C Street entrance. There are</p> <p>10 other entrances around the building. You will not</p> <p>11 be able to get in those.</p> <p>12 There are women's restrooms located in the</p> <p>13 back right corner of this room. Men's restrooms and</p> <p>14 additional women's restrooms are located outside of</p> <p>15 this room to the right. Security will let you</p> <p>16 through turnstiles to get to those.</p> <p>17 For our brief lunch break, there is</p> <p>18 limited food available in the basement of this</p> <p>19 building. It's a pop-up kitchen. I believe today</p> <p>20 is Korean barbecue. Additionally, there is a Met</p> <p>21 Cafe at the corner of E and 18th.</p> <p>22 Attendees are joining us in person and</p> <p>23 virtually. For our virtual attendees, we are</p> <p>24 supported by Kyle and Taylor. Taylor will be your</p> <p>25 main point of contact for technical support. They</p>	<p style="text-align: right;">Page 12</p> <p>1 affiliation. This information will assist the court</p> <p>2 reporter.</p> <p>3 Our session today will run for</p> <p>4 approximately five and a half hours, concluding at</p> <p>5 3.30 p.m. We will not be able to extend the</p> <p>6 consultation time beyond the scheduled end date --</p> <p>7 end time, due to the building closing at 5:00. We</p> <p>8 will queue for a 30-minute break at approximately</p> <p>9 1:00, but as it is a long meeting, we encourage you</p> <p>10 to take breaks as needed.</p> <p>11 Officials from the Department of the</p> <p>12 Interior will begin the consultation with a brief</p> <p>13 presentation on the respective topics. Following</p> <p>14 the presentation, we will provide comments from</p> <p>15 elected or appointed tribal leaders or their</p> <p>16 designated representatives. Additional</p> <p>17 participation instructions will be shared at that</p> <p>18 time.</p> <p>19 We want to ensure that all comments are</p> <p>20 heard and captured. To create space for all voices,</p> <p>21 we will hear from everyone once before offering</p> <p>22 second opportunities to speak. Given the number of</p> <p>23 attendees and the limited time available, we</p> <p>24 respectfully ask that the speakers be mindful of the</p> <p>25 time they take to share comments. As facilitators,</p>
<p style="text-align: right;">Page 11</p> <p>1 will share their name and email in the chat, and you</p> <p>2 can use the chat function to address any technical</p> <p>3 challenges you encounter.</p> <p>4 Closed captioning services are available.</p> <p>5 Please go to the bottom of your screen, click on the</p> <p>6 three dots that say "More," select "Captions," and</p> <p>7 choose "Show Captions." You can also use the live</p> <p>8 captioning service available at the link in the</p> <p>9 chat.</p> <p>10 Zoom may ask about your spoken language.</p> <p>11 Select yours and hit "Save" or "Cancel" to close the</p> <p>12 box. This will not impact your ability to</p> <p>13 participate in the meeting or use closed captioning.</p> <p>14 Attendees will be muted and off camera until the</p> <p>15 comment period. We will provide full instructions</p> <p>16 for comments in a few moments. You will be invited</p> <p>17 to unmute and turn on your camera when it is your</p> <p>18 turn to speak. If you have questions about the</p> <p>19 meetings and our virtual schedule, you can email</p> <p>20 Raca@bia.gov. That's R-A-C-A at B-I-A dot gov.</p> <p>21 Andrea Pierce is attending virtually as</p> <p>22 the court reporter capturing your input today, so</p> <p>23 that a complete transcript can be prepared and</p> <p>24 shared with DOI officials. If you choose to comment,</p> <p>25 please state your name, title, and tribal</p>	<p style="text-align: right;">Page 13</p> <p>1 part of our role is to help manage the flow of this</p> <p>2 consultation session to allow for broad</p> <p>3 participation, and we may offer gentle time</p> <p>4 reminders to ensure we hear from as many tribal</p> <p>5 perspectives as possible.</p> <p>6 This consultation session is specifically</p> <p>7 intended for elected officials or designated</p> <p>8 representatives of federally recognized tribes. If</p> <p>9 you are attending as a member of a non-federally</p> <p>10 recognized tribe or a member of the public, we</p> <p>11 welcome you to submit written comments. The public</p> <p>12 comment period will remain open until July 7th.</p> <p>13 For those attending virtually on behalf of</p> <p>14 a tribe, please edit your Zoom name to include your</p> <p>15 affiliation. If you would like to submit written</p> <p>16 comments, you can submit those through email or mail</p> <p>17 by 11:59 p.m. Eastern Time on Monday, July 7th,</p> <p>18 2025. The email address and mailing address will be</p> <p>19 posted in the chat. I'm now going to turn back to</p> <p>20 Kelly Rael.</p> <p>21 MS. RAEL: Okay. Good morning. Good</p> <p>22 morning. Good morning to our Alaska</p> <p>23 representatives. We started a few weeks ago in</p> <p>24 Alaska, so it's good to see your faces again. All</p> <p>25 right. So we've already done that. We've already</p>

<p style="text-align: right;">Page 14</p> <p>1 done our introductions. All right.</p> <p>2 So I'll jump right into it. The purpose</p> <p>3 of consultation is for the Department of Interior</p> <p>4 Indian Affairs to engage directly with federally</p> <p>5 recognized tribes and BIE stakeholders to receive</p> <p>6 direct input, as we develop plans to implement the</p> <p>7 executive orders and the Secretary's orders. And</p> <p>8 it's going to be specifically Executive Order 14210</p> <p>9 on Government Efficiency Workforce Optimization,</p> <p>10 Secretarial Order 3429 on Consolidation on functions</p> <p>11 of -- and the Secretarial Order 14156 on regarding</p> <p>12 the National Energy Emergency.</p> <p>13 All right. EO 14210, Department of</p> <p>14 Government Efficiency. The purpose of this order is</p> <p>15 for the federal bureaus to restore accountability to</p> <p>16 the American people by eliminating waste, fraud, and</p> <p>17 bloat through critical transformation.</p> <p>18 Specifically, as we develop a plan, we seek feedback</p> <p>19 on the following: Restructuring Indian Affairs to</p> <p>20 support more efficient interactions with tribes;</p> <p>21 addressing critical funding structures, including</p> <p>22 efficiency barriers to expedite funding to tribes</p> <p>23 and tribal programs; and increasing support for</p> <p>24 tribal self-governance and self-determination.</p> <p>25 Following your feedback, we will consider if we, at</p>	<p style="text-align: right;">Page 16</p> <p>1 operations: The Office of Budget and Performance</p> <p>2 Management; the Office of Chief Financial Officer;</p> <p>3 the Office of Human Capital Management; Office of</p> <p>4 Facilities, Property, and Safety Management; and the</p> <p>5 Office of Information Technology.</p> <p>6 BIA. The major functions of BIA include</p> <p>7 carrying out federal responsibilities to protect and</p> <p>8 improve the trust assets of American Indians, Indian</p> <p>9 tribes, and Alaska Natives. BIA is responsible for</p> <p>10 the administration and management of 55 million</p> <p>11 surface acres and 57 million acres of subsurface</p> <p>12 mineral estates held in trust. BIA is the primary</p> <p>13 agency charged with carrying out the United States</p> <p>14 trust responsibilities and maintaining federal</p> <p>15 government-to-government relationships with</p> <p>16 federally recognized tribes and promoting tribal</p> <p>17 self-governance. BIA implements federal laws and</p> <p>18 policies, and administers programs established for</p> <p>19 American Indians and Alaska Natives under its trust</p> <p>20 responsibilities.</p> <p>21 The BIA Director provides oversight to</p> <p>22 Deputy Bureau Directors for four core agency</p> <p>23 components. These components include the Office of</p> <p>24 Justice Service, who is responsible for upholding</p> <p>25 tribal sovereignty and providing safety of Indian</p>
<p style="text-align: right;">Page 15</p> <p>1 Indian Affairs, will consolidate some of these</p> <p>2 functions at the department level.</p> <p>3 All right. For Secretarial Order -- let's</p> <p>4 see. Sorry -- 3429, is to -- the purpose is to take</p> <p>5 the steps to consolidate, unify, and optimize</p> <p>6 administrative functions within the Department of</p> <p>7 Interior to achieve effectiveness, accountability,</p> <p>8 and cost savings for the American taxpayer.</p> <p>9 All right. Next slide. All right. The</p> <p>10 Office of the Assistant Secretary of Indian Affairs.</p> <p>11 The Office of the Secretary of Indian Affairs' major</p> <p>12 functions include providing leadership over Indian</p> <p>13 Affairs, ASIA; the Bureau of Indian Affairs, BIE,</p> <p>14 and BTFA; overseeing development of new and revised</p> <p>15 regulations; developing operational policies;</p> <p>16 overseeing the White House Council on Native</p> <p>17 American Affairs, as well as Congressional Relations</p> <p>18 and Public Affairs; and providing oversight for</p> <p>19 management and operations of Indian gaming, federal</p> <p>20 acknowledgement, self-governance, and tribal</p> <p>21 economic development.</p> <p>22 All right. DASM. The Deputy Assistant</p> <p>23 Secretary of Management major functions include</p> <p>24 providing executive leadership guidance and</p> <p>25 direction on the following Indian Affairs</p>	<p style="text-align: right;">Page 17</p> <p>1 communities through enforcing laws, maintaining</p> <p>2 justice and order, and by ensuring that sentenced</p> <p>3 American Indian offenders are confined in a safe,</p> <p>4 secure, and humane environment; the Office of Indian</p> <p>5 Services, who manage programs in human services,</p> <p>6 Indian self-determination, tribal government,</p> <p>7 transportation, and workforce development; the</p> <p>8 Office of Trust Services, who carries out the Indian</p> <p>9 Affairs trust responsibilities associated with</p> <p>10 management and protection of trust and restricted</p> <p>11 lands, natural resources, and real estate services.</p> <p>12 These programs administer real estate</p> <p>13 services, land titles and records, probate, natural</p> <p>14 resources, forestry, wildfire management, irrigation</p> <p>15 and power, safety of dams, environmental services,</p> <p>16 tribal community resilience, Indian energy</p> <p>17 development, land consolidation, and geospatial</p> <p>18 services.</p> <p>19 And, lastly, the Office of Field</p> <p>20 Operations, who support the Director of BIA by</p> <p>21 overseeing 12 regional offices and 86 agencies</p> <p>22 across Indian Country. The Office provides</p> <p>23 organizational direction and coordination of</p> <p>24 ensuring field offices adhere to BIA policies, align</p> <p>25 with strategic goals, and effectively meet customer</p>

<p style="text-align: right;">Page 18</p> <p>1 needs.</p> <p>2 BIE. Major functions include, in</p> <p>3 partnership with tribes, BIE promotes culturally-</p> <p>4 based and comprehensive education that prepares and</p> <p>5 empowers students to be healthy and successful. BIE</p> <p>6 provides direct services and funding to support</p> <p>7 education for more than 400,000 Indian students</p> <p>8 across the U.S. These include direct services,</p> <p>9 funding, and support for 183 bureau-funded</p> <p>10 elementary and secondary schools on 64 reservations</p> <p>11 across 23 states; 55 are BIE-operated, and 128 are</p> <p>12 tribally-controlled charter schools. BIE oversees</p> <p>13 direct operations for two post-secondary</p> <p>14 institutions, which include Haskell and SIPI, and</p> <p>15 funding support for 33 independent tribal colleges,</p> <p>16 and universities, and higher education scholarships.</p> <p>17 BIE supports the operations of off-</p> <p>18 reservation residential schools, dorms near</p> <p>19 reservations, prenatal infant and toddler services,</p> <p>20 adult education, and preschool programs.</p> <p>21 Bureau of Trust Funds Administrations.</p> <p>22 Functions include fulfilling the Secretary's</p> <p>23 judiciary trust responsibilities by managing the</p> <p>24 financial assets of trust beneficiaries to include a</p> <p>25 portfolio of over \$9 billion in investments, which</p>	<p style="text-align: right;">Page 20</p> <p>1 Okay. All right. Across Indian Affairs,</p> <p>2 we remain focused on upholding our trust</p> <p>3 responsibilities to tribes, ensuring alignment with</p> <p>4 executive orders and efficient use of DOI resources.</p> <p>5 As we look for ways to strategize around</p> <p>6 workforce efficiencies, we are proposing the</p> <p>7 following core approaches: Number 1, focus on</p> <p>8 continuity and improve of federal services by</p> <p>9 expanding tribal self-determination and self-</p> <p>10 governance to reduce federal bureaucracy and</p> <p>11 regulations; number 2, focus on data-driven</p> <p>12 decision-making to align with priorities and needs</p> <p>13 of tribal communities, including investing in</p> <p>14 technology modernization to support this effort;</p> <p>15 number 3, realign internal resources and mission</p> <p>16 objectives to better meet tribal priorities by</p> <p>17 exploring merging of office and removing management</p> <p>18 layers, in addition to building capacity in critical</p> <p>19 function areas to improve performance and service</p> <p>20 delivery.</p> <p>21 All right. Next, we'll go over -- oh,</p> <p>22 well, excuse me. Go back. And BIE and BTFA have</p> <p>23 additional proposed strategies to support their</p> <p>24 specific service population.</p> <p>25 BIE remains focused on their commitment to</p>
<p style="text-align: right;">Page 19</p> <p>1 include more than 4,300 tribal accounts and 414</p> <p>2 individual IIM monies accounts.</p> <p>3 BTFA offers robust technical guidance on</p> <p>4 trust accounts, which enhance beneficiaries'</p> <p>5 understanding and ensures that their specific needs</p> <p>6 can be met. BTFA provides timely support and</p> <p>7 assistance to beneficiaries across all 50 states,</p> <p>8 including three tribal -- or three U.S. territories</p> <p>9 and 27 countries, through proactive outreach and the</p> <p>10 Trust Beneficiary Call Center.</p> <p>11 BTFA oversees trust records and</p> <p>12 operations, the American Indian Records Repository,</p> <p>13 which provides historical documents related to</p> <p>14 federal treaty and trust obligations to Native</p> <p>15 Americans.</p> <p>16 And, finally, BTFA also handles critical</p> <p>17 document production for litigation and manages</p> <p>18 historical accounting issues, ensuring fairness</p> <p>19 through the administrative appeals process for</p> <p>20 beneficiaries.</p> <p>21 All right. All right. The Proposed</p> <p>22 Workforce Efficiency Strategies. In the next two</p> <p>23 slides, I will summarize Indian Affairs' Proposed</p> <p>24 Workforce Efficiency Strategies, including bureau-</p> <p>25 specific strategies for BIE and BTFA.</p>	<p style="text-align: right;">Page 21</p> <p>1 high quality education. As BIE looks at ways to</p> <p>2 strategize around workforce efficiencies, they are</p> <p>3 proposing the following core approach. First, by</p> <p>4 investing in frontline educators through empowerment</p> <p>5 of support of teachers, counselors, and student</p> <p>6 leaders, including the use of data to assess student</p> <p>7 needs and drive resources allocation decisions that</p> <p>8 support academic achievement and well-being.</p> <p>9 And, lastly, strengthening tribal consultation in</p> <p>10 education policies and program development to ensure</p> <p>11 culturally-responsive practices are embedded at</p> <p>12 every level.</p> <p>13 BTFA remains focused on their commitment</p> <p>14 to streamline and prioritize. As BTFA looks at ways</p> <p>15 to strategize at workforce efficiencies, they are</p> <p>16 proposing the core approaches. Focus on statutory</p> <p>17 regulations by prioritizing key fiduciary duties of</p> <p>18 receiving, investing, dispersing, reconciling, and</p> <p>19 reporting; strengthening beneficiaries'</p> <p>20 understanding of their financial trust assets; and</p> <p>21 utilizing comprehensive data to modernize and</p> <p>22 improve systems and processes for transparency,</p> <p>23 access, and efficiency.</p> <p>24 All right. Emergency Permitting</p> <p>25 Procedures. In the next few slides, I'll give a</p>

<p style="text-align: right;">Page 22</p> <p>1 brief summary of emerging emergency procedures under 2 the National Energy Emergency Declaration. 3 All right. All right. Under the -- 4 Executive Order 14156, Emerging Permitting 5 Procedures under National Energy Emergency 6 Declaration. Under the Declaration of the National 7 Energy Emergency, the Department and BIA will 8 implement emergency permitting procedures to 9 accelerate the development of domestic energy 10 resources and critical minerals. 11 Okay. Oh, excuse me. For NEPA, the 12 department will be adopting an alternative 13 compliance process for more concise documents and 14 compressed timeline. Specifically, projects 15 analyzing environmental assessments will be 16 completed within approximately 14 days. Projects 17 requiring a full environmental impact statement will 18 now be reviewed in roughly 28 days. For the 19 Endangered Species Act, pursuant to the Executive 20 Order, we will exercise an expedited Section 7 21 consultation process that involves the appropriate 22 bureaus notifying Fish and Wildlife Services under 23 the emergency consultation process. 24 Following notification, the appropriate 25 bureau can then proceed with whether to improve the</p>	<p style="text-align: right;">Page 24</p> <p>1 and the emerging permitting procedures. 2 Specifically, we'd like to hear from any concerns of 3 the proposed process and timeline. Are there any 4 applicable solutions that are not covered by the 5 proposed process and timelines? 6 I will now pass the mic back over to 7 Rebecca. 8 MS. BEAUREGARD: Thank you, Kelly. 9 And I believe we do have another official 10 who will provide remarks when they arrive. We'll 11 give them the opportunity at some appropriate 12 moment. 13 Now, we will turn to your input on 14 Workforce Efficiency and Productivity, and Emergency 15 Permitting Procedures topics. 16 We first invite input from elected or 17 appointed tribal leaders and next, from their 18 designated representatives. These comments will be 19 prioritized before we hear comments from groups or 20 any other attendees. If you are attending in 21 person, you can indicate your desire to comment by 22 writing your name on the comment sign-up sheet at 23 the entrance here. We will call names in this 24 order. Please come up to this microphone when it is 25 your turn to provide comment.</p>
<p style="text-align: right;">Page 23</p> <p>1 action. For more details on the process, please use 2 the QR code on the slide deck. 3 For the National Historic Preservation 4 Act, the Executive Order requires bureaus to follow 5 alternative procedures resulting in notification to 6 Tribal Historic Preservation Officers and any Indian 7 tribe or Native Hawaiian organizations that may 8 attach religious and cultural significance to 9 historic properties likely to be affected. This 10 process will afford impacted tribes the opportunity 11 to comment within seven days of the notification. 12 Okay. For executive -- for questions for 13 Executive Order 14210 consultation, we seek your 14 questions and comments related to the three topics 15 related to Executive Order 14210: Restructuring 16 Indian Affairs, how to better support tribes in 17 reducing administrative burdens to access and 18 administer funding; improving communication with 19 tribes on funding; and improving technical 20 assistance to obtain and administer funding; and, 21 lastly, increasing Indian Affairs support for tribal 22 self-governance and self-determination. 23 All right. Questions on the National 24 Emergency Consultation. We seek your questions and 25 comments related to the National Energy Emergency</p>	<p style="text-align: right;">Page 25</p> <p>1 If you're attending virtually and would 2 like to provide input, please use the "Raise Hand" 3 function at the bottom of the Zoom screen. Zoom 4 will generate a queue of attendees wishing to 5 comment. We will follow that order, moving back and 6 forth between those in the room and those 7 participating virtually. For virtual attendees, my 8 colleague, Kyle, will announce that it is your turn, 9 and you will be prompted to unmute and share your 10 comment. 11 If you encounter issues, we can work with you on the 12 chat to resolve it and get you back into the queue. 13 For those attending by phone, please press 14 "Star 9" to raise your hand and join the queue. You 15 will use "Star 6" to unmute your phone when it is 16 your turn to provide comment. If you choose to 17 comment, please introduce yourself with your name, 18 affiliation, and role or position. Our court 19 reporter will note this information for the 20 transcript. 21 For in-person attendees, please be sure to 22 speak into a microphone to ensure that your comment 23 is recorded by the court reporter. They are joining 24 us virtually and will only hear audio via the 25 microphone system. If you are unable to come up to</p>

<p style="text-align: right;">Page 26</p> <p>1 this microphone, I can bring one to you. Just raise 2 your hand and let me know.</p> <p>3 And with that, we will turn to our first 4 commenter, President Martin Harvier. Please go 5 ahead and come up. You can stand right there.</p> <p>6 MR. HARVIER: Well, good morning. My name 7 is Martin Harvier, the president of the Salt River- 8 Pima-Maricopa Indian Community. I want to thank the 9 Bureau of Indian Affairs for the series of 10 consultations related to Executive Order 14210 on 11 Workforce Efficiency and Productivity.</p> <p>12 I stand before you on this 50th 13 anniversary of the Indian Self-Determination and 14 Assistance Act that was signed into law in 1975. 15 The goal was then, as I hope it is today, to empower 16 tribes to take control of federal functions to 17 improve programming that best fits each tribal 18 community.</p> <p>19 Since 1995, our community has taken 20 control of 17 BIA programs that are important for 21 our community and economic development, and these 22 self-government compacts have worked for our 23 community. Are there improvements to be made? Yes. 24 This is a perspective of my comments today. 25 Since before the pandemic, we have</p>	<p style="text-align: right;">Page 28</p> <p>1 support. And, fourth, clarity on whether federal 2 hiring freeze will be lifted so that key positions 3 can be restored, and whether the DOI and BIA are 4 willing to transfer additional responsibilities to 5 us that had previously been fulfilled by federal 6 employees.</p> <p>7 For instance, moving forward so the SRPMIC 8 can sign OHA-7s, transmit probate cases, or manage 9 other routine administrative functions in TAMs, 10 internally. This is a critical moment for BIA to 11 fully embrace tribal capacity, and we are ready to 12 assume more responsibility.</p> <p>13 As I mentioned, our community has 14 compacted the BIA probate functions. We are -- we 15 prepare and complete probate files for submission to 16 the Office of Hearing and Appeals, and we compile 17 all documentation required by regulation to enable 18 OHA to initiate a probate. This includes a process 19 of compiling family heirship information used by OHA 20 to determine errors of the decedent, also called 21 OHA-7.</p> <p>22 Currently, the community's probate staff 23 is not authorized to sign off on OHA-7 in the 24 department's TAM system, nor are we permitted to 25 transmit complete probate files directly to OHA.</p>
<p style="text-align: right;">Page 27</p> <p>1 attempted to work with the BIA Western Region Office 2 in Phoenix to improve workforce efficiency and 3 capacity to serve the needs of our community, so 4 this effort is not new. Today, I hope my 5 recommendations will be helpful to you to improve 6 services to our community, while also meeting your 7 objectives.</p> <p>8 While we are concerned about the staff 9 reductions that have already taken place here in 10 Washington, D.C. and across the BIA Western Region, 11 we would request clarity on how these changes will 12 affect services that the community relies on. Even 13 though we are a self-governance tribe, we still rely 14 on BIA staff for certain reviews, approval, and 15 administrative support, especially at the regional 16 level.</p> <p>17 If key positions are being eliminated or 18 left vacant, we would like to know, first, if 19 positions at the Western Region Office are vacant, 20 and whether those roles directly support SRPMIC 21 operations. Second, an outline of which services or 22 approvals may be delayed due to staffing reductions. 23 Third, clarity on whether responsibilities will be 24 centralized or reassigned to other agencies, and how 25 this will impact the community's access to timely</p>	<p style="text-align: right;">Page 29</p> <p>1 Instead, we have to route all completed probate 2 files through the BIA Western Region for review and 3 approvals in TAMs. This is added red tape that 4 results in delays in the probate process and adds to 5 the backlog of probates. These delays will continue 6 if there is not a thoughtful process to streamline 7 federal programs.</p> <p>8 Fundamentally, we believe these reviews 9 are repetitive for a self-governance tribe that has 10 proven its capacity. As a result, we recommend 11 authorizing our probate office to sign off on TAMs 12 for its own OHA-7 forms, and transmit complete 13 probate files directly to OHA, and creating a clear 14 pathway for compacted tribes to assume additional 15 trust-related responsibilities as federal capacity 16 declines.</p> <p>17 In closing, I want to say, first, our 18 community has done the work. We've compacted 19 probates that are still forced to wait on federal 20 review that adds delays. I want to say, that it 21 isn't about policy or authority. It's about 22 efficiency. We're simply asking to carry out an 23 administrative step that we already handle in every 24 other respect. I also want to say, now is the time. 25 With a backlog in probate cases and the BIA losing</p>

<p style="text-align: right;">Page 30</p> <p>1 capacity, let us help. Tribes like ours are ready 2 to lighten the federal workload. I also want to 3 say, we're not just identifying a problem. We're 4 offering a solution. Let us sign the OHA-7 and 5 submit directly to the OHA.</p> <p>6 I want to thank you for your time. I 7 would let you also know that we will be sending in 8 written comments for the record. Thank you.</p> <p>9 MS. BEAUREGARD: Thank you, President. 10 Next, we will call up Councilman Jonas 11 Hill.</p> <p>12 MR. HILL: Hello. My name is Jonas Hill, 13 and I'm a council member from the Oneida Nation of 14 Wisconsin.</p> <p>15 On behalf of the Oneida Nation, we 16 appreciate the opportunity to consult with the 17 department on this critically important topic. We 18 appreciate the administration's efforts to reduce 19 needless federal bureaucracy and improve program 20 efficiency, including within the BIA.</p> <p>21 Oneida is a strong self-governance tribe, 22 and we are ready to work with the administration to 23 identify more ways in which our tribal government 24 can take over federal functions to support our 25 people. However, the administration must prioritize</p>	<p style="text-align: right;">Page 32</p> <p>1 DOI should immediately lift its hiring 2 freeze for Indian Affairs, so offices can be 3 adequately staffed. DOI should develop with tribes 4 and submit its plan to ensure it has sufficiently 5 staffed to meet its obligations before engaging in 6 any further rounds of DRP, or reductions in force.</p> <p>7 DOI should look to tribes that have 8 capacity to take on additional department functions. 9 For example, the Oneida Nation is looking to the 10 possibility of taking on some of the LITRO office 11 functions and bringing them in-house.</p> <p>12 Thank you again for hosting this important 13 consultation and considering our recommendations. 14 We look forward to working with you on our shared 15 goal of improving the efficiency and delivery of 16 service to Indian Country.</p> <p>17 MS. BEAUREGARD: Thank you, Councilman. 18 We are going to take a very brief pause 19 from comment period and invite Tyler Hassen, Acting 20 Assistant Secretary of Policy Management and Budget, 21 to give a few remarks.</p> <p>22 MR. HASSEN: Hi, everyone. First of all, 23 I'd just like to say, I appreciate Scott Davis and 24 his team for hosting today's consultation, and I'm 25 really looking forward to working with all of you to</p>
<p style="text-align: right;">Page 31</p> <p>1 the delivery of services and funding to Indian 2 Country, as mandated by trust and treaty 3 obligations. Many Indian Affairs programs are 4 already operating in inadequate staffing and 5 support, and broad hiring freezes and reductions in 6 force without a plan in place to ensure services 7 continue uninterrupted could lead to violations of 8 the government's legal obligations.</p> <p>9 For example, in our region alone, we 10 understand our LITRO office is down to a single 11 employee, able to process title status reports, fee- 12 to-trust applications, and more. This will only add 13 to the frustration for our tribal members, as well 14 as impact the delivery of our home ownership 15 activities, including administrating the HUD Section 16 184 programming.</p> <p>17 Our written comments include several other 18 examples which only begin to scratch the surface of 19 how significant and widespread staffing reductions 20 are already harming tribal programs. While our 21 written comments include many recommendations for 22 the Department to consider, I want to highlight the 23 following as the most urgent, in order to ensure the 24 Department continues to meet its obligations to our 25 tribe.</p>	<p style="text-align: right;">Page 33</p> <p>1 achieve our shared goals. So thank you very much 2 for the opportunity to be here. It's an honor.</p> <p>3 MS. BEAUREGARD: Thank you. 4 Okay. We will now move to our next 5 commenter, Chairman Michael Fairbanks.</p> <p>6 MR. FAIRBANKS: Thank you to the panel 7 here today and, you know, for taking time to listen 8 to my brothers and sisters here across Turtle 9 Island, you know, that our concerns that we have 10 going on.</p> <p>11 You know, I know that as Chairman of my 12 nation in northern Minnesota, you know, these are 13 kind of rough times for us. You know, I know that 14 this administration and the politics that goes on 15 with this. And, you know, as we are in honor that 16 trust, that trust responsibility, the federal 17 government obligates to tribal nations rooted in 18 over 370 ratified treaties. U.S. Constitution and 19 laws like the Indian Self-Government Act are 20 binding. They are not optional. They must be 21 guided in every action under the Executive Order 22 14210.</p> <p>23 For the White Earth Nation, the Treaty of 24 1867 guaranteed us permanent homeland services and 25 protection.</p>

<p style="text-align: right;">Page 34</p> <p>1 The treaty remains in full force. Any proposed 2 downsize, restructure, or re-centralized Indian 3 affairs must begin with -- and the end of 4 fulfilling, not invading, these promises. 5 You know, as Chairman here and reading 6 over these talking points I got from my team, you 7 know, and also listening to the fellow leaders out 8 there talking about the downsizing, you know, these 9 are things that, for a nation as big as ours back 10 home that, you know, we look to the future, our 11 children. We look at the next seven generations and 12 how we're going to -- we're going to have the tools 13 for them to keep moving forward like we have. You 14 know, I think this is one aspect when it comes to 15 downsizing. These are one things White Earth Nation 16 is not in favor of. 17 You know, halting, you know, the layoffs, 18 halting the things that have gone on so far. You 19 know, I know you've taken a lot of tools from us 20 now, from us moving forward on some of our big 21 projects back home. You know, these are things that 22 I look at, you know, and we look at as a nation, my 23 council, that these are things that are very 24 important to us, that we need to keep moving 25 forward. This administration wants us to be</p>	<p style="text-align: right;">Page 36</p> <p>1 are things that are true to my heart. 2 You know, our wild rice back in northern 3 Minnesota is very special to us and spiritual to us, 4 and I hear this from these leaders here that in 5 these orders that they want to take away these 6 measures to protect what we've been protecting for 7 thousands of years. You know, this is something 8 that really hurts down, that we have to relook at 9 and we have to protect what we have here. 10 I know that there's many things that we 11 can talk about. We talk about self-governance. We 12 talk about self-determination. You know, these are 13 the things that I think that are important to us 14 because we want to be self-determined. You know, we 15 don't want to depend on the BIA to do everything for 16 us, but you're taking a lot of the things away that 17 we've been striving towards. I think these are 18 important, important things that have to stay in 19 place, especially when it comes to our law 20 enforcement, especially when it comes to our 21 doctors. 22 Everything out there that revolves around 23 the federal government that comes to our nation, 24 that you're taking away from us is really, really 25 hurting us, and I think these are the tools that we</p>
<p style="text-align: right;">Page 35</p> <p>1 economic-driven. They want us to be standing on our 2 own two feet. But how can we do that when we don't 3 have the tools? You know, these are things I wanted 4 to express today, especially to this panel. 5 And, again, you know, I want to say thank 6 you to Scott Davis and Miigwech to him, and to 7 Tyler, and Robert for being here, too. 8 You know, these are things I guess I 9 wanted to get out to. And also, you know, many 10 things that we have going on back in the White 11 Earth, especially with land back, you know, talking 12 about these refugees and talking about these federal 13 lands that are within our borders. You know, these 14 are tools that we were working with our local 15 agencies, and now they're all gone. 16 You know, a lot of them took the early 17 retirement, so now we're left with no one there. 18 You know, 120-day periods of, you know, internal 19 rotations. You know, these are things, I guess, 20 that we -- that slows us all down. But when I'm 21 watching the slideshow here, they talk about they 22 want to speed up these EISs to 28 days. You know, 23 these are things that are concerning to me about us, 24 and slowing us down, and then speeding up these 25 processes that harm Mother Earth. You know, these</p>	<p style="text-align: right;">Page 37</p> <p>1 need help with. We've always needed help with that. 2 We don't have the system to get doctors and get 3 truck drivers and get, you know, professors out 4 there. These are things that we need to reinforce 5 our education, reinforce everything that we've been 6 doing so far. 7 You know, these are the things that I 8 believe that, you know, the agency, the Department 9 of Interior, you know, can take a next step. Slow 10 down. You know, this is -- these are things that 11 are -- I find that are troubling that, you know, 12 when we look at this and some of these talking 13 points I'm looking at and here in your slideshow on 14 some of these executive orders that you want to fast 15 -- you want to hurry things up and other ways, you 16 want to slow things down, like our progression. 17 You know, these are things that I just 18 find that I think the department needs to re-look at 19 things and look at a phased approach. Look at 20 different things that would benefit us and not only 21 myself and my nation, but our next seven 22 generations. You know, I think these are the things 23 that we have to take into account. 24 And like I said earlier in my first 25 opening part is, you know, we look at this and the</p>

<p style="text-align: right;">Page 38</p> <p>1 responsibility that we have because, you know, I 2 look at everything back home and look at the land 3 that the state, the counties have been taking our 4 wood for 91 years without paying us one penny. 5 Who's there to protect us on that? So these are the 6 things, I guess, back home that I'm looking at, and 7 I just want more response, more support from our 8 Department of Interior. 9 I want to say Miigwech to you, and thank 10 you for hearing me today. Miigwech. 11 MS. BEAUREGARD: Thank you, Chairman. 12 Next, we will call Chairman Michael 13 Dolson. 14 MR. DOLSON: Yes, Kwikwist. That's good 15 morning in Salish. My name is Michael Dolson. I'm 16 the Chairman of the Confederated Salish Kootenai 17 Tribes. I thank you for the opportunity to come and 18 speak today about these executive orders. 19 I guess, I want to preface my statement on 20 the fact that coming back to what we've already 21 heard, that you've had consultations across the 22 country. So you've looked at all of the talking 23 points that I've seen, and I'm not looking at those, 24 as such. 25 I want to reinforce the fact that we've</p>	<p style="text-align: right;">Page 40</p> <p>1 reminded just this week that we wrote treaties with 2 the United States when it wasn't the United States. 3 We were the first sovereign to actually recognize 4 the United States as a sovereign. I think people 5 forget that. And with that, those treaties came, 6 trust responsibility, and those things have to be 7 accounted for. The treaties and the trust -- am I 8 not talking well enough -- have to be accounted for. 9 And so that has to be at the foundation of all the 10 decisions that are also made. 11 As you're looking at restructuring the 12 Indian Affairs, you've got to remember that local 13 control is the best control, and we've been a self- 14 governance tribe from the beginning. We started 15 with self-determination. We've done it for years. 16 We have taken over almost every federal function 17 across our reservation, and we've done it better 18 than the federal government ever did. And you've 19 got to remember that every tribe can do that, and 20 that each tribe is unique and has their own unique 21 needs, as you try to consolidate services. 22 Sometimes that gets lost, and you start to think an 23 Indian is an Indian, is an Indian. 24 Well, I'm Kalispel, and we have Sanka and 25 Salish folks as part of our Flathead Nation, and we</p>
<p style="text-align: right;">Page 39</p> <p>1 been sovereign. We've been sovereign for thousands 2 of years, for generations. We were sovereign before 3 John Marshall made a determination that we were 4 domestic dependent sovereigns, and our tribes 5 actually existed outside of the United States when 6 he made that ruling. We weren't domestic dependent 7 states, even with his ruling. I've always asked, 8 when did we become a domestic dependent state? 9 We're sovereign. And that is a foundational 10 principle that you have to look at with every 11 decision that you make. Our tribes are sovereign 12 tribal nations. We've been that for generations. 13 I love arguing with the farmers in the 14 valley that have come to our valleys because of the 15 allotment process that happened, that opened our so- 16 called surplus lands that we didn't call surplus, 17 opened our surplus lands to homesteading. And these 18 farmers argue that they have rights established 19 because they've been there for three generations, 20 four generations. I love hearing that. If they 21 want to talk generations, our people have been there 22 for at least 700 generations, and you got to make 23 these decisions with that principle in mind. We've 24 been there. 25 The treaties, you know, when I was</p>	<p style="text-align: right;">Page 41</p> <p>1 know who we are, and we define who we are. 2 As you look at that trust responsibility 3 to deliver resources, that is the responsibility to 4 deliver those resources that have been promised. 5 And, you know, as I say in self-governance, it was a 6 very interesting project that I got involved with, 7 when I got signed up to help write rules for the 8 Progress Act. One of the discussions was about what 9 is an inherently federal function, and it's 10 interesting to see that that gets redefined by 11 almost every lawyer that gets to look at it. I 12 believe the only inherent federal function is to 13 deliver those resources, put those in the hands of 14 our people, and we will do good things with those 15 resources. 16 And then you ask about the energy 17 emergency. I got a question for you. How many of 18 you walked here today? Anybody walk here today? 19 Energy emergency. We can do the small things, as 20 well as the big things. As a tribe, we have taken 21 care of our resources from time immemorial. We 22 didn't need a NEPA. NEPA happened 100 years ago. 23 Why? Not because of us. We didn't need NEPA. We 24 need to have that control. And as you look at the 25 Endangered Species Act, Section 7, streamlining</p>

<p style="text-align: right;">Page 42</p> <p>1 things, you're going to notify us and call that 2 consultation? Notification is not consultation. We 3 have to have time for consultation. 4 Same thing with Section 106, Historic 5 Preservation Act. Notification is not consultation. 6 We need time for consultation, and we need to 7 participate. We need to have a seat at the table 8 when these decisions are made about us. We should 9 be making these decisions without the paternalistic 10 perspective that has been put on us forever. They 11 are our decisions. They should be handed to us. 12 And I could go over a whole lot of other 13 things. Our lawyers prepared a lot of talking 14 points, and we'll include those in written comments, 15 and I'm sure you've seen a lot of other talking 16 points. Thank you. 17 MS. RAEL: Thank you. 18 MS. BEAUREGARD: Thank you, Chairman. 19 We'll now hear a comment from a BIE 20 stakeholder, Shauna Bisenti. 21 MS. BISENTI: Hello. I'm Shauna Bisenti. 22 I'm head of school, of Navajo Preparatory School. 23 Navajo Preparatory School was founded as the Navajo 24 Nations College Preparatory School back in 1991, but 25 we've also been -- we reside on grounds that have</p>	<p style="text-align: right;">Page 44</p> <p>1 cuts, remember you have schools and children that 2 are impacted. 3 And as we look at efficiency, we run 4 audits every year, and those audits prove we spend 5 our money appropriately. We're held to school 6 improvement standards, and we are an example of 7 Indian self-determination. That if you allow us in 8 local controlled school or a school of choice, if 9 you allow us to do the work, we do the work. We 10 have a 94-percent graduation rate. A hundred 11 percent of our students go to college. 12 We are on a mission, and we're in a state 13 of emergency for our language. Because if by 2040, 14 5 percent will be fluent speakers, and so we're that 15 example. We have been efficient in every possible 16 way with federal government funding. 17 Now, we did provide and will provide 18 written comments. I don't want to go through and 19 share, but I do want to share one aspect. And when 20 we talk about what recommendations do you have for 21 schools, we support the BIE construction -- school 22 construction budget. President Trump's fiscal year 23 budget, 2026 budget proposes eliminating 80 percent 24 of BIE school construction funding, despite federal 25 government's treaty and trust responsibility, the</p>
<p style="text-align: right;">Page 43</p> <p>1 followed federal Indian policy of assimilation. We 2 were once a Navajo Methodist Mission, and then the 3 era of Indian self-determination became a Navajo 4 Academy, and then in '91, we transitioned into a 5 preparatory school. Our -- we're located in the 6 Farmington area, the Four Corners area, and we are 7 on the grounds in '95. The Navajo Nation purchased 8 the land that we reside on. 9 And so I stand before you today to talk 10 about the efficiency executive order and when you 11 look at -- and just to really express a tribally- 12 controlled, bureau-funded school, we are true 13 examples of our Navajo Nation treaty that was signed 14 on June 2nd, 1868 and -- or 1864. And in this 15 treaty, we are an example of the need of the federal 16 government funding our school, and 90 percent of our 17 funds come from the Bureau of Indian Education. But 18 as a tribally-controlled school operating under 19 Public Law 100-297, we're able to be autonomous and 20 to have -- to determine how we utilize the funding. 21 And so when we talk about the efficiency, 22 and when we talk about what that means for a school, 23 and I stand before you as there's so many, I'm sure, 24 tribally-controlled schools online, that it is 25 important enough for everyone to know as we make</p>	<p style="text-align: right;">Page 45</p> <p>1 congressional mandate to provide safe learning 2 environments for Indian children. It's right now, 3 proposed an 80-percent cut to school construction. 4 We recommend that there's a transfer, and 5 construction, and maintenance authority from the 6 Division of Facilities and Management and 7 Construction to the BIE with appropriate staffing 8 and funding. 9 DFMC currently operates without adequate 10 education expertise, with little transparency or 11 accountability. It maintains decision-making, 12 relies excessively on contractors with no experience 13 in tribal education. And I actually testified 14 February 12th, 2025 in front of the National 15 Resource Committee. We have a project that was 16 funded in 2021, and we still yet to have and seen 17 that project through. 18 And so if we truly believe in local 19 control, grant full autonomy under the Indian Self- 20 Determination Act to support local control for 21 design, project design, procurement, implementation, 22 and not federal red tape. Cutting funding is not 23 efficiency. It abandons Indian students and 24 institutionalizes neglect. Indian students deserve 25 a safe learning environment. And, currently,</p>

<p style="text-align: right;">Page 46</p> <p>1 there's 82 percent of Indian Affairs buildings, 2 including 1,800 school buildings, many of which are 3 dilapidated, unsafe, due to over \$1 billion in 4 deferred maintenance school construction needs that 5 exceed \$6.7 billion.</p> <p>6 And so if we're thinking about efficiency 7 and we're thinking about below, let's remember that 8 those decisions impact schools like us, real people 9 that stand behind all of these decisions here in 10 Washington. Thank you.</p> <p>11 MR. VINT: This is Kyle Vint, your virtual 12 facilitator. We're going to go to some of the 13 online comments. But before we get there, I did 14 want to take a moment to just thank the nearly 180 15 virtual participants that we have with us right now. 16 And remind everyone that if you are participating 17 virtually and right now, if you are a tribal leader 18 and you'd like to join the queue, you can use the 19 "Raise Hand" function to let us know that you'd like 20 to participate. We have four hands up right now.</p> <p>21 We do have a couple of folks who have 22 joined by phone. If you're on the phone and would 23 like to participate, you can use "Star 9" to 24 indicate that you would like to join the queue.</p> <p>25 As we start to take our online commenters,</p>	<p style="text-align: right;">Page 48</p> <p>1 peoples in this continent and in this country, that 2 the United States owes that particular unique trust 3 and treaty obligation. We stand alone, outside of 4 every other potential other government 5 instrumentality and/or any other recipients of 6 federal funds, and that can't be stated too many 7 times. We are different, and we need to be treated 8 and acknowledged as different.</p> <p>9 We're sovereign nations. We've been 10 conducting our own businesses, and our own 11 economics, and the preparing and providing for our 12 citizens long before there was any United States. 13 Since time immemorial, we've been the stewards of 14 our lands, waters, and natural resources, which made 15 this continent, our Mother Earth, so inviting for 16 people to come and stay.</p> <p>17 And over these centuries, these resources 18 have been exploited, much to our detriment. And 19 most of the time, the major destruction is in and 20 around ceremonial and sacred sites, as well as the 21 places that are so important to us that yield the 22 specific medicines and food resources.</p> <p>23 We appreciate that we're being here and 24 having this consultation on the 50th anniversary of 25 the Indian Self-Determination and Education</p>
<p style="text-align: right;">Page 47</p> <p>1 two things will happen. First, is that you'll get a 2 request to unmute your microphone. You can go ahead 3 and do so and begin your comment. You'll also be 4 able to start your video. If you'd like to be seen 5 in the room, we're happy to include your video in 6 the room, so everyone who's gathered here can see 7 you as you give your comment.</p> <p>8 So we're going to go first to Chairwoman 9 Andrews-Maltais. Chairwoman, you should have the 10 ability to unmute yourself and turn on your video, 11 should you choose.</p> <p>12 MS. ANDREWS-MALTAIS: Thank you. Thank 13 you very much. Cheryl Andrews-Maltais, Chairwoman 14 of the Wampanoag Tribe of Gay Head Aquinnah in 15 Massachusetts, and I'd like to thank you again for 16 hosting these consultations. It's so critically 17 important that tribal nations have the opportunity 18 to weigh in on policies, and regulations, and 19 changes to them that are going to directly or 20 indirectly affect us.</p> <p>21 I'd just like to say that, you know, the 22 United States has a very unique trust and treaty 23 obligation to our tribal nations. We paid it 24 forward with the lives of our ancestors, our lands, 25 waters, and natural resources. And we are the only</p>	<p style="text-align: right;">Page 49</p> <p>1 Assistance Act, and how we can make sure that our 2 tribal priorities are aligning with this 3 administration.</p> <p>4 Looking at the reorganization, some of 5 these things are very troubling to us, mainly 6 because the United States has not had a very good 7 relationship with our tribal nations. Centuries of 8 Indian policy to basically create genocide or 9 eradicate us has made it almost virtually impossible 10 for us to regain where we were prior to. We had 11 lively economies, communities which were a 12 deliberate -- which were deliberately dismantled by 13 the United States. The policies to remove us from 14 our lands, to take the natural resources from us, 15 and to relocate us into urban areas has had a 16 detrimental effect. And this reservation -- I 17 think it's there -- I would say, paternalistic type 18 of oversight, based upon an antiquated reservation 19 system, didn't work for the past few hundred years, 20 and it certainly does not work now.</p> <p>21 What we need to do is re-envision our 22 relationship with the United States, and 23 particularly with the Bureau of Indian Affairs, 24 Indian education, and self-governance. Our tribe, 25 ourselves, have been in self-governance for 25 years</p>

<p style="text-align: right;">Page 50</p> <p>1 now. We've been able to take on and create programs 2 and services that best meet the needs of our unique 3 community. 4 We live on an island, and our homelands 5 are on an island. However, we're surrounded by 6 tremendous wealth, and therefore, the cost of 7 living, the cost of real estate, and the cost of 8 just existing in our homelands has been creating a 9 hardship on our people. So by being able to acquire 10 new lands for our people, because we cannot afford 11 the lands in our homeland, we need the Bureau's 12 support. But we find, oftentimes, that the Bureau's 13 overwhelmed because they cannot get to all of the 14 needs of Indian Country because they're grossly 15 understaffed. 16 And so workforce reduction simply does not 17 work for Indian Affairs, mainly because there is an 18 obligation to us, unlike other areas within the 19 federal system, as well as our access to other 20 government funding from other agencies and other 21 departments also needs to be considered to be 22 exempted from these hiring freezes and these 23 workforce reductions, because every agency within 24 the United States government has a relationship with 25 the tribes and has a responsibility to the tribes.</p>	<p style="text-align: right;">Page 52</p> <p>1 process to be incorporated into the federal process, 2 that should be honored. We know how to take care of 3 ourselves because we've been doing it since time 4 immemorial. 5 The consultation -- or the consolidation 6 of the regions is specifically troubling to us. 7 Because of the checkered past of the United States 8 and the treatment of Indian people in this country, 9 it's been very difficult for us to trust. And while 10 the United States is doing its best to uphold its 11 trust and treaty obligation, that trust is built on 12 relationships and relationship building and you 13 cannot fathom -- we cannot fathom how somebody in 14 another part of the country, who is unfamiliar with 15 each tribal nation and our regions, our leadership, 16 our policies, and our own practices, are going to be 17 able to be consolidated the way that some of the -- 18 I would say, some of the talk that we've heard. 19 Consolidating 12 regions down to 6 or 5, 20 and particularly our region, the eastern region, 21 which is the largest geographical region in the 22 Bureau, as well as the most diverse. We have from 23 eastern woodlands Indians, all the way down to, you 24 know, our southern brothers and sisters. And so 25 therefore, to try to consolidate that larger region</p>
<p style="text-align: right;">Page 51</p> <p>1 And we suggest that all funding should be 2 submitted through the compact and contracting 3 mechanisms that are already in place. We found this 4 to be the most effective. And when we're looking at 5 reducing the burden and the red tape in bureaucracy, 6 alleviating the need for reporting, tribes have -- 7 are required to have a single audit. That single 8 audit that all tribes are required to have should be 9 sufficient in order to ensure that the tribal 10 governments are spending the funding that we 11 receive, consistent with what the stated promises 12 and stated goals of Congress were when those funds 13 were allocated. 14 We want to also emphasize respecting the 15 sovereignty and removing so many of the other red 16 tapes and bureaucratic issues that we face in front 17 of us, providing the flexibility and supporting 18 tribal interests. In Executive Order 13175, it 19 speaks specifically to employing flexibilities and 20 for the federal agencies to adopt and provide tribes 21 with as much flexibility as possible in order for us 22 to be able to create the policies, procedures, and 23 mechanisms through which we administer the federal 24 government's programs for us. And through that 25 executive order, when a tribe asks for a particular</p>	<p style="text-align: right;">Page 53</p> <p>1 into a region that doesn't even understand us, is 2 problematic and troublesome to us. 3 We think that the Bureau should be, and 4 Indian Affairs should be, investing more into self- 5 governance and allowing the tribes to self-govern. 6 What has happened over the years is that as self- 7 governance has progressed, there has not been the 8 investment in manpower, human resources, and the 9 ability of the self-governance department to work as 10 efficiently as they can. They're a small but mighty 11 department. However, they need the investment and 12 the support of Indian Affairs to better fulfill that 13 obligation. And with self-governance, cuts down on 14 the bureaucracy, better aligns with not only our 15 goals and objectives, but also the administrative 16 goals and objectives. And as one other tribal 17 leader said, the local control, which is so 18 important to us. 19 We've been the stewards of the lands since 20 time immemorial, which has been said, repeatedly, 21 and the reasons these lands and these resources have 22 been here is because we know how to handle them and 23 how to manage them. 24 When we get to expedited permitting 25 processes, that is truly frightening to us. Because</p>

<p style="text-align: right;">Page 54</p> <p>1 when you sit and look at what we have, and what 2 we've maintained, and what we've protected all these 3 thousands of years, to try to put in expedited 4 permitting, and particularly the way that Section 5 106 gets combined into the NEPA process is patently 6 unfair to the tribes.</p> <p>7 On top of that, when we're looking at not 8 only endangered species, but for plant and animal 9 life, you cannot answer that in 30 days. You cannot 10 answer that, certainly in seven days. How does the 11 United States expect tribes to do what we're 12 expected to do, mainly protect our lands and natural 13 resources, and utilize and implement our inherent 14 Indigenous cultural knowledge and traditional 15 knowledge with seven days? Some plants don't grow 16 in seven days. Some things do not appear in seven 17 days. Sometimes it takes a longer time.</p> <p>18 But we cannot sacrifice the good and the 19 long perspective for all of our future generations 20 for the short-sightedness of what a knee-jerk 21 reaction is for the needs of today. We each can do 22 our own part to reduce the demand of energy. 23 However, you cannot and should not be trading our 24 future for today. That is unfair, and that is not 25 how we work as Indian people.</p>	<p style="text-align: right;">Page 56</p> <p>1 be inter-supportive but not to the detriment of our 2 lands, the lives of our people, and our natural 3 resources because the Department of the Interior 4 lands are Indian lands. This entire country is 5 Indian lands, and the resources that are being 6 extracted out of those are Indian resources.</p> <p>7 So please give that the consideration and 8 the respect that it's due. Thank you very much, and 9 I will yield.</p> <p>10 MS. RAEL: Thank you very much, Chairwoman 11 Andrews. I just wanted to make a comment, that we 12 have heard the rumors on the consolidation of the 13 regions. I know there was a post on Reddit that has 14 spread like wildfire, and I just want to make a note 15 that that has not been discussed at this time, so I 16 just wanted to make a note. Thank you.</p> <p>17 MS. ANDREWS-MALTAIS: Thank you for that.</p> <p>18 MS. BEAUREGARD: Thank you.</p> <p>19 Next, we will call Attorney General 20 William Barquin.</p> <p>21 MR. BARQUIN: Good morning, everyone. 22 My name is Billy Barquin. I'm the Attorney General 23 for the Kootenai Tribe of Idaho. I'm here as proxy 24 for my tribal council. A formal proxy letter is 25 available, if it's needed. We intend to submit some</p>
<p style="text-align: right;">Page 55</p> <p>1 And when we're looking at the need that 2 our Tribal Historic Preservation Offices have 3 expressed over the years, I was a former Tribal 4 Historic Preservation Officer myself, knowing how 5 underfunded that those departments are and because 6 of that gross underfunding, how on demand they are. 7 And to put an additional burden in violating an 8 unfunded mandate, on top of that, is just 9 unconscionable. And I cannot imagine that the 10 Department of the Interior and Indian Affairs could 11 actually support something that goes right to the 12 heart of who we are as Native people and what we 13 have done to protect not only our resources, but our 14 sacred sites and our ceremonial sites, which 15 obviously have not been taken into consideration 16 when we look at these abbreviated types of 17 permitting timeframes.</p> <p>18 In closing, I just want to say, I 19 appreciate the opportunity to have the ability to 20 share my concerns on behalf of my tribe and other 21 tribes that I represent, and that we have to 22 remember that trust and treaty obligation is 23 existing between federally-recognized tribes in the 24 United States, unlike anyone else. And it's time to 25 re-envision that relationship and look at how we can</p>	<p style="text-align: right;">Page 57</p> <p>1 written comments. We're just going to highlight a 2 few topics today.</p> <p>3 First, as you know, consultation is an 4 essential responsibility of your government when its 5 decisions are affecting our tribal nations. Given 6 the number of the tribes in the northwest, we really 7 encourage you to schedule an in-person consultation 8 there to give our tribes in the northwest an 9 opportunity to participate in this discussion, as 10 well.</p> <p>11 Your operational improvements at DOI will 12 have an impact on the tribes, so we urge you to not 13 rush decisions without fully hearing and 14 incorporating our tribal feedback. Like Nusookin 15 (phonetic) from the Confederated Salish and Kootenai 16 Tribes said, notification is not consultation. 17 Listen to what we're saying here.</p> <p>18 A few items. First and foremost, we 19 encourage you to develop and implement the strategic 20 workforce plan that includes the following elements: 21 I.D. those positions that are critical to 22 implementing tribal self-determination and self- 23 governance, and that provides services to our tribal 24 governments and citizens; I.D. those positions that 25 are now unstaffed due to the different programs,</p>

<p style="text-align: right;">Page 58</p> <p>1 early retirement, deferred resignation; and then 2 fill those with a priority for those regional 3 decision-makers and the staff necessary for the 4 regional decision-makers to make those decisions 5 possible. 6 Where possible delegate the authority as 7 the Nusookin said, and I feel like I'm repeating a 8 lot of what he said. He's from our sister 9 community. Local control is better. Delegate those 10 decision-making authorities to the regions and to 11 the locals. If there are ways to delegate those 12 decisions to us, do so. We will continue to work 13 with Congress to improve our self-government. 14 And then hold your staff accountable. If 15 they're not doing the job in an efficient and 16 effective manner, then remove them. And if they're 17 not doing their job because someone else isn't doing 18 theirs or there are bureaucratic delays, remove 19 those delays or the ones creating them. Get the job 20 done. 21 We also support reducing the scope of the 22 inherent federal functions in favor of greater self- 23 determination of self-governance. That means 24 greater use of the self-governance compacting 25 process. The best approach is to support our</p>	<p style="text-align: right;">Page 60</p> <p>1 Honor your treaties you made with us. 2 This includes ensuring that while you try to 3 expedite permits, that you're protecting our treaty 4 and cultural resources and our ways of life, you 5 can't, on one hand, say as tribal governments, 6 you're going to have to wait for BIA for months and 7 years to make a decision, but then we have a major 8 project. We want your decision in seven days. 9 That's not the right way of doing things. 10 If you want to expedite energy development 11 and other development, involve us in that 12 development. If we're involved up front, we can 13 tell you this is what we need to protect our treaty 14 resources, this is what we need to protect our 15 cultural resources. 16 And if you're going to talk about NEPA 17 reform, get NEPA off our lands. We're accountable 18 to our people, not a bunch of NGOs that want to 19 interfere in what happens in our reservations. 20 A better way to go with regulatory reform 21 is also to make permanent the Indian Trust Asset 22 Reform Act Program, expand it beyond forestry. The 23 law has no limit on the scope of trust assets 24 covered, and so the department should advise its 25 regulations to fully utilize it. Rather than</p>
<p style="text-align: right;">Page 59</p> <p>1 ability to minister those federal funds, but there 2 needs to be an approved process for getting the 3 money to us. Because we don't mind being held 4 accountable, but when we spend more time trying to 5 get the money from you and then accounting for it, 6 rather than spending it and providing the services 7 and programs our territories and people need, it's 8 wasting those dollars. There are numerous examples 9 of how to do this, so let's just do that. 10 Now, let's look at restricted fee status 11 -- restricted fee land status. We know how to self- 12 govern. We know what our people in our territories 13 need, and if we want to do something on our lands, 14 we should be able to do so. And we shouldn't have 15 to wait for BIA for months, and even years, to get 16 on board so that we can accomplish what we want. 17 Your job is to keep the states from interfering with 18 our self-governance. You're not the trustee for the 19 states, you're ours, so get their taxes and 20 regulations and encroachments out of our business. 21 Bottom line is, we want the federal government to 22 protect our title to lands, but we don't need the 23 federal government to interfere with our management 24 of our own lands. Help us create success for our 25 reservations.</p>	<p style="text-align: right;">Page 61</p> <p>1 imposing regulations on our nations and our assets, 2 the trust asset management agreement process should 3 respect our self-determination. 4 We appreciate the opportunity to be 5 involved in this process, but it should be done 6 carefully with self-governance as the guide. Help 7 us be your partners. Help us make our reservations 8 better. Help us make your jobs easier. 9 MS. BEAUREGARD: Thank you. 10 We will call upon President Richard 11 Peterson. 12 MR. PETERSON: Good morning. Alaska time, 13 it's very early morning. And I'm going to change 14 how -- for this opportunity, my name is Father of 15 the Box of Knowledge, long passed down, and 16 something that is a responsibility to carry. I 17 wanted to say this before I recognize the Indigenous 18 people of these lands, and thank them for allowing 19 us to be here. We share our names in a way that 20 shares our responsibility, and the burden that we 21 carry when we carry our traditional names. It's a 22 burden because we have to live up to those. 23 And I've seen many of you through this 24 consultation process and Tlingit and Haida, who I'm 25 the president of, we have been at most of these</p>

<p style="text-align: right;">Page 62</p> <p>1 meetings, either in person or online. Not because 2 we don't have better things to be doing, but because 3 how important this is to us. And we have seen a 4 progression in these, and I'll commend you for that. 5 I would say, the first one that happened in our home 6 state of Alaska needed to be better and do better, 7 and I see that reflected each time from each 8 consultation that it has gotten better. 9 I want to take a second before I begin, 10 too. A gentleman from Oneida spoke earlier, and I 11 think we need to all take a moment and recognize a 12 former Oneida chair, Jerry Danforth, passed away 13 this weekend. And I believe he was one of the 14 highest serving -- he was the Atlantic Fleet 15 Commander for the U.S. Navy, and I believe he was 16 one of the highest-serving Native Americans ever. 17 And that's a tremendous loss for all of us, as 18 Indigenous people. So I just wanted to recognize 19 that and on behalf of Tlingit and Haida, extend our 20 condolences to the Oneida Nation and their people, 21 as they lost a great leader. 22 Central Council Tlingit and Haida Indian 23 Tribes of Alaska is a sovereign tribal government 24 representing more than 38,000 tribal citizens. We 25 serve the region of Southeast Alaska, stretching</p>	<p style="text-align: right;">Page 64</p> <p>1 governance. We are committed to building a future 2 where tribal self-governance is fully respected and 3 resourced, because when tribes are empowered to 4 lead, our communities thrive. 5 As tribal nations, we share the goal of 6 efficient and effective government. For us, that 7 means ensuring resources and decision making are as 8 close to our communities as possible, not tied up in 9 federal bottlenecks. For far too long, federal 10 policy has been developed without the full 11 participation of tribal governments, and the result 12 is systems that don't reflect our realities, that 13 delay services, and that treat tribal nations as an 14 afterthought, instead of governing partners. 15 We appreciated hearing during this 16 consultation tour that the Department of the 17 Interior recognizes and respects tribal sovereignty. 18 That acknowledgement is foundational. But with the 19 President's proposed budget, BIA would lose about 33 20 percent in regular discretionary annual 21 appropriations. This is significant because it will 22 reduce tribal shares for tribal nations in self- 23 determination and self-governance agreements. We 24 implore you to carry the recognition of tribal 25 sovereignty forward by ensuring it's upheld not only</p>
<p style="text-align: right;">Page 63</p> <p>1 across over 40,000 square miles of the coastal pan 2 handle, an area roughly the size of the state of 3 Indiana. Our people have governed ourselves for 4 thousands of years with deeply-rooted clan systems, 5 sophisticated governance structures, and extensive 6 trade and commerce networks that span the northwest 7 coast and beyond. 8 Long before the formation of the United 9 States, our ancestors upheld systems of law, 10 diplomacy, and stewardship that maintained balance 11 across the lands, waters, and our communities. 12 Formerly recognized in 1935, Tlingit and Haida was 13 the first Alaska tribe to litigate and win land 14 claims in the U.S. Court of Claims, paving the way 15 for future generations of tribal advocacy. 16 Today, we operate as a full-service 17 government with over 30 departments and programs. 18 Our work spans public safety, child welfare, 19 economic development, language revitalization, 20 education, and the co-management of natural and 21 cultural resources. Tlingit and Haida employs more 22 than 650 individuals, of whom 80 percent are our own 23 tribal citizens. Our executive leadership is 24 composed entirely of tribal citizens, reflecting our 25 deep commitment to self-determination and tribal</p>	<p style="text-align: right;">Page 65</p> <p>1 within DOI, but across the entire federal 2 government. 3 To that end, Indian Affairs isn't limited 4 to DOI or BIA. Whether it's USDA, HUD, HHS, or 5 FEMA, every federal agency must understand and 6 respect tribal sovereignty, and DOI must lead the 7 charge in helping its sister agencies build the 8 tribal relationships and internal capacity necessary 9 to uphold the trust responsibility. 10 Tribes should no longer be the subject of 11 failed social experiments. It's time for a new 12 chapter, one where tribal sovereignty is honored, 13 not just in words, but in practice. Alaska is home 14 to over 229 federally-recognized tribes, more than 15 40 percent of all tribes in the U.S., spread across 16 a vast geography with unique service delivery 17 challenges. I think you all experienced this 18 traveling in and out of Alaska, and you went to its 19 biggest city, and most accessible city is difficult. 20 I met with Secretary Burgum two days ago, and he had 21 just come back from Utqiagvik, which is at the tip 22 -- very highest tip of Alaska, and even that is more 23 accessible than most of our communities. 24 The BIA Alaska region is already under- 25 resourced with significant backlogs and core</p>

<p style="text-align: right;">Page 66</p> <p>1 functions like 105L lease processing and probate. 2 While we appreciate recent affirmations that BIA 3 field offices will remain open, the deeper issue is 4 ensuring those offices are resource-staffed and 5 empowered to effectively serve our communities. 6 Delays and inefficiencies in the Alaska region limit 7 tribal housing, land use, justice systems, and 8 economic development. 9 Meanwhile, restructuring initiatives risk 10 overlooking the logistical and cultural realities of 11 governance in Alaska. Rather than shrinking the 12 footprint, DOI should focus on strengthening 13 capacity, modernizing systems, and decentralizing 14 authority to those who understand our region. 15 We ask an increased funding and staffing 16 for key BIA Alaska region departments including 17 realty, probate, and self-government; empower 18 regional and field offices by delegating decision- 19 making authority and streamlining internal review 20 processes; establish performance benchmarks and 21 transparency tools, such as processing dashboards 22 and regular reporting shared with tribes; expand 23 Tribal 638 contracting opportunities to allow tribes 24 to support lease administration, probate tracking, 25 and trust services; modernize technology system used</p>	<p style="text-align: right;">Page 68</p> <p>1 combined with jurisdictional challenges and the 2 corporate structure of ANCSA, creates serious 3 limitations for tribes seeking to exercise self- 4 governance, manage natural resources, or protect 5 subsistence rights in the way that treaty or 6 reservation tribes often can elsewhere in the United 7 States. 8 For years, every time I've met with an 9 administration, President of the United States, we 10 asked for one thing, parity with our lower 48 11 brothers and sisters. 12 Land in the trust must be made accessible 13 to tribes, especially in Alaska. The current 14 process is too slow, too costly, and creates 15 barriers to economic development and sovereignty. 16 The Secretary controls whether to take land into 17 trust anywhere, including Alaska, and that authority 18 to take Alaska land into trust is well established. 19 The Secretary's authority has now been upheld by two 20 federal courts with support from BIA, DOI, should 21 continue to defend its own authority. 22 For Tlingit and Haida, trust status is 23 important federal protection for our land. Right 24 now, the trust land parcel at issue in the 25 litigation that we're going through is tiny. It's</p>
<p style="text-align: right;">Page 67</p> <p>1 across BIA and ensure integration with tribal 2 platforms to enhance efficiency. 3 Tlingit and Haida was one of the first 477 4 tribes in the nation. Through our successful 5 programming, we have proven that self-governance 6 leads to better results, faster service, and 7 culturally grounded solutions. But it must be 8 understood that while there are many similarities, 9 Alaska tribes are different than tribes in the lower 10 48. 11 The Alaska Native Claim Settlement Act was 12 passed by Congress in 1971 as a way to resolve 13 Indigenous claims in Alaska. Unlike tribal policies 14 in the lower 48, ANCSA extinguished aboriginal title 15 in exchange for approximately 44 million acres of 16 land and \$962 million, which was transferred not to 17 tribes, but to newly-created regional and village 18 native corporations. As a result, Alaska Native 19 tribes do not have treaties or reservations, like 20 many of our lower 48 tribes. 21 ANCSA did not establish a trust land 22 system, and it severed the federal government's 23 usual trust relationship over land and resources, 24 making Alaska's tribal landscape legally and 25 administratively unique. This lack of land base,</p>	<p style="text-align: right;">Page 69</p> <p>1 only 787 square feet. Tlingit and Haida hopes to 2 eventually protect a very special 4.5 acres in 3 trust. This property is the old Juneau Indian 4 village site. The old village site is of great 5 historical significance to our tribal citizens. It 6 is the tribe's governmental headquarters. Our 7 tribal assembly directed me to secure trust status 8 to this land to protect it for future generations. 9 But whether any additional land is ever 10 taken into trust by your department is entirely up 11 to you. The secretary has discretionary authority 12 to consider each trust land application on its 13 merits. It matters because putting land into trust 14 is a critical tool for building our tribe. Putting 15 land into trust qualifies Tlingit and Haida for 16 federal funding to house our citizens, operate 17 tribal courts, and generate economic opportunity. 18 Some funding streams require trust land 19 status. Our long-term economic sovereignty reduces 20 dependence on federal programs. We ask the 21 Department of Interior to join us in requesting that 22 the Ninth Circuit dismiss the appeals dismissal of 23 this case will reaffirm your legal authority to take 24 land into trust in Alaska. Dismissal will leave the 25 787 square foot just as it is, in trust.</p>

<p style="text-align: right;">Page 70</p> <p>1 When I say 787 feet, do you -- can you 2 picture how much that is? If I'm really creative, I 3 can park three pickup trucks there. That's what 4 we're talking about. And the fear in Alaska, and by 5 the state of Alaska, is that we're going to take 6 hundreds of thousands of lands into trust in Alaska, 7 cutting off access for the state. Really, what's 8 been taken in so far has been about one acre, adding 9 our 787 feet. We're not trying to put land into 10 trust to really do anything more than to protect our 11 lands in perpetuity. 12 To make sure, if you go to Juneau, Alaska, 13 the capital of Alaska, the Indian village, where our 14 people come from in that area, had slowly been sold 15 off, taken, claimed, and our people were displaced. 16 We have been buying back this land that is now part 17 of the tribal government land. It's where our 18 headquarters is. All we're trying to do is make 19 sure that it can never be lost again. And I think, 20 looking at any of you, you could understand the need 21 to protect that land. 22 Alaska is significantly different. I 23 don't think you would ever see an application for 24 land of trust from Alaska that was more than a dozen 25 acres. You know, it's never going to be hundreds</p>	<p style="text-align: right;">Page 72</p> <p>1 See for yourselves. 2 And no offense, Anchorage is not seeing 3 Alaska. That was the gravy train. You have -- and 4 you saw the delays and the things you had there. 5 That's nothing. You hear from people who have to 6 drive hours from their village just to get to a 7 ferry to take another three-hour ferry ride to get 8 to an airport to be able to leave Alaska. Some 9 don't even have that, so it's really important. 10 I think, again, we ask that you direct the 11 BIA to prioritize our other trust land that will 12 advance community development, as I said, and 13 provide technical assistance to the BIA to speed up 14 the process for Alaska tribes. You, alone, retain 15 the power to grant or deny trust land status. And 16 that if you decide not to take a parcel into trust, 17 your decision is the final word and cannot be 18 changed by the courts. 19 Self-governance is not only a reflection 20 of tribal sovereignty, it is the most efficient and 21 impactful model for service delivery. When programs 22 are locally controlled, they are more responsive to 23 community needs, more fiscally responsible, and more 24 likely to yield long-term outcomes. Tlingit and 25 Haida has demonstrated that with the right tools,</p>
<p style="text-align: right;">Page 71</p> <p>1 and thousands. And we've become the boogeyman to 2 the state of Alaska and what we might be. 3 And Secretary Burgum said something that I found 4 profound the other day when he said to us in the 5 round table, Alaska is known for its great 6 resources, but its greatest resources are its first 7 people, and I believe that is absolutely true. And 8 so cutting budgets, as we saw this current budget 9 come out, 33 percent, a third across the line, is 10 devastating. 11 I believe in efficiency, that cuts are 12 needed, that we need to do things smarter, but the 13 relationship between tribes in the lower 48 and 14 Alaska tribes, it's a trust responsibility. It's 15 not race-based. It's governance-based, and that's 16 something that shouldn't be cut. In fact, it 17 should've been bolstered. It's been historically 18 underfunded. 19 And now when you hear me talk about 650 20 employees, we've created jobs in villages that we've 21 seen out migration because there's nothing. We, the 22 tribes, are the opportunities in my region, for 23 sure. When you go -- and I challenge you and invite 24 you all, come to Alaska, come see. You know, we 25 keep talking about it being unique. Well, come see.</p>	<p style="text-align: right;">Page 73</p> <p>1 tribes can reduce federal overhead, accelerate 2 program delivery, and uplift entire regions. 3 Again, we ask that you presume comeback 4 ability for all tribal serving programs under DOI, 5 unless explicitly prohibited by law. Programs such 6 as environmental protection, and broadband 7 expansion, and infrastructure should be included in 8 the self-governance options. Expand compacting 9 authority beyond BIA to include the Bureau of Trust 10 Funds Administration, Bureau of Indian Education, 11 and relevant offices within Interiors, such as USGS 12 and OSMRE. Create expedited compacting tract for 13 tribes with established capacity, ensure full and 14 advanced funding for contract support costs, 15 transition to multi-year block funding models to 16 allow for long-term planning and reduce 17 administrative burden. One-year cycles are 18 inefficient and disruptive. Protect and strengthen 19 Alaska's tribal 477 infrastructure, which enables 20 integrated service delivery across workforce 21 development, education, and public assistance 22 programs. Expand technical assistance resources for 23 tribes new to compact and including planning grants, 24 peer-to-peer mentorship, and regional capacity 25 building hubs.</p>

<p style="text-align: right;">Page 74</p> <p>1 I want to talk a little bit about an issue 2 that's going on right now, and it's a -- there's a 3 federal appeal court just upheld an emergency 4 subsistence in southeast Alaska by the village of 5 Kake. You've heard from our organized village of 6 Kake, President Joel Jackson at several of these. 7 During COVID, because everything shut down 8 for us, I don't know what it was like in the lower 9 48, but our grocery stores were bare, and our 10 village stores were bare. No flights. No nothing. 11 They asked for a special hunt for moose and deer by 12 the Federal Subsistence Board and were allowed that. 13 Now, we have special interest groups trying to call 14 that out as one of the most disruptive things they'd 15 seen. The courts upheld it twice. We're talking 16 about a moose, one. You know, a couple of deer. 17 That's what was harvested to make sure this 18 community had food. So we really need that the 19 Interior support this recent decision by the courts. 20 You know, the state of Alaska has sued. 21 We're into -- you know, we want to see local control 22 too, but there is a reason for federal oversight, 23 and this is one of those reasons. So we ask you 24 that the ruling is a positive and significant 25 affirmation of tribal sovereignty, and the right of</p>	<p style="text-align: right;">Page 76</p> <p>1 heightened by Executive Order 14153, unleashing 2 Alaska's extraordinary resources potential, a 3 directive that threatens to accelerate industrial 4 development at the expense of biodiversity, 5 community resilience, and traditional food systems 6 across our homelands. Tlingit and Haida supports 7 improving permitting and environmental review 8 processes, especially when those delays impact 9 urgent housing and infrastructure needs in our 10 communities. But streamlining must not come at the 11 expense of tribal sovereignty, sacred places, or the 12 federal government's trust responsibilities. 13 In Southeast Alaska, where our people have 14 lived since time immemorial, land and water are 15 central to who we are. These are not abstract 16 resources. They are our food systems, our burial 17 grounds, our way of life. Proposals to compress 18 environmental reviews under the NEPA Act or to 14 or 19 28 days and consultation under the Endangered 20 Species Act and the National Historic Preservation 21 Act to as little as seven days are unworkable and 22 disrespectful. Many tribes, especially in rural 23 Alaska, don't receive timely notice. The majority 24 of our communities are only accessible by plane or 25 boat. Mail can take anywhere from 14 to 30 days.</p>
<p style="text-align: right;">Page 75</p> <p>1 rural Alaska native communities to manage and access 2 traditional food sources. The Federal Subsistence 3 Board Authority to act in emergency situations, 4 including delegating responsible to tribal 5 governments should be upheld. And that the 6 congressional promises under ANOCA to protect 7 subsistence rights for rural Alaskans, particularly 8 Alaska natives, be upheld and supported by the 9 Interior. 10 The legal foundation for tribal co- 11 management of subsistence resources, which can 12 empower other tribes across the state, should be 13 supported also by the Department of Interior. 14 So in summary, while the state sees this 15 ruling as undermining its authority, we view it as a 16 crucial win for subsistence rights and tribal self- 17 determination, especially as we face increased legal 18 and political pressure from the state. 19 On Executive Order 14210 concerning the 20 Department's emergency permitting procedures, tribal 21 priorities continue to be marginalized in federal 22 planning processes, and many current management 23 framework still fail to reflect the ecological 24 knowledge and cultural values of indigenous 25 communities. The urgency for Alaska tribes is</p>	<p style="text-align: right;">Page 77</p> <p>1 And in the summer, we're out on the lands and water 2 practicing our way of life. Expecting meaningful 3 legal, cultural, and scientific input within a two- 4 week window is simply unrealistic. We fear that 5 with a shrinking federal workforce and budget, 6 consultation will become a check-the-box exercise, 7 and for none of us, that's just not acceptable. 8 So Tlingit and Haida offers the following 9 recommendations. First, avoid compressed timelines 10 that don't allow for real notice, internal 11 coordination, or engagement with tribes. Every 12 tribe governs differently. This must be understood 13 and respected. 14 Second, uphold federal trust and treaty 15 obligations by allowing for meaningful consultation, 16 including Indigenous knowledge in NEPA and ESA 17 processes, and by protecting subsistence resources 18 under Title VIII of ANILCA. 19 Third, improve, not reduce, NHPA 20 consultation. Most Alaska tribes don't have 21 dedicated preservation officers and, often, marine 22 sites and traditional cultural properties go 23 overlooked, especially in Southeast Alaska. 24 Consultation must be meaningful and fully funded to 25 safeguard places of historic and cultural</p>

<p style="text-align: right;">Page 78</p> <p>1 importance.</p> <p>2 And, finally, balance efficiency with</p> <p>3 tribal sovereignty and stewardship. Pursue</p> <p>4 permitting efficiency without compromising tribal</p> <p>5 sovereignty, cultural survival, or stewardship. We</p> <p>6 are the boots on the ground in our rural</p> <p>7 communities. Let's find a path forward together.</p> <p>8 At the end of the day, tribes aren't</p> <p>9 asking for special treatment. We're asking for due</p> <p>10 process and respect for our governments, our</p> <p>11 communities, and our ability to lead. If the goal</p> <p>12 is a more effective government, then we're ready to</p> <p>13 help you get there, but we expect to be treated as</p> <p>14 equals in that effort. We urge you to honor the</p> <p>15 trust responsibility by advancing real co-governance</p> <p>16 with tribal nations, not just within DOI, but across</p> <p>17 the entire federal government.</p> <p>18 We value the opportunity to engage in</p> <p>19 these discussions. However, meaningful consultation</p> <p>20 must reflect a true government-to-government</p> <p>21 relationship conducted directly between decision-</p> <p>22 makers. Accordingly, we respectfully request formal</p> <p>23 tribal consultation to review these proposed changes</p> <p>24 in greater detail with our tribal council.</p> <p>25 Again, thank you for this opportunity.</p>	<p style="text-align: right;">Page 80</p> <p>1 there in Oklahoma. We're one of two tribes</p> <p>2 indigenous to the state of Oklahoma. We are</p> <p>3 originally from all of northeast Texas, southwest</p> <p>4 Arkansas, eastern Oklahoma, and northwest Louisiana.</p> <p>5 We are an energy tribe. We're also an oil</p> <p>6 and gas tribe, and we're also a tribe that looks at</p> <p>7 our renewables and look at our critical minerals and</p> <p>8 our assets that we have.</p> <p>9 One of the biggest concerns, like most</p> <p>10 tribes, like our tribe have is, you know, the</p> <p>11 consultation process, and I want to make sure that</p> <p>12 we don't get held up on the word, "consultation."</p> <p>13 Consultation is a given. When George W. Bush signed</p> <p>14 the Executive Order 13175 as to strength and</p> <p>15 government-to-government relations, I've been a part</p> <p>16 of those discussions, a part of building those</p> <p>17 government-to-government relations for over two</p> <p>18 decades. I've dealt with probably a lot of different</p> <p>19 administrations over the years.</p> <p>20 And when we see what we see today related</p> <p>21 to streamlining, the biggest thing that we'd like to</p> <p>22 see, as well as like the Caddo, we don't want to be</p> <p>23 streamlined out of the process. We want to be at</p> <p>24 the table and not part of the menu. And so we want</p> <p>25 to urge the Department of Interior to continue with</p>
<p style="text-align: right;">Page 79</p> <p>1 And as I have at the other consultations, I'll just</p> <p>2 leave you with healthy tribes and make healthy</p> <p>3 communities. Thank you.</p> <p>4 MS. RAEL: Thank you, President Peterson.</p> <p>5 And I just wanted to acknowledge that, you know, we</p> <p>6 did take consideration of our tribal consultation in</p> <p>7 Alaska, and we do apologize for the last-minute</p> <p>8 change of venue, and we look forward to meeting</p> <p>9 again with a better tribal consultation so, thank</p> <p>10 you.</p> <p>11 MS. BEAUREGARD: I just want to appreciate</p> <p>12 everyone's patience, and we value your time. And</p> <p>13 I'll just note that we're lightly out of order, so</p> <p>14 just bear with us.</p> <p>15 But we will call next on Bobby Gonzales, Chairman</p> <p>16 Bobby Gonzales.</p> <p>17 MR. GONZALZES: I might sing up here and</p> <p>18 wake everybody up, right? I really appreciate being</p> <p>19 here this morning, and I'd like to thank the</p> <p>20 Department of Interior and the BIA for hosting these</p> <p>21 listening sessions, and I want to talk a little bit.</p> <p>22 You know, I wrote a lot of things down. We'll be</p> <p>23 making comments, as well.</p> <p>24 I'm with the Caddo Nation of Oklahoma.</p> <p>25 We're a federally-recognized tribe out of 38 tribes</p>	<p style="text-align: right;">Page 81</p> <p>1 the BIA, and its agencies, and its brothers and</p> <p>2 sisters to work with all the sovereign nations to</p> <p>3 strengthen those government-to-government relations</p> <p>4 because you're going to need them.</p> <p>5 One of the things we face in this -- in</p> <p>6 the United States is the downfall of energy</p> <p>7 resources, and our sustainability to safeguard the</p> <p>8 United States, and the security of the United States</p> <p>9 related to our military. In order to have, you</p> <p>10 know, a strong economy, a strong energy force, you</p> <p>11 have to have strong relationships with the tribes.</p> <p>12 Next to the United States government, we</p> <p>13 hold more land, more critical minerals, more energy,</p> <p>14 more oil and gas than the United States government</p> <p>15 itself. We're the next landowner when it comes to</p> <p>16 that. We all know, over the history, it's been</p> <p>17 about the resources in tribes and the taking of</p> <p>18 those resources, big corporations, small</p> <p>19 corporations, the government.</p> <p>20 The Department of Interior is actually the</p> <p>21 Department of War, right? We were all prisoners at</p> <p>22 one time, like our tribe was prisoners of war from</p> <p>23 1838 to 1858, and then we were let free into Indian</p> <p>24 territory and dropped off.</p> <p>25 Unfortunately, our tribe, we dealt with a</p>

<p style="text-align: right;">Page 82</p> <p>1 lot of looting activity related to archaeological 2 sites. So when you talk about, you know, 3 streamlining NEPA, we do know that it takes, you 4 know, a big -- it's a lot to deal with when you are 5 from a region, like our region, where we have 6 interest in four states presently, where we have 7 thousands and thousands of archaeological sites. 8 One-third of the Smithsonian here in Washington, 9 D.C. have Caddo collections of vessels, jars and 10 bowls. Those were looted or destroyed during big 11 projects, lake projects, big energy projects, big 12 development, when states and cities are developed 13 because of NEPA, or you're providing federal funds 14 as an agency there to consult. 15 Well, prior to that, there's a lot of 16 unanticipated discoveries. And when those things 17 happen, and when those laws are stripped, what 18 happens is the tribes have to get involved and 19 mitigate that. 20 That doesn't mean excavate. 21 What that means is, we have to be 22 methodically -- we have to think -- really think 23 about the impacts because in order for the United 24 States government to be -- have the strength that we 25 need related to energy and this administration to</p>	<p style="text-align: right;">Page 84</p> <p>1 the bureaucratic red tape gets involved, where we 2 need to be talking with those corporations. We need 3 to talk to the agency, we need to talk to the 4 Interior and remove some of those barriers, so that 5 we can wholeheartedly be at the table to avoid, 6 minimize, or mitigate any adverse effects related to 7 the bottom dollar, in time and construction and 8 building those projects out, so they're built right. 9 They're built, you know, upfront. 10 I've been in situations where they're not 11 built like that, and they're big projects where 12 things have happened to where you have, you know, 60 13 people or 100 people in a room, and you're losing 14 about \$5 million a day because someone didn't think 15 this through, you know, as far as what we need to do 16 related to NEPA or consultation. So, consultation 17 is a given. 18 You know, with most federal agencies, we 19 do here at the Caddo Nation, we'd like to see the 20 BIA and the Interior with some of the tribes, like 21 our tribe, who has a 477 plan in process underway, 22 as well as our self-governance application that's in 23 the pipeline that hasn't been reviewed yet from the 24 Interior, because we want to be self -- you know, be 25 able to be self-governance and do what we need to do</p>
<p style="text-align: right;">Page 83</p> <p>1 develop energy, we have to be mindful of let's do 2 not impact our communities more than we already have 3 and learn from our mistakes. Let's don't trade off 4 one energy resource for another and impact the 5 tribe, our fish, our community, our sacred areas, 6 traditional view sheds, traditional cultural 7 properties, or even Native American sites today 8 called archaeological sites. 9 I had an opportunity to testify before the 10 House of Congress, and I believe it was in 2019, on 11 the lack of federal agency compliance with the 12 NAGPRA rules and regs, and the impacts related to 13 decisions that agencies make related to tribes. 14 Because at the end of the day, the people in this 15 room have to deal with that. We have to deal with 16 the impacts. 17 In an area that we're concerned with -- 18 and we're going to be making comments, I was saying, 19 related to the process here in writing -- is we have 20 an area called the "Snack-Over" in Arkansas, and 21 it's a big area related to critical minerals and 22 lithium. That is in the heartland of our nation, of 23 the Caddo Nation. We have -- we know that we're 24 going to be impacted, and so we want to be at the 25 table with corporations. A lot of times, agency and</p>	<p style="text-align: right;">Page 85</p> <p>1 as a tribe. We believe that we're better at taking 2 care of our own natural and cultural resources, and 3 our own economic development endeavors. 4 So, you know, I want to urge that a lot of 5 the loan guarantee programs that are out there -- I 6 know there's some talk about cutting the BIA loan 7 guarantee. A tribe like us, we're not a gaming 8 tribe. Not all tribes have a casino, and if you met 9 one tribe, you met one tribe, and we're all 10 different. I'd really like to urge the Department 11 of Interior to move, you know, those applications 12 that are already in the system through the pipeline 13 so that we can have some of those decisions made, as 14 well as other decisions that have been made. 15 And the best thing that I can say in 16 strengthening government-to-government relations -- 17 and I'm glad the Assistant Secretary is here on 18 policy and all of you are sitting here -- is ask the 19 tribes what works. 20 Ask us what don't work. We'll help. We'll help, 21 and the Caddo Nation is willing to help, as well, 22 because we know for decades what works, what doesn't 23 work, where the fluff is, what we can do better 24 together. 25 And so we're here today just to lend</p>

<p style="text-align: right;">Page 86</p> <p>1 support for the Interior and BIA, and as we move 2 forward in our relationship, we've been here, and 3 we're not going anywhere. We're going to continue 4 to be here. We're going to continue to advocate and 5 to strengthen the government-to-government 6 relations. We know there's a lot of concerns about 7 bureaus consolidating, just like in our area. 8 I'm from the Southern Plains region that 9 is in Oklahoma. There's around 27 federally- 10 recognized tribes tied to that region, five in 11 Kansas and three in Texas. Thirty-four percent of 12 those individuals that work there -- 34 percent of 13 the staff in that region are no longer there. 14 And so if you're permitting oil and gas projects 15 that have an impact on us, or we're working with an 16 energy space, or higher ed, adult ed, name a -- you 17 know, name a -- you know, a program, we're going to 18 have impacts because there's nobody there to answer 19 the phone. We're already starting to see that. 20 So if there's some of those things that we 21 can take on as a tribe, right, that we can 638, or 22 we can self-govern ourselves right here at the 23 Interior, we're willing to do that because you're 24 going to need some help as the restructuring goes 25 on. Just like a lot of the tribes here said, you</p>	<p style="text-align: right;">Page 88</p> <p>1 Appreciate it. 2 MS. BEAUREGARD: Thank you, Chairman. 3 We are actually going to take a short 4 break now. I earlier said 1:00. We want to make 5 sure you all can eat, if you wish, and so we'll 6 break now for 30 minutes. And as a reminder, there 7 is food available in the basement of this building. 8 You can follow the turnstiles through and get 9 through there to the basement, and then you can also 10 go to the Met Cafe on E and 18th. You'll have to 11 enter and exit through this C Street entrance. And 12 so we will return back here at approximately 12:35. 13 Thank you. 14 (WHEREUPON, a recess was taken.) 15 MS. BEAUREGARD: Hope you all had an 16 opportunity to eat. We're going to get started 17 about now, and we will continue to prioritize 18 comments from tribal leaders and then 19 representatives. We will not hear from others until 20 we hear from all tribal leaders wishing to speak. 21 If you are attending in person, you can 22 indicate your desire to provide comment by signing 23 up in the signup sheet at the entrance here. We 24 will attempt to call names in order. We have a bit 25 of a new order, just as things have shuffled around</p>
<p style="text-align: right;">Page 87</p> <p>1 know, they're willing to take on that trust 2 responsibility and self-governance process. 3 So just wanted to let everybody know that 4 we don't take it lightly, right? And so I'm a tribe 5 that's been impacted as a chairman. I have around 6 8,000 members that are -- my phone continues to be, 7 you know, lit up. You know, what are we going to do 8 about this? What are we going to do about that? 9 Sovereignty is God-given. It's common 10 law. But here in the United States, tribes are only 11 as sovereign as Congress allows us to be. But in 12 the Constitution of the United States, it says 13 Indians not taxed, and it also says that we can 14 regulate commerce, and that's what we want to do. 15 We want to be able to be in full commerce with 16 corporations and with agencies, when they are 17 permitting or making decisions to streamline the 18 process so we can build out what we need, be self- 19 sufficient, and be at the table and not in a 20 situation where later on, we talk about the impacts 21 and everything stops, and we're all trying to figure 22 out what we need to do next. 23 So I just really appreciate being here, 24 look forward to visiting, hopefully, some of you, 25 and thank you for allowing me to have a say today.</p>	<p style="text-align: right;">Page 89</p> <p>1 a bit. And when it is your turn, please come up to 2 this podium here to provide your comment. If you are 3 unable to come up to this microphone, just let us 4 know, and we'll bring a microphone to you. 5 If you are attending virtually and would 6 like to provide input, please use the "Raise Hand" 7 function at the bottom of the zoom screen. 8 For those attending by phone, please press 9 "Star 9" to raise your hand and join the queue. You 10 will use "Star 6" to unmute your phone when it is 11 your turn to provide comments. 12 As a reminder, please introduce yourself 13 with your name, affiliation, and role or position. 14 Our court reporter will note this information for 15 the transcript. For in-person attendees, please be 16 sure to speak into a microphone to ensure that your 17 comment is recorded by the court reporter. They are 18 joining us virtually and will only hear audio via 19 the microphone system. 20 And with that, we will welcome Vice 21 President Will Micklin. 22 MR. MICKLIN: My Tlingit name is Yanyan 23 East. My English name is Will Micklin. I'm 24 Tlingit, Antiquity, Qatsip, the House of the Man Who 25 Married the Bear, a child of the white man,</p>

<p style="text-align: right;">Page 90</p> <p>1 grandchild of the Ghana Khadi Raven, and I'm a vice 2 president of the central council, the Tlingit and 3 Haida Indian Tribes of Alaska. We serve as the 4 regional tribe for southeast Alaska, serving more 5 than 38,000 tribal citizens within our aboriginal 6 Indian lands, which is the size of the state of 7 Indiana or the country of Portugal.</p> <p>8 So President Peterson invited visits to 9 the southeast. I encourage that. It's hard to 10 judge the size, and breadth, and beauty of a land 11 until you've come and visited. So I look forward to 12 any of you coming forward.</p> <p>13 And I would like to acknowledge Mr. 14 Bearquiver and Mr. Beetso as friends I've worked 15 with for many years in the past. And I also 16 recognize Mr. Bellmard that attended the Tribal 17 Treasury Advisory Committee meeting some -- just a 18 short time ago, and so I thank you for taking the 19 time to visit that committee.</p> <p>20 I just want to lay a foundation to my 21 comments here. And that is, that all federal 22 departments, bureaus, and agencies apply the U.S. 23 Supreme Court holding that the Indian Canons of 24 Construction state that statutes are to be construed 25 liberally in favor of the Indians, with ambiguous</p>	<p style="text-align: right;">Page 92</p> <p>1 of 1934 and its application to Alaska tribes in 1936 2 in Section 5 for fee-to-trust acquisitions, and the 3 Indian Self-Determination and Education Assistance 4 Act of 1974 in the tribal self-governance provisions 5 of Title I, Title IV, and Title V.</p> <p>6 Tlingit and Haida, on this foundation, 7 offers the following recommendations. First, that 8 the department should apply all necessary resources 9 to expedite and improve fee-to-trust acquisitions 10 pursuant to 25 CFR Part 151, as amended. And this 11 recommendation emphasizes support for fee-to-trust 12 applications from Alaska tribes, and President 13 Peterson spoke to that at some length.</p> <p>14 Also, that additional funding for tribal 15 priority allocations, aid to tribal government, and 16 small tribe supplements at adequate and realistic 17 amounts to improve tribal administrative capacity is 18 essential. Funding for programs, and services, and 19 other functions supported by the department and 20 other bureaus within the department and other 21 agencies has increased and decreased at times, but 22 one funding category that has really been neglected 23 over many years is the governing capacity of tribes. 24 For a substantial majority of tribes, it's very 25 difficult for them to have sufficient staff to</p>
<p style="text-align: right;">Page 91</p> <p>1 provisions interpreted to their benefit. These 2 canons are rooted in the unique trust relationship 3 between the United States and the Indians.</p> <p>4 The United States' trust responsibility to 5 American Indian and Alaska Native tribal governments 6 is articulated in a 1978 M opinion by former 7 Department of Interior Solicitor, Leo M. Krulitz, 8 which remains in effect today. This burdens all 9 federal agencies, departments, bureaus, with the 10 duty to make productive the tribal trust estate by 11 fairly considering the interests of tribes in 12 balance with laws of general applicability. This 13 balancing of the laws of general applicability is 14 applied by our federal trustee under the clear and 15 plain rule if the Indian canons are to be, at all, 16 meaningful and the tribal trust estate made 17 productive. Until Congress acts to restrict a 18 tribe's sovereignty, the department should 19 understand tribes to possess broad inherent 20 sovereignty. Doing so is consistent with the goal 21 of increasing tribal self-determination.</p> <p>22 Congressional appropriations and two acts 23 of Congress that provide the department with 24 substantial authority to make productive the tribal 25 trust estate includes the Indian Reorganization Act</p>	<p style="text-align: right;">Page 93</p> <p>1 operate the programs, the functions, and services 2 and activities that would bring benefit to their 3 tribal citizens.</p> <p>4 Also recommend that the department apply 5 sufficient resources to receive, process, and 6 approve Tribes 105L applications and release funding 7 as soon as possible. I do note that that was 8 mentioned in the release of the President's budget 9 for FY26 with a substantial increase. That is 10 welcome. Tribes have now relied on 105L to a 11 substantial length, and we have woven it into our 12 financial system, so I thank you for augmenting that 13 funding request to the Congress.</p> <p>14 Also, that the department should apply the 15 Indian Canons, and the Clear and Plain Rule to the 16 Tribal Self-Governance Program, including Title I, 17 638 Contracting, and Title IV and V Compacting, 18 mandating all federal departments, all bureaus, all 19 agencies, within Interior and without, to negotiate 20 with all interested tribes.</p> <p>21 And the Chairman of Salish and Kootenai 22 mentioned that he was on the Progress Act and 23 Negotiated Rulemaking Committee, as was President 24 Peterson and myself. And I will note that it was 25 noteworthy to us and the Chairman of Salish and</p>

<p style="text-align: right;">Page 94</p> <p>1 Kootenai to discuss the Inherent Federal Function 2 Rule, which we think is available to reconsideration 3 in this administration, which would be a benefit to 4 tribes, given that tribes have the authority to make 5 determinations without constraint by inherent 6 federal function. 7 But I will also note that although the 8 Indian Canons of Construction are in the statute, in 9 the Act, the Progress Act, we found it very 10 difficult and, in fact, didn't manage to get that 11 citation within the rule. So we think what is in 12 the statute, what the Congress intended, should also 13 be part of the regulation, the rulemaking. 14 And citing the Indian Canons of 15 Construction, as I had mentioned, it is a 16 foundational policy that would benefit self- 17 determination and self-governance, and allow our 18 federal partners to perceive the tribal sovereignty 19 and authority in the way that we think it was 20 intended, both beginning with the Constitution, as 21 well as in statute that expresses the congressional 22 intent. 23 We also note that there is, and President 24 Peterson spoke to this, particularly in Alaska, a 25 need for physical infrastructure for deployment of</p>	<p style="text-align: right;">Page 96</p> <p>1 community and the -- that there are still honey 2 buckets in Alaska is really something that we should 3 not accept as a norm. 4 And, finally, in improvements to 5 transportation infrastructure by road improvements, 6 and I mention this because in southeast Alaska, 7 marine ferry systems are the equivalent of road 8 systems. And so viewing the marine ferry service 9 and barge service to our communities is a category 10 of funding that we view as essential transportation, 11 and that its categorization as that would be 12 meaningful, in terms of making available funding. 13 The last couple of things I'll just 14 mention as pursuant to the category of discussion 15 that was so well articulated at the beginning of 16 this, and I will say that this would include direct 17 funding to tribes and set aside of grant funds to 18 tribes. 19 Now, we would prefer to receive funding 20 directly, not through states, but directly to 21 tribes. We'd rather see equitable allocations to 22 tribes, rather than competitive grant funding. In 23 particular, simplification where there is grant 24 funding, as we've seen -- and in set-asides, as 25 we've seen in the last five years with the CARES</p>
<p style="text-align: right;">Page 95</p> <p>1 advanced broadband services by -- including by low 2 earth orbit satellite and fixed wireless facilities. 3 We know there has been an emphasis on fiberoptic 4 deployment. However, that can be constraining 5 because of cost. And we, as an awardee of the 6 Tribal Broadband Connectivity Program in round one, 7 are deploying broadband to southeast communities 8 unserved or underserved for broadband services. And 9 that discussion about making sure that broadband is 10 deployed is essential because without 11 infrastructure, the opportunity to improve economies 12 in southeast, but as well throughout Alaska and 13 throughout Indian country, is going to be 14 artificially constrained. 15 That also goes for affordable and reliable 16 electric power, whether by grid connection or 17 distributed generation. Without power, it's no use 18 having broadband, but power is essential. And it's 19 not just that it's connected, that it's reliable and 20 affordable, and we have a problem with affordability 21 of electric service in Alaska. 22 Wastewater and clean water systems for all 23 tribes, really, I think I view that as a human 24 right, and that there are communities without 25 wastewater and clean water systems available to the</p>	<p style="text-align: right;">Page 97</p> <p>1 Act, the BIL, the RRA, the CAA, all the various 2 congressional appropriations that brought additional 3 one-time -- call them on-time. Hopefully, it is one 4 time -- monies to Indian Country. Those were not 5 set-asides for tribes. Those were -- required 6 tribes to compete with nonprofits, with state and 7 local governments. 8 In doing that, it means that the tribes 9 with greater capacity, with greater available 10 revenues to develop these funding applications are 11 advantaged, and the great majority of tribes without 12 that wherewithal are disadvantaged. And as well, in 13 the formulation of grant solicitations, it's 14 oftentimes, and particularly with energy grants, as 15 I'll note, that the cost of development of 16 applications is not an allowable use of the grant 17 award proceeds, so that cost is the tribe's. 18 And when I say simplification, those, 19 whether it's broadband, or whether it's 20 electrification, or even for some septic systems 21 that need be a more rigorous treatment of wastewater 22 than others due to local environmental conditions, 23 that means the burden is on the tribe to formulate a 24 very technical application at some significant cost. 25 And so the --</p>

<p style="text-align: right;">Page 98</p> <p>1 What we don't want to see, which we've 2 seen in too many instances, is the benefit falls on 3 the consultants who prepare these very costly 4 documents. In application, when we are competing 5 with other interests with no tribal set-aside, we do 6 not compete very well with those better-resourced 7 entities. And so we end up with a large expenditure 8 of federal funds with no return because oftentimes, 9 we don't get that award. I would much rather see 10 that technical development of the opportunity and 11 the resulting systems constructed with those federal 12 dollars be a part of -- be developed after the 13 award.</p> <p>14 The tribes are really -- we operate under 15 strict liability. When we fail our tribal citizens, 16 they un-elect us, and someone comes in that does 17 that necessary work and brings that benefit. And so 18 we think that needs to be a cost that is not 19 determined whether you receive funding or not, but 20 it is a part of the development of the system. We 21 are entirely dedicated to energy systems, to 22 broadband systems, to wastewater and clean water 23 systems, and to transportation systems. We think we 24 could better use that for developing the system, 25 rather than paying a consultant for a very costly</p>	<p style="text-align: right;">Page 100</p> <p>1 capacity for a substantial number of tribes is just 2 stretched so thin because we have not the support 3 for the folks in place to do that work. And I 4 already mentioned that the ATTG, and the TPA, and 5 the STS are not increased in funding over many, many 6 years, and are really woefully under the amounts 7 that should be allocated.</p> <p>8 And I will talk to permits. So an example 9 is for fixed wireless broadband towers. Those 10 facilities require either a NEPA or a state 11 environmental document. And yet, when that is 12 completed, we go on to FCC certification of that 13 tower for the environmental document, and they 14 require another environmental document. We think 15 the NEPA or the state environmental document should 16 be sufficient. It goes over the same ground for the 17 same purpose. It just is emanating from a different 18 authority, but the document itself is going to come 19 to the same conclusion because the facts and 20 circumstances are the same. That's the kind of 21 additional burdensome overhead that we think can be 22 -- some attention can be applied to because, again, 23 broadband is a part of infrastructure, or poles for 24 electrical conductors that are really needed in our 25 communities.</p>
<p style="text-align: right;">Page 99</p> <p>1 application where we may or may not be benefit that 2 through award.</p> <p>3 We'd also like to see the contract 4 support, and I noticed that the contract support 5 dollars are supported in the FY 26 President's 6 budget, but at a certain amount that appears to be 7 less than the FY 25 amount. And I am just concerned 8 because, as we saw with the one-time funding that I 9 had previously alluded to, we've often and most 10 often excluded those from contract support because 11 that would cause an anomaly within our financial 12 system, where we would have essentially large carry- 13 forwards, and then we would have shortfalls in the 14 subsequent budget cycle, which, with self-governance 15 and contract support and indirect cost rates, runs 16 in two-year cycles. We'd be severely penalized by a 17 huge volatility in our financial systems if we 18 accepted those contract support dollars or applied 19 it even at the de minimis amount. Some of these 20 supported 5 percent or 10 percent awards, but even 21 at those amounts, it would cause -- it really caused 22 our better judgment to say we excluded those from 23 our self-governance finances.</p> <p>24 But what that means is, we operate without 25 that covering of that overhead. Our administrative</p>	<p style="text-align: right;">Page 101</p> <p>1 I will mention that on 25 CFR Part 169, 2 which is the federal regulation for right-of-way, 3 which you need for this infrastructure, particularly 4 for transmission, there's no authority for tribes to 5 really do the work for providing for these rights- 6 of-way. This is a BIA function, and we have to hand 7 this off to BIA. And, of course, BIA looks to us 8 and says, well, why don't you do the work? We'll 9 hand it to you, and then the BIA can do its 10 oversight, and that is a --</p> <p>11 We think we should have the authority to 12 do that. It is over our lands, and it's also very 13 costly because it is a metes and bounds survey that 14 really nobody else does, other than the federal 15 government. We have to find folks that do metes and 16 bounds surveys, and it is enormously costly. I did 17 one -- I did an estimate for just a year and a half 18 ago. It was \$90,000 for -- there's about a mile and 19 a quarter for that survey, and part of it was due to 20 the remoteness of the trust lands, but it was just 21 -- it's a burden that ought to be looked at. I know 22 the -- that Part 169 was revised, I think, in 2018, 23 but it didn't revise the authority of the tribe and 24 address the cost.</p> <p>25 And, finally, and you may know when a</p>

<p style="text-align: right;">Page 102</p> <p>1 Tlingit is speaking and he says, and finally, you 2 probably hear that about six or seven times, but 3 this is my last "finally." That I would recommend 4 looking to the Tribal Advisory Committees, and I 5 mentioned Mr. Bellmard had really privileged us with 6 his presence at the Tribal Treasury Advisory 7 Committee meeting. But as well, the FCC has its 8 Native Nations Communications Task Force, the 9 Department of Energy has the Indian Country Energy 10 and Infrastructure Work Group, and the Department of 11 Interior, of course, has the Tribal Self-Governance 12 Advisory Committee.</p> <p>13 Each of this -- these committees have done 14 -- have issued reports, and I've been on each of 15 these committees for -- well, I think the shortest 16 one was 12 years, but I have been on some of these 17 for longer. There are a number of reports done in 18 years past that specifically one, addresses 19 permitting for broadband. Another does permitting 20 and rights-of-way for energy. Others, like in the 21 Treasury, does reports on tax credits or 22 interpretations of tax status for tribal 23 enterprises. All these things are essential in 24 building an economy, and particularly for empowering 25 tribes to determine their governance and their</p>	<p style="text-align: right;">Page 104</p> <p>1 every one of you and your associates in this 2 endeavor.</p> <p>3 MR. VINT: And this is Kyle Vint, your 4 virtual facilitator. We are going to go now to two 5 comments, two of our four hands raised online. 6 We're going to start with Chairman Forsman, followed 7 by Chairman Iyall.</p> <p>8 You should soon have the ability to unmute 9 yourself. If you do so and turn on your video, we 10 will spotlight you in the room so everyone can see 11 you. Chairman Forsman, we're able to see you. We 12 should be able to hear you, as well. Go ahead.</p> <p>13 MR. FORSMAN: Hello. I'm Leonard Forsman. 14 I'm Chairman of the Suquamish Tribe, and I had the 15 opportunity to speak also at the Sacramento hearing. 16 I'm also President of the Affiliated Tribes of 17 Northwest Indians, primarily Washington, Oregon, and 18 Idaho, a number of tribes with vast land holdings 19 and other tribes with vast treaty right 20 responsibilities, protection responsibilities. We 21 are saddened that we weren't able to have a 22 Northwest consultation, and I hope that will happen 23 in the near future.</p> <p>24 I'm just here to just provide a few short 25 comments and just like to acknowledge the people who</p>
<p style="text-align: right;">Page 103</p> <p>1 economic future by specific provisions that were 2 studied as a part of this group, taking on the 3 experience and the knowledge of those members from 4 Indian Country that populate these advisory 5 committees and offer their time and talent to 6 issuing these reports. They're available. 7 They're still good.</p> <p>8 One of the things that I have always 9 shared with my friends and others that want to be 10 tribal leaders is, that you should know your issues 11 inside and out because they rarely change. You can 12 go 20 years and be talking about the same thing 13 every year. So I know you are here, and you're 14 going to solve a lot of those issues, so a lot of 15 them are going to go away.</p> <p>16 We're going to have to learn new things. 17 I thank you for that opportunity. I look forward to 18 it. But for too long, too many years, we look at 19 the same problems that don't get resolved, and so I 20 look forward to collaborating with you. I thank 21 President Peterson for representing Tlingit and 22 Haida here, and I think Vice President Cook is still 23 here to speak. But on behalf of Tlingit and Haida, 24 I thank you for taking the time to listen, and I 25 look forward to collaborating with you, each and</p>	<p style="text-align: right;">Page 105</p> <p>1 traveled there in person. I appreciate you giving 2 me the opportunity to do this virtually. I'm in 3 Seattle today. The Suquamish Tribe is the home of 4 Chief Seattle, who signed our Treaty of Point Elliot 5 in 1855, established in our reservation at Port 6 Madison.</p> <p>7 I'd just like to make sure that we 8 reference this consultations protocol, and there are 9 concerns that some decisions have been -- already 10 been made prior to consultation, and it's also 11 difficult to come here with such short notice and 12 talk about the vast number of issues that we've been 13 spending decades talking to the federal government 14 about in the modern era, and of course, for hundreds 15 of years in the more traditional historic era. So 16 it's really hard to address these issues in a 17 effective way because of the massive scope of these 18 changes.</p> <p>19 So we really want to make sure and hope 20 that you won't make any changes, significant 21 changes, without consultation to the tribes, 22 especially those that are violations of the 23 government's legal obligations. As I said earlier, 24 we do have a treaty signed by Governor Stevens with 25 many leaders of the tribes in the Northwest, Puget</p>

<p style="text-align: right;">Page 106</p> <p>1 Sound, and Central Puget Sound, now known as the 2 Sailor Sea, and those are the supreme law of the 3 land, as outlined in the Constitution. 4 And as a former member of the Advisory 5 Council on Historic Preservation, I'm familiar with 6 the oath that all federal service people take, and 7 I'm hoping that we will expect that from the federal 8 officials to uphold the Constitution and defend 9 those treaties, as they should be defended as part 10 of your trust responsibility. 11 We're concerned about the layoffs at the 12 Indian Affairs, and losing expertise and knowledge 13 that many of those employees have had, and we hope 14 they'll be immediately replaced with those with 15 similar experience. Those high vacancy rates 16 definitely affect our opportunity to fulfill our 17 respective responsibilities. 18 We're concerned about delays in federal 19 funding delivery, and hope that you'll upgrade those 20 opportunities to provide faster payments, especially 21 to self-governance tribes such as ours and as 22 mentioned (audio disruption) as mentioned about the 23 477 program, a very effective model that we should 24 reference. 25 And also want to talk about advanced</p>	<p style="text-align: right;">Page 108</p> <p>1 And I'd just like to add a reference, 2 primarily these permitting issues. Chief Seattle 3 gave a speech just before the treaty was signed. He 4 gave it here in Seattle, at first in Maine, right on 5 the shores of the Puget Sound and Elliott Bay. And 6 he said, "To us, the ashes of our ancestors are 7 sacred, and their resting place is hollow ground." 8 And he also said, "Every part of the soil is sacred 9 in the estimation of my people. Every hillside, 10 every valley, every plain and grove has been 11 hollowed by some sad or happy event, and days long 12 vanished." 13 And as President of the Affiliated Tribes 14 of Northwest Indians, I see this in our traditions, 15 internalized within our tribal leaders that are an 16 important part of our leadership throughout the 17 Northwest, and I just hope you'll take that into 18 account as you make your decisions. 19 MS. RAEL: Thank you, Chairman. 20 We are going to take just a very brief 21 pause from the comment period, and welcome Katharine 22 Macgregor, Deputy Secretary of the Department of the 23 Interior, for brief remarks. 24 MS. MACGREGOR: Good afternoon, everyone. 25 I hate to interrupt, so I'm blaming Scott for this,</p>
<p style="text-align: right;">Page 107</p> <p>1 appropriations for many of the Indian Affairs 2 project programs and also full funding for public 3 safety is very important, as well. 4 In regards to the permitting, I just find 5 it absurd to ask for a seven-day notice. I said 6 this in Sacramento. You know, sometimes it takes us 7 just that much time to respond to all of the emails, 8 and texts, and physical mail that we receive, so I 9 just really hope that we were considered under the 10 permitting procedures. 11 I know some people feel there's an 12 emergency, but we also feel an emergency that we've 13 been under for decades in protecting our natural 14 resources from exploitation and pollution. And 15 natural resource protection is in the DNA of tribal 16 leaders across the nation, and we are involved in 17 many restoration, enhancement projects. We're 18 reversing the bad decisions that were made in the 19 past, one of those being the culvert replacement 20 that we're doing now, where people were 21 streamlining, going for the most efficient way to 22 provide services and destroying our environment. 23 And also, sacred places need protection, 24 and the 106, changes to the 106 process also are -- 25 we have great concerns with and are close to those.</p>	<p style="text-align: right;">Page 109</p> <p>1 for asking me to come down and just say good 2 afternoon. My name is Kate Macgregor. I am the 3 Senate-confirmed Deputy Secretary for the United 4 States Department of the Interior. This is my 5 second tour. I was here in the first Trump 6 administration, and I am so grateful to have both 7 the trust of Secretary Burgum and President Trump to 8 be in this position again. 9 I know that consultation is an incredibly 10 important part of our trust relationship, and I want 11 you to know that this administration is laser- 12 focused on not just efficiency, but making 13 improvements that impact real people in America. 14 And one of the number of issues that we're working 15 on that have come up, that Scott knows and we've 16 just had a meeting about it, addressing the probate 17 backlog, making sure that we're doing everything we 18 can to improve education in Indian Country, and even 19 finding ways to restore some of the work we did in 20 the first administration on the cold case task 21 forces for missing and murdered individuals, which 22 was something I was personally involved with, with 23 the last secretary and assistant secretary. 24 And I just look forward to hearing 25 everyone's voices, making sure that we are ensuring</p>

<p style="text-align: right;">Page 110</p> <p>1 opportunities for consultation across the broad 2 spectrum of issues that we'll be working on 3 together. And I want you to know that, again, our 4 trust responsibilities, we are aware of them, and 5 they are incredibly important. And I'm just 6 grateful to be able to say hello this afternoon, and 7 I hope everyone's enjoying their time. Thanks, 8 Scott.</p> <p>9 MR. VINT: Thank you, Deputy Secretary. 10 We're going to now go back online for 11 comments. Our next comment is going to be from 12 Chairman Iyall. Chairman, you should have the 13 ability to unmute yourself, and we're seeing you on 14 video already. Go ahead.</p> <p>15 MR. IYALL: Yes, thank you, and good 16 afternoon. My name is Bill Iyall. I'm the chairman 17 of the Cowlitz Indian Tribe in Southwest Washington. 18 And thank you, Interior, for this opportunity, and I 19 want to thank the Deputy Secretary for her work on 20 MMIP and joining the conversation today. We also 21 have to thank the prior leaders and the following 22 leaders for the wisdom that they bring here. It's 23 an honor, and I'm humbled with that honor to be a 24 part of this discussion.</p> <p>25 The Cowlitz Tribe -- the Cowlitz people</p>	<p style="text-align: right;">Page 112</p> <p>1 With regard to restructuring, the BIA 2 Northwest Region Office played a major role in 3 reviewing and finalizing our fee-to-trust 4 application for our land that ultimately became our 5 reservation. The work of several different BIA 6 offices, including a central office, was needed to 7 finally make that happen. We continue to work with 8 Indian Affairs and especially BIA Northwest.</p> <p>9 The region provides important services 10 that support the Cowlitz Tribe, our members, and the 11 other 46 federally-recognized tribes in the region. 12 These include realty services like review of 13 applications for trust land, rights-of-way, leases, 14 justice services, roads, infrastructure, just to 15 name a few. We applied the department's goal of 16 making BIA more efficient and providing better 17 service for the tribe, but we are concerned that 18 they appear to be focused on risks, reduction of 19 forces, encouraging early retirement or 20 resignations, and potentially reorganizing the 21 regions.</p> <p>22 Having adequate Indian Affairs staff, both 23 in central and in region and agency offices, is 24 integral to operating the programs that are critical 25 to the Cowlitz Tribe and all tribes. We are</p>
<p style="text-align: right;">Page 111</p> <p>1 have lived in Southwest Washington since time 2 immemorial. The federal government opened Cowlitz 3 lands to non-Indian settlement in the 1850s after we 4 refused to sign a treaty that would have moved us 5 from our traditional lands.</p> <p>6 After years of struggle to recover our 7 homelands, in 2000, we were reinstated to federal 8 acknowledgement. And 15 years later, the federal 9 government took land in trust as our reservation 10 near Ridgefield, Washington. Since that time, a 11 mere 10 years, the Cowlitz Tribe has strengthened 12 its government and successfully engaged in self- 13 determination, economic development, allowing us to 14 provide for our members.</p> <p>15 Funding and assistance from our federal 16 trustee has been a critical part of our efforts. As 17 a general comment, I want to thank you for the 18 opportunity to consult, but it's difficult to 19 provide meaningful input when we do not have 20 specifics about the -- what the department is 21 considering. We expect that the department will 22 solicit further tribal input before implementing 23 specific restructuring or efficiency measures for 24 BIA and Indian Affairs, consistent with the trust 25 responsibility and federal obligations.</p>	<p style="text-align: right;">Page 113</p> <p>1 concerned that losing experienced staff will not 2 make BIA more efficient and will not improve 3 services for the tribe. In fact, losing 4 institutional knowledge and subject matter expertise 5 of these employees could have the opposite effect.</p> <p>6 We appreciate Secretary Burgum's express 7 commitment to upholding the federal government's 8 trust responsibility to Indian tribes. Indian 9 Affairs is specifically charged with ensuring that 10 this legal obligation is fulfilled. We hope the 11 department will carefully consider whether staffing 12 and funding cuts under consideration, including 13 those in the President's budget, will not interfere 14 with this solemn and legal obligation that is owed 15 to Indian tribes.</p> <p>16 Even before the recent changes in early 17 retirement opportunities, BIA was obviously 18 understaffed -- underfunded. It will be difficult 19 for BIA programs to sustain further cuts and reduce 20 staffing, and still fulfill the department's trust 21 responsibilities to tribes.</p> <p>22 Addressing improving funding structures, 23 we support addressing and improving access to 24 federal funding. We suggest that Interior review its 25 grant and other funding processes to ensure that</p>

<p style="text-align: right;">Page 114</p> <p>1 tribes have streamlined full access to these federal 2 funding resources. Increased flexibility to use 3 these grants, less rigid application requirements 4 and processes, additional technical assistance for 5 tribes, and fewer reporting and other requirements 6 for grant funds would improve funding structures and 7 the tribal access to them.</p> <p>8 Cost-share and cost-match requirements 9 should be waived for tribal grant applications. 10 This is a major barrier to tribes assessing grant 11 funds. The centralized funding database of the 12 department's website -- excuse me, a centralized 13 funding database for the department's website would 14 help tribes to find and apply for grant and funding 15 opportunities.</p> <p>16 On an increase request, the comment for 17 tribal self-governance and self-determination 18 support, we support the administration's goal of 19 supporting and increasing opportunities for self- 20 determination, self-governance, and fostering 21 economic growth. A key component of achieving this 22 goal is adequate funding for tribal programs, which 23 are subject -- are the subject of self-determination 24 and self-governance agreements with tribes. These 25 agreements empower tribes to themselves provide</p>	<p style="text-align: right;">Page 116</p> <p>1 has asked for tribal input on the recently 2 announced, expedited procedures for energy 3 permitting, which includes changes to -- that 4 expedite the review of these projects under NEPA, 5 and NHPA, and ESA. We agree that permitting for 6 energy and other projects can be made more 7 efficient, but a careful and thorough environmental 8 review of potential impacts is important to avoid 9 damages to tribal lands, resources, and cultural 10 sites. This is a part of the federal government's 11 trust responsibility. We are concerned that the 12 department's expedited procedures under NEPA, NHPA, 13 and ESA will not provide adequate review of 14 potential harmful impacts and protections of tribal 15 resources.</p> <p>16 I wanted to highlight a couple scenarios 17 that I've lived through in my past experience. I'm 18 a licensed professional engineer. I work on many 19 projects myself, but one that stands out to me is 20 the Tweetson Village that impacted the Elwha tribe. 21 It's a nightmare for the tribe, but beyond that, 22 it's a nightmare for the agency that was trying to 23 build a floating bridge. And they encountered a 24 village after inadequate review, a village site, and 25 it halted their project for two years. It cost</p>
<p style="text-align: right;">Page 115</p> <p>1 government services.</p> <p>2 Without adequate funding, staffing, Indian 3 Affairs cannot support the effective and efficient 4 operation of self-governance and self-determination, 5 compacting, contracting, as contemplated in the 6 Indian Self-Determination Act. Without funding, 7 there is no way to increase opportunities for self- 8 governance and self-determination, or to foster 9 tribal economic growth.</p> <p>10 The department should look at ways to 11 streamline -- yes -- and the contracting, and 12 compacting process, and reduce administrative 13 burdens. Making the compacting and contracting 14 process more efficient would support tribal self- 15 governance and economic growth. The department 16 should consider the functions of self-governance 17 across all agencies, with Interior serving as a 18 model, but also providing the technical assistance 19 for the other agencies. This would increase 20 pathways for self-governance. Providing technical 21 assistance to support tribes regarding self- 22 governance and self-determination also would support 23 the department's objectives.</p> <p>24 On expedited permitting, NEPA, NHPA, and 25 ESA, as a part of this consultation, the department</p>	<p style="text-align: right;">Page 117</p> <p>1 probably nearly a \$100 million dollars to the 2 project, and those are big mistakes that can happen 3 with expedited processes.</p> <p>4 In the last few weeks, we just reinterred 5 34 ancestors that had been recovered. We work with 6 six different tribes in Lower Columbia for non- 7 affiliated ancestors that we reinterred. And so we 8 know substantially many of those came from either 9 permitted or non-permitted projects.</p> <p>10 And so we're here to cooperate and 11 collaborate, but we bring the knowledge to the table 12 that can facilitate projects on the front end before 13 the mistakes are made. And I'm in the middle of 14 another project that, fortunately, we were able to 15 intervene before the bids were taken and before the 16 damage of delay could impact the cost to the federal 17 and state governments so --</p> <p>18 And I do want to thank you again for 19 holding this consultation and for the opportunity to 20 comment today. We look forward to working with the 21 department, as it further develops its plans and 22 restructures Indian Affairs in a way that will 23 improve services for tribe and support self- 24 governance. Thank you, now.</p> <p>25 MS. BEAUREGARD: Thank you.</p>

<p style="text-align: right;">Page 118</p> <p>1 We will now call upon Chairwoman Nita 2 Battise. 3 MS. BATISSE: My name is Nita Battise. I 4 serve my people, the Alabama-Coushatta Tribe of 5 Texas, as Tribal Councilwoman. 6 As of January 13th, 2025, I am now in my 7 fifth term, and this fifth term encompasses about 15 8 and a half years. And in this short period of time, 9 I have seen many, many changes, many improvements, 10 many that not only myself, but other past council 11 members and our past chiefs, whose goal was for the 12 betterment of the people. 13 The Alabama-Coushatta Tribe is located 14 about 90 miles north of Houston. We are one of 15 three federally-recognized tribes in the state of 16 Texas. The Alabama-Coushatta people were very 17 instrumental in the independence of Texas in 1836. 18 We fought alongside General Sam Houston, and to this 19 day, we maintain a very strong relationship with his 20 descendants. 21 I'm here today on behalf of my people, and 22 not only my people, but also to the tribal leaders 23 and their representatives who are here and the many 24 organizations that are here, because there seems to 25 be an unsettlement, an uneasy feeling within this</p>	<p style="text-align: right;">Page 120</p> <p>1 harm, and this is quite unsettling. Effective 2 tribal consultation strengthens nation-to-nation 3 relationships and is our legal right, but this 4 consultation does not live up to best practices. 5 Tribal nations have an ongoing political nation-to- 6 nation relationship with the United States. 7 Like any relationship, communication is 8 key. Tribal consultation is a right, and we come 9 here today as right holders, not as mere 10 stakeholders, to work together to find consensus on 11 issues that impact all of us. Tribal consultation 12 is most effective and efficient when there is 13 transparency and clear scope of purpose. 14 In the future, DOI and its sister agencies 15 will benefit from designing tribal consultations 16 that there are more discrete issues being discussed. 17 This will allow the Indian Nations with interest and 18 expertise to address specific issues in more depth. 19 DOI and its sister agencies will also benefit more 20 from tribal consultations when there is more 21 transparency about the thoughts, plans, and proposed 22 actions actually under consideration. 23 In the future, the more information that 24 can be provided by the federal government about the 25 issues it is focusing on or the actions it is</p>
<p style="text-align: right;">Page 119</p> <p>1 administration. I want to let it also be known that 2 the Alabama-Coushatta people are in good standing 3 with the National Congress of American Indians, the 4 United South and Eastern Tribes. And most recently, 5 we're collaborating with the Coalition for Tribal 6 Sovereignty. There are so many issues that have 7 just been brought up with this new administration 8 that must be addressed. 9 I have had the opportunity to listen in on 10 many of the tribal consultations and notes have been 11 provided, so at this moment, I'd like to share some 12 of these notes that are quite worthy. Indian 13 Country is being unintentionally swept up in the 14 administration's broad implementation of its 15 unrelated policy, procedures, and priorities. 16 Tribal programs are distinct from other federal 17 programs. They fulfill the United States' trust in 18 treaty obligations to tribal nations, tribal 19 citizens, and tribal communities, obligations for 20 which we prepaid with our lands and resources. 21 Those obligations are political in nature. 22 We have important shared priorities within 23 the administration that we would like to pursue in 24 partnership, but we have been using all our energy 25 to protect existing tribal programs from inadvertent</p>	<p style="text-align: right;">Page 121</p> <p>1 considering taking, will increase the likelihood 2 that tribal nations can provide meaningful feedback. 3 We have four requests that we believe will 4 help protect existing tribal programs. First, 5 engage in tribal consultation prior to taking 6 actions to better understand where, within the 7 federal government, direct and essential services 8 and funding are being provided to Indian Country, 9 and how to uphold ongoing legal obligations to 10 tribal nations. 11 Second, affirm in writing that federal 12 programs and funding delivered to tribal nations, 13 and tribal citizens, and communities are provided in 14 recognition of our unique political status, and in 15 furtherance of the United States trust, and treaty 16 obligations, and related statutory mandates. 17 Third, exempt from pauses our reductions, 18 all federal funding and services delivered in 19 fulfillment of trust and treaty obligations. 20 And, last, exempt from workforce 21 reductions, our hiring freezes, all federal 22 employees whose roles deliver on trust and treaty 23 obligations. 24 Now, these comments or actions are 25 repetitive because there have been many</p>

<p style="text-align: right;">Page 122</p> <p>1 consultations. Maybe it is worth noting that this 2 will sink in and maybe affect your thinking process 3 when these policies and procedures are being 4 developed, created, and implemented.</p> <p>5 Now, on behalf of the -- our principal 6 chief, Mikko Kaneko (phonetic); Donna Spetise; our 7 second chief Mikko Manatika; Herbert Johnson, Jr.; 8 our chairwoman, Cecilia Flores; and members of the 9 Alabama-Coushatta Tribal Council, Elilamolo, for 10 this opportunity.</p> <p>11 MS. BEAUREGARD: Thank you.</p> <p>12 We will call up Vice Chairwoman Sarah 13 Harris.</p> <p>14 MS. HARRIS: I'm Sarah Harris, the Vice 15 Chairwoman of the Mohegan Tribe. I want to say 16 thank you to some familiar faces that I see up here 17 from my own time at Interior. We're still getting 18 at a lot of the same issues but, you know, progress 19 is good, so let's keep moving forward. And so thank 20 you also to Acting Assistant Secretary Davis for 21 being here today, and all the other federal 22 officials.</p> <p>23 The administration seeks to streamline 24 processes and increase efficiency, and the Mohegan 25 Tribe agrees that there are opportunities to do so.</p>	<p style="text-align: right;">Page 124</p> <p>1 of using the Automated Standard Application for 2 Payments, or ASAP system for ISDEAA funds transfer. 3 The ASAP system was intended to distribute grant 4 reimbursements and was not designed as a mechanism 5 to distribute ISDEAA funds. The Mohegan Tribe 6 believes that ISDEAA funds should be distributed 7 through direct wire transfers, as used by the IHS 8 and DOT. Direct wire transfers are efficient, 9 practical, and comply with ISDEAA.</p> <p>10 We appreciate the Department's willingness 11 to consult with tribes on how to expand and enhance 12 self-governance, and believe one way to improve 13 efficiency is to modernize its payment system to 14 ensure payments are received timely. We support the 15 self-governance communication and education tribal 16 consortium letter sent to the department Friday, May 17 30th, which I believe was addressed to Acting 18 Assistant Secretary Davis.</p> <p>19 The Office of Self-Governance Database 20 needs also to be modernized. It is important for 21 Tribal Nations to receive their ISDEAA funds timely 22 and to know what the funds are for. Many times, the 23 Mohegan Tribe receives the funds in the ASAP system, 24 but no information is provided for what those funds 25 are for. This requires the finance team and our</p>
<p style="text-align: right;">Page 123</p> <p>1 That said, one of, if not the largest, factors 2 contributing to failure to meet tribal needs or 3 lackluster outcomes is funding and staffing that is 4 woefully insufficient to meet the magnitude of the 5 problem. Insufficient federal funding levels for 6 tribal programs hurts tribal nations' ability to 7 assume service delivery through self-governance and 8 self-determination agreements.</p> <p>9 Self-governance requires full funding for 10 tribal programs. It does no good to increase 11 pathways to self-determination and self-governance 12 if the funding for tribal programs is slashed in the 13 process. There must be stable program funding for 14 tribal governments to assume their ISDEAA 15 agreements.</p> <p>16 In addition, systems and processes need to 17 be modernized and streamlined to support continued 18 growth of self-governance. The Tribe is concerned 19 that Indian Affairs systems and processes are 20 outdated and unnecessarily complex, that creates 21 challenges and inefficiencies that hinder expansion 22 of self-governance. Here are some of the ways the 23 Department can simplify and streamline its 24 operations.</p> <p>25 The Mohegan Tribe supports discontinuation</p>	<p style="text-align: right;">Page 125</p> <p>1 self-governance team to reach out to the Office of 2 Self-Governance to get information needed before 3 drawing down our funds.</p> <p>4 The Tribe believes that the Department 5 needs to make modernizations to its outdated and 6 mismatched financial distribution and tracking 7 systems to ensure timely access to critical 8 information and efficient funding distribution. The 9 financial business and management system and the 10 Office of Self-Governance Database should be updated 11 to ensure transfer of funds are monitored throughout 12 the process, and that Tribal Nations can easily 13 access information on the source of the funds 14 transferred to them.</p> <p>15 There needs to be improved communication 16 and negotiation processes for the Office of Self- 17 Governance, as well. We know that there have been 18 recent changes in longtime leadership in the Office 19 of Self-Governance, and this may be an opportunity 20 to make changes, such as that.</p> <p>21 The Mohegan Tribe has had issues with 22 communicating with both the BIA and the OSG 23 regarding the negotiation of self-governance 24 agreements. Many of our requests went unanswered 25 during the negotiation process, and I'll just give a</p>

<p style="text-align: right;">Page 126</p> <p>1 quick example of that.</p> <p>2 The tribe sent a letter on December 15th,</p> <p>3 2021, to the OSG asking for information like data,</p> <p>4 budget, and other related programs, services,</p> <p>5 functions, and activities needed to assist in</p> <p>6 negotiating revisions of our self-governance</p> <p>7 agreement. These requests were not addressed until</p> <p>8 March 4, 2022, and no data or documents were</p> <p>9 provided. On March 11th, 2022, a letter was sent to</p> <p>10 the Eastern Regional Director requesting financial</p> <p>11 information needed to negotiate our agreement.</p> <p>12 Throughout the negotiation process, the</p> <p>13 BIA canceled scheduled meetings with little notice,</p> <p>14 rescheduling was difficult, and the tribe received</p> <p>15 documents from the BIA and -- received no documents</p> <p>16 from the BIA about an hour to the meeting. This</p> <p>17 hindered the tribe's ability to review and discuss</p> <p>18 documents internally before the meeting and made the</p> <p>19 process just incredibly inefficient. The Eastern</p> <p>20 Region then sent Word documents on a compact disk</p> <p>21 and physically mailed them to the tribe, rather than</p> <p>22 send them electronically. After finding a CD reader</p> <p>23 to be able to review the documents, a staff member</p> <p>24 then emailed copies to the tribal team for review.</p> <p>25 This outdated process unnecessarily prolonged the</p>	<p style="text-align: right;">Page 128</p> <p>1 way.</p> <p>2 The tribe encourages Indian Affairs to</p> <p>3 work with the Self-Governance, Communication, and</p> <p>4 Education Tribal Consortium to provide unbiased</p> <p>5 training and improve the efficiencies implementing</p> <p>6 of self-governance authority. The consortium</p> <p>7 provides a wide variety of training and resources</p> <p>8 that can be used for both tribal nations and federal</p> <p>9 agencies.</p> <p>10 DOI must ensure staff appropriately base</p> <p>11 decisions about inherently federal functions on</p> <p>12 legal standards, and that the legal reference</p> <p>13 justifying the decision is documented and shared</p> <p>14 with tribal nations. Inherently federal functions</p> <p>15 are those functions that DOI claims cannot be</p> <p>16 contracted or compacted for by tribes. The</p> <p>17 definition of what constitutes such functions varies</p> <p>18 from office to office, region to region, sometimes</p> <p>19 employee to employee, and the result is as clear as</p> <p>20 mud.</p> <p>21 Self-governance has a proven track record</p> <p>22 supported by data and outcomes across the board</p> <p>23 prove that tribes deliver services to their people</p> <p>24 better and more efficiently than the federal</p> <p>25 government can. This is well-documented, and there</p>
<p style="text-align: right;">Page 127</p> <p>1 process and added administrative burden to both us</p> <p>2 and to the BIA. This is an inefficient use of both</p> <p>3 tribal and government resources.</p> <p>4 I must say, that any contemplated</p> <p>5 reorganization of collapsing the Eastern Region and</p> <p>6 another region could only exacerbate the staffing</p> <p>7 issues and the inefficiencies. The way to solve the</p> <p>8 inefficiency is not to stop trying to improve it by</p> <p>9 eliminating it, altogether.</p> <p>10 There is a need to be -- there's a need to</p> <p>11 have expanded knowledge of the ISDEAA. The Mohegan</p> <p>12 Tribe believes Indian Affairs should ensure that</p> <p>13 ISDEAA is integrated and understood throughout the</p> <p>14 Department, including the BIA, so that self-</p> <p>15 governance is not isolated and only understood by a</p> <p>16 few of ISDEAA specialists working in the Office of</p> <p>17 Self-Governance. And, you know, this sort of</p> <p>18 opaqueness also extends to the tribe's understanding</p> <p>19 of how Office of Self-Governance works.</p> <p>20 I will say, in my own time here at the</p> <p>21 Federal Government and working for Bureau of Indian</p> <p>22 Affairs, there is such a breadth of issues that the</p> <p>23 Office of Self-Governance needed to be handled</p> <p>24 almost on its own because it is so inherently</p> <p>25 complex and confusing, and there has to be a better</p>	<p style="text-align: right;">Page 129</p> <p>1 is a ton of information out there about it.</p> <p>2 We urge the Department to extend the</p> <p>3 greatest deference possible to allowing tribes to</p> <p>4 compact and contract for federal programs and reduce</p> <p>5 the burden of the inherently federal function test.</p> <p>6 I think one area of that could be especially</p> <p>7 important to tribes is the ability to compact or</p> <p>8 contract for the processing of fee-to-trust</p> <p>9 applications, title research.</p> <p>10 If you are looking to clean up, you know,</p> <p>11 issues of land, in general, in Indian Country, I</p> <p>12 think that there is -- there probably -- I think</p> <p>13 there was an example out of the Midwest of Tribes</p> <p>14 doing this. And there could be opportunities to</p> <p>15 have certain tribes with more resources compact for</p> <p>16 it and even potentially, you know, help to provide</p> <p>17 those services to other tribes so that we can</p> <p>18 process these applications, and the government would</p> <p>19 still have the ability to review the final package</p> <p>20 and make the final approval. But that does seem to</p> <p>21 be an area that is really ripe for consideration.</p> <p>22 So thank you very much for your time and</p> <p>23 consideration. Thank you very much for being here</p> <p>24 today, and I look forward to continuing to try to</p> <p>25 find ways to improve services to Indian Country.</p>

<p style="text-align: right;">Page 130</p> <p>1 Thank you.</p> <p>2 MR. VINT: Just real quick, another staff</p> <p>3 that came down. We have Holmes Whelan in the room.</p> <p>4 Holmes, if you want to come up and</p> <p>5 introduce yourself real quick.</p> <p>6 Holmes is one of our top solicitors in the</p> <p>7 office. He works probably every day, weekends with</p> <p>8 Kennison -- Ken here.</p> <p>9 So, Holmes, if you want to say a few</p> <p>10 words, that'd be great.</p> <p>11 MR. WHALEN: Yeah. Hi, everybody. Holmes</p> <p>12 Whelan. I work as the Deputy Solicitor for Indian</p> <p>13 Affairs here at the Department. I started about six</p> <p>14 weeks ago, so I am just settling in. I know many of</p> <p>15 you. I've crossed paths with many of you all before</p> <p>16 over my years on Capitol Hill.</p> <p>17 I began my career with an Indian policy</p> <p>18 with Congressman Tom Cole. I spent four years at</p> <p>19 the Indian Affairs Committee under then-Chairman</p> <p>20 John Hoeven. And then for the last five years, I</p> <p>21 have been working for Mark Wayne Mullen.</p> <p>22 So the Southern Plains and Oklahoma issues</p> <p>23 have been closest to me, but at the committee, I got</p> <p>24 a lot of experience with some of the Plains tribes</p> <p>25 and issues with tribes elsewhere in the country.</p>	<p style="text-align: right;">Page 132</p> <p>1 Self-governance isn't a future goal to us. It's</p> <p>2 truly reality.</p> <p>3 And efficiency does not mean less</p> <p>4 government. It means giving us the right</p> <p>5 government. Honestly, we are cleaning up after</p> <p>6 federal efficiencies. When 105L leases and tribal</p> <p>7 probates are delayed for years, that is not just an</p> <p>8 inconvenience to tribes. It's a breakdown in basic</p> <p>9 trust.</p> <p>10 If tribes were late on 425s or audits,</p> <p>11 we'd lose funding. It's simple. When the federal</p> <p>12 government is late, we're just simply told to wait.</p> <p>13 If the Department wants to fix this, here's a good</p> <p>14 start. Sign multi-year 105 lease agreements indexed</p> <p>15 annually to inflation. Let tribes process the</p> <p>16 probates and the leases, with BIA only providing</p> <p>17 final review and signatures, especially when the</p> <p>18 105L program has three employees.</p> <p>19 Don't close Alaska field offices or reduce</p> <p>20 force. We need more staff, more follow-through, not</p> <p>21 consolidation. The greatest inefficiencies in Indian</p> <p>22 Country are not caused by tribal governments. They</p> <p>23 are caused by rigid bureaucratic federal funding</p> <p>24 systems that delay access, restrict flexibility, and</p> <p>25 impose duplicative requirements on our tribal</p>
<p style="text-align: right;">Page 131</p> <p>1 But grateful that you all are here. You</p> <p>2 know, these kinds of consultations instruct where we</p> <p>3 go, not from a -- not just from a legal perspective,</p> <p>4 but obviously in oversight and down on the ASIA</p> <p>5 hallway. But aside from that, feel free to reach</p> <p>6 out to me any time in the Solicitor's Office.</p> <p>7 Always happy to discuss any of the issues that you</p> <p>8 have talked about here, or otherwise, and just hear</p> <p>9 from you all as -- and just to catch up. Thanks.</p> <p>10 MS. BEAUREGARD: Thank you, Solicitor.</p> <p>11 Thank you all for your patience. We will</p> <p>12 now call upon Second Vice President Clinton Cook.</p> <p>13 MR. COOK: Good afternoon. I'd like to</p> <p>14 thank you all for being here to hear our</p> <p>15 consultation, and traveling around the country with</p> <p>16 you guys from Alaska to here. It has definitely</p> <p>17 been a challenge for us but --</p> <p>18 My name is Clinton Cook, and I serve as</p> <p>19 the Second Vice President to Central Council of</p> <p>20 Tlingit and Haida Indian Tribes of Alaska. I also</p> <p>21 speak as the Tribal President of my village in</p> <p>22 Craig, Alaska, in southern southeast Alaska on the</p> <p>23 west coast of Prince Wales Island, where every day</p> <p>24 we exercise sovereignty, not because federal systems</p> <p>25 make it easy, but because our people require it.</p>	<p style="text-align: right;">Page 133</p> <p>1 governments.</p> <p>2 We deliver programs, manage compliance,</p> <p>3 complete audits, and yet, we're made to chase down</p> <p>4 funding through complex portals, duplicate reports,</p> <p>5 and grants that always favor the biggest players in</p> <p>6 a game.</p> <p>7 Here is what real partnership should look</p> <p>8 like. Substantially increased tribal priority</p> <p>9 allocation to tribal governments and the small tribe</p> <p>10 supplements; provide direct advanced funding, not</p> <p>11 pass-through funding through states; fully reimburse</p> <p>12 indirect cost rates for tribes, as we shouldn't be</p> <p>13 subsidizing the federal government's work in those</p> <p>14 areas.</p> <p>15 Land in the Trust. Stop making</p> <p>16 sovereignty a legal obstacle. As Tribal President</p> <p>17 of the Craig Tribal Association, I was fortunate</p> <p>18 enough to successfully put land in the Trust in</p> <p>19 Alaska in 2017, 1.08 acres. During this time of</p> <p>20 self-governance, there's been less than two acres of</p> <p>21 land in the Trust acquired in Alaska. That is not</p> <p>22 okay. Cut through the bureaucracy. Let tribes be</p> <p>23 sovereign with Trust lands.</p> <p>24 Protecting our way of life. Subsistence</p> <p>25 is a foundational to our culture and survival for</p>

<p style="text-align: right;">Page 134</p> <p>1 food security. The Tlingit Haida peoples, their 2 subsistence practices like fishing, hunting, and 3 gathering are not just means of survival. They are 4 deeply tied to ceremony, identity, and 5 intergenerational knowledges. When these rights are 6 restricted or compromised by regulations or 7 environmental harm, it undermines indigenous 8 sovereignty and threatens food security for rural 9 communities where grocery access is limited, and 10 costs are highly inflated.</p> <p>11 Our federal government has a legal trust 12 and responsibility to protect our subsistence 13 rights. This administration must uphold Title VIII 14 of ANILCA, which guarantees a subsistence priority 15 for rural residents on federal public lands and 16 requires the federal agencies to manage fish and 17 wildlife in a way that protects subsistence uses 18 first, before anything else, like commercial 19 fishing.</p> <p>20 Tribal consultation should not be a simply 21 check-the-box for those who are in a room. Interior 22 must resist political reppressure to weaken our 23 subsistence priorities, which is going on now with 24 trying to disband the Federal Subsistence Board in 25 Alaska. If that board is disbanded, who's going to</p>	<p style="text-align: right;">Page 136</p> <p>1 sustained our indigenous communities for 2 generations. Alaska resources must be protected 3 from Canada.</p> <p>4 Protecting our people and honoring our 5 ancestors, seeking truth and accountability. 6 Through the boarding school initiative, tribes are 7 working to uncover the histories of their relatives, 8 many of them children who were taken from their 9 homes, stripped of their language and culture, and 10 in many cases, never returned home.</p> <p>11 By supporting the Department of Interior's 12 investigations and conducting community-led 13 research, tribes are identifying burial sites, 14 preserving oral histories, and ensuring that these 15 stories are not erased or ignored. This honors the 16 ancestors who suffered or died in these 17 institutions, and ensures their experiences are 18 acknowledged and remembered with dignity. I read an 19 article recently that said boarding schools didn't 20 build playgrounds. They built graveyards.</p> <p>21 Protecting women, and children, and spirit 22 relatives. The missing and murdered Indigenous 23 people crisis is a direct result of systemic 24 violence, jurisdictional gaps, and ongoing legacy of 25 colonization. Tribes are leading efforts to raise</p>
<p style="text-align: right;">Page 135</p> <p>1 protect the rural people who rely on subsistence? 2 Tribal citizens are on the front line of 3 fisheries collapsing. Southeast Alaska tribes have 4 long observed declining salmon runs, and uneven 5 state and federal fishery policies that overlook 6 indigenous science and local conditions. Without 7 meaningful tribal government and fisheries 8 management, decisions often fail to account for the 9 subsistence needs, habitat loss, and environmental 10 impacts. Tribes must have a seat at the table to 11 ensure sustainable practices for the long-time 12 health of species that are vital to their economics, 13 and our simple way of life.</p> <p>14 Canadian mining threatens downstream 15 Alaska watersheds and our salmon. Dozens of large- 16 scale mines in British Columbia are located at the 17 headwaters of major transboundary rivers that flow 18 right into Alaska, such as the Taku River, Stikine 19 River, and Unuk River. These rivers support 20 critical salmon habitat and cultural ways for tribal 21 communities. The B.C. government is now fast- 22 tracking mines with weak environmental oversight and 23 no consultation with downstream tribes here in 24 Alaska -- up in Alaska. A spill or contamination 25 event could irreversibly damage ecosystems that have</p>	<p style="text-align: right;">Page 137</p> <p>1 awareness, track cases, push for data transparency, 2 improve law enforcement between tribes, state, and 3 federal agencies. These efforts not only seek 4 justice for those lost, they prevent future harm by 5 restoring community-based systems and reasserting 6 sovereignty over tribal lands and people.</p> <p>7 Healing trauma of intergenerational loss. 8 Both MMIT and boarding school experiences have had 9 long-lasting impacts on Native families, 10 disconnection culture, identity loss, distrust of 11 institutions, and cycles of trauma. Tribes are 12 investing in healing programs led by elders, 13 clinicians, and culture leaders to support survivors 14 and descendants. Ceremonies, language 15 revitalization, and storytelling help communities 16 reclaim power and begin the collective healing.</p> <p>17 Advocating for policy change. Tribes are 18 pushing for stronger federal protections, better law 19 enforcement accountability, and funding for tribal 20 justice systems. Include support for Non-Visible 21 Act, Savannah's Act, expansion of the Office of 22 Tribal Justice, Truth and Healing Commissions for 23 boarding school survivors.</p> <p>24 A note about your environmental things. 25 We're not in an energy crisis. We're in a climate</p>

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1 crisis in Alaska. We're in the front lines. We see
2 it every day. Every year, it grows worse and worse.
3 In closing, I'd like to say Tlingit Haida,
4 Craig Tribe, and all tribal nations are already
5 self-governing.
6 We build our own systems, reduce transparency, and
7 we deliver results. But we're doing it, in despite
8 of the system, not because of it. Honor the trust
9 responsibility of tribes, respect our tribal
10 sovereignty, and please remove the barriers to let
11 us continue our fight for tribal sovereignty. Thank
12 you very much for your time today.
13 MS. BEAUREGARD: Thank you, Second Vice
14 President.
15 We will now call up Chairman Joseph
16 Rupnick.
17 MR. RUPNICK: So my name is Joseph
18 Rupnick. I'm the Chairman for Prairie Band
19 Potawatomi Nation and, you know, I want to start off
20 by saying, you know, that I am a service-connected
21 vet. I'm a lifetime member of the VFW, and I'm a
22 lifetime member of the DAV. I'm an active member
23 for our Legion Post 410 We-Ta-Se, and I would like
24 to thank you for this opportunity to participate in
25 this consultation.

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1 I know I offered a lengthy consultation
2 for the BIE because of the position that I have
3 there. I'm the treasurer for the Haskell Board of
4 Regents. I'm also the treasurer for the Southern
5 Plains Health Board. So there are many issues that
6 are given to us today, so I'm going to prepare some
7 written statements, and comments, and points, but
8 I'll just offer a brief one here.
9 Today, this morning and all afternoon,
10 we've heard many of the tribal leaders get up here
11 and talk about some of the issues here, and I think
12 I'm going to probably sound like a broken record
13 but, you know, those are some of the things that we
14 need to make sure that we're taking to point.
15 We -- you know, we support expanded tribal
16 self-governance but, you know, making it so that
17 it's easy to, you know, get through all of this
18 stuff, and if there is any cost savings, any dollars
19 that are saved through this reduction and through
20 any of the savings that the department or the agency
21 realizes, those should be directly funded down to
22 the tribes. Those are the dollars that should be
23 going to the tribes to make sure that they have the
24 resources available to take over those expanded
25 duties, and make sure that they have the resources

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1 and the plans available to be able to pick up a lot
2 of those additional duties.
3 You know, just like the old saying goes,
4 those that fail to plan, plan to fail. And when we
5 first went through this reduction and these cuts
6 that came off there, there was no plan. The only
7 thing that happened was, we're going to start
8 reducing the budget, we're going to start reducing
9 these dollars, we're going to start removing
10 temporary employees, and there was no plan. There
11 was nothing in place.
12 And so as, you know, the leaders of this
13 organization, you know, it's behooven to you to make
14 sure that we, as tribal leaders, have that. Every
15 year, we go through a budget process, where we're
16 looking at ways to become more efficient, we're
17 looking at ways to reduce staff, to make sure that
18 we can do everything, you know, as efficiently by
19 still providing those services to our tribal members
20 but, you know, not just going in there with some
21 haphazard, you know, plan or chainsaw to start
22 cutting all of this stuff down. That's not the way
23 to go about it, and we need to have good, meaningful
24 consultation with all the tribal leaders to make
25 sure that we understand what is expected of us, what

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1 is expected of you, to make sure that, you know, we
2 are holding you accountable to those trust
3 responsibilities and those treaty obligations, while
4 at the same time, we're able to manage our lands and
5 do what we can.
6 We also would like to expand the
7 implementation of the Tribal Trust Asset Reform Act.
8 Right now, that one there is just going towards
9 forestry. I think that should be expanded across
10 all lands, you know, and allow the tribes to be able
11 to put those trust assets, and allow tribes to be
12 able to expand that and cover everything that they
13 have. So not just including forestry, but all
14 lands, all assets that the tribes hold.
15 We also ask for support for the
16 recognition of the restricted fee status. For those
17 that don't know, Prairie Band Potawatomi, last year,
18 April, the Interior reaffirmed our reservation in
19 Illinois. At 11:00, there were 15 states without
20 tribal reservations. After I signed that trust deed
21 over to the government at 11:39, that number was
22 reduced down to 14 states, so now there's only 14
23 states without federally-recognized tribes.
24 That's, you know, some of the work that I
25 hope we can continue to work on and really improve.

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1 That took us a long time. That was 180 years in the
2 process, and we need to make sure that we're
3 following through on that responsibility, whether it
4 be through restricted fee or the trust status of
5 those different lands.
6 You know, this supports the tribal
7 government land management and reduces the federal
8 interference on tribes when we have that restricted
9 fee status, so those are just a couple of the
10 comments that I wanted to make. I know everybody's
11 kind of shared all of those. Miigwech.
12 MS. BEAUREGARD: Thank you.
13 We'll now call up Chairman T.J. Greene.
14 MR. GREENE: All right. T.J. Green,
15 Chairman for the Makah Tribal Council.
16 I'd like to thank Secretary Burgum and his
17 leadership for offering this consultation, giving
18 tribal leaders time to bring these issues forward.
19 Been a lot of great things shared already by my
20 fellow tribal leadership and, you know, I'm going to
21 just double down on what my brother said before me
22 on the funding issue and the reductions in force
23 that have been happening, or whatever the right term
24 is for that. I can't keep up, but the staffing --
25 you know, staff reductions and the funding that goes

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1 along with that.
2 As he mentioned, tribes have been
3 historically funded through the years. You know, we
4 all know that. I know you guys understand that, and
5 I appreciate that about the leadership.
6 We have people up here that lived and
7 breathed this stuff and advocate for us at many
8 different levels throughout your careers. So I do
9 want to acknowledge that I know you know the issues,
10 but I think what's important that we can't overlook
11 and let slip by us right now is that historical
12 underfunding had real impacts on us. Tribes got to
13 pick that up, right?
14 And so as staffing is being reduced to
15 become more efficient, and as you modernize your IT
16 and all those things that you're going to do, which
17 are needed and well overdue, that shouldn't present
18 a misperception of what the need is in Indian
19 Country. What our communities need from the
20 government -- and not just need, are owed.
21 You know, tribes have paid the price. You
22 know, we got treaty tribes, we got tribes that have
23 done their part, and the government has that
24 responsibility. And so let's make sure that that
25 level of funding that you're receiving, those

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1 savings that you're going to get, doesn't put a
2 misperception to Congress that, hey, we've become
3 more efficient and tribes are doing good here, you
4 know, because we're still fighting that battle.
5 Many of us are fighting that battle and
6 don't have the economic engines to truly create that
7 self-dependence that we want. We want to be
8 independent. We want to make our own decisions. We
9 want to be able to do all those things.
10 And so I just wanted to mention that
11 there's things that we would like to support, and
12 some of the other comments around expansion of
13 compacting, self-governance, you know, those are --
14 have been great models, you know, as you're
15 modernizing those ways to get the funding to tribes,
16 those payment systems, modernization of those, all
17 great comments from people before me support that.
18 But expanding that is a great mechanism, the 638
19 contracting, to be able to put tribes in that self-
20 determined manner.
21 The 102477 models, you know, that's
22 another area. Those funding models have been shown
23 to be effective in Indian Country.
24 And then also wanted to touch on the land
25 of trust. You know, one thing I think in land of

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1 trust, you know, it's a huge issue, but when there's
2 fee lands that were formerly trust lands. You know,
3 that's something that we think you should be able to
4 address, you know, right away in the near term.
5 There should be some sort of streamlined process to
6 put those formerly trust lands back into trust when
7 they're reacquired by the tribes. And right now, it
8 just seems ridiculous to go through all the steps to
9 get that put back in, because of the way it was
10 taken in the first place was not right. And now,
11 we've got to jump through all these hoops and spend
12 all this money to get these trust lands back.
13 I'm going to give an example of something
14 that our tribe had some foresight to do, and
15 actually, Director Mercier, I think you're aware of
16 some of this, is we're doing a relocation for a
17 school project. Both the tribe and the -- and a
18 private landowner, tribal member, an Alati
19 (phonetic), sold land to the state. It went into a
20 fee status, and so we're going to relocate our
21 school, and that land's going to come back to the
22 tribe.
23 Well, there's two pieces of land there
24 that are going to be held in a different type of
25 process.

<p style="text-align: right;">Page 146</p> <p>1 For the tribal land that we owned, we have</p> <p>2 legislation that was done at that time, so when the</p> <p>3 school's done using the land, it automatically comes</p> <p>4 back to the tribe. You know, that's set up. We're</p> <p>5 going to get that.</p> <p>6 But now this Alati side that's going to be</p> <p>7 right next to it on this campus and this</p> <p>8 infrastructure, the tribe's going to take over,</p> <p>9 that's going to remain in a fee status. And, you</p> <p>10 know, obviously, we're going to move forward to try</p> <p>11 to move that into trust. But how long is that going</p> <p>12 to take? What kind of obstacles are we going to</p> <p>13 have? That used to be trust land. It was given up</p> <p>14 for a school, and so that's the type of situation</p> <p>15 I'm talking about that needs to be streamlined and</p> <p>16 needs to be made easier.</p> <p>17 I want to -- before I wrap up, there's, I</p> <p>18 guess, some frustration with -- like I said, I do</p> <p>19 appreciate the time to have the consultation, but</p> <p>20 there's also some frustration with it. You know,</p> <p>21 the questions that went out, you know, it's great to</p> <p>22 be directed and to try to be centered and focus, and</p> <p>23 to have something that's meaningful. We want that,</p> <p>24 but what's unknown is the implementation. You know,</p> <p>25 I heard a few people speak to that. And, you know,</p>	<p style="text-align: right;">Page 148</p> <p>1 know, and it's left there, was left there in a poor</p> <p>2 condition. And, you know, we're able to get most of</p> <p>3 it fixed up to today's standards, you know, but</p> <p>4 there's still a shortfall. There's a gap there.</p> <p>5 The tribe's going to end up having to bear that</p> <p>6 burden, you know, not the federal government. But</p> <p>7 if it was considered a trust asset, you know, that's</p> <p>8 an example of something that, you know, the right</p> <p>9 thing could be done. But we're in a situation now</p> <p>10 where, you know, we're doing all we can. But, you</p> <p>11 know, it's going to end up being the tribe's burden</p> <p>12 to fill that gap, fill that void with our resources</p> <p>13 to manage, and pay for it, and make sure that's</p> <p>14 safe.</p> <p>15 So thank you for your time. Thank all the</p> <p>16 other tribal leaders that are here and everyone</p> <p>17 online. I appreciate the relationship, and look</p> <p>18 forward to working with you over the next four</p> <p>19 years.</p> <p>20 MS. BEAUREGARD: Thank you, Chairman.</p> <p>21 Next, we will call upon President Mike</p> <p>22 Jones.</p> <p>23 MR. JONES: I appreciate that. I like to</p> <p>24 hold my head high when I talk to you people, so</p> <p>25 thank you very much. I appreciate you guys being</p>
<p style="text-align: right;">Page 147</p> <p>1 how is that going to be implemented? You know, and</p> <p>2 the information that's come out and the engagement</p> <p>3 we've had, you know, this consultation definitely</p> <p>4 has to be ongoing. It's been -- you know, the</p> <p>5 notice was fairly short, and you're doing a lot of</p> <p>6 it, which is great, but it definitely has to be</p> <p>7 ongoing. I mean we're going to follow up with more</p> <p>8 comprehensive written comments, as many tribes are.</p> <p>9 But there's a lot of unknown out there about what</p> <p>10 you're really going to do with these proposed</p> <p>11 changes, and that's a little bit scary, knowing how</p> <p>12 we've been crossed in the past by the federal</p> <p>13 government in these processes. So I just wanted to</p> <p>14 share that because it's on my heart, and I think</p> <p>15 it's probably on others, as well.</p> <p>16 And then lastly, on the, I think,</p> <p>17 expanding the definition of what is a trust asset,</p> <p>18 as just spoke to, you know, that's something the</p> <p>19 Makah tribe has some interest in, as well. You</p> <p>20 know, we've got -- we have had a few different</p> <p>21 examples of where that's been burdensome in the</p> <p>22 past.</p> <p>23 You know, Director Mercier, you're aware</p> <p>24 of the lighthouse that's on Tatoosh Island. You</p> <p>25 know, it's built by the federal government and, you</p>	<p style="text-align: right;">Page 149</p> <p>1 here and appreciate the time.</p> <p>2 And start with just a quick statement.</p> <p>3 The United States government must fundamentally</p> <p>4 transform its approach to tribal nations by</p> <p>5 recognizing and fully implementing its trust and</p> <p>6 treaty responsibilities. This requires a paradigm</p> <p>7 shift from paternalistic oversight to genuine</p> <p>8 government-to-government consultation that respects</p> <p>9 tribal sovereignty.</p> <p>10 Meaningful consultation is not a</p> <p>11 bureaucratic checkbox, but a constitutional and</p> <p>12 moral obligation that demands comprehensive, timely,</p> <p>13 and substantive engagement. Tribes must be equal</p> <p>14 partners in decision-making processes affecting</p> <p>15 their lands, resources, and communities with</p> <p>16 sufficient time, resources, and platforms to provide</p> <p>17 informed input.</p> <p>18 The federal government must move beyond</p> <p>19 superficial interactions such as 7- to 14-day</p> <p>20 comment periods and create robust mechanisms that</p> <p>21 integrate Indigenous knowledge, support tribal self-</p> <p>22 determination, and provide direct, predictable</p> <p>23 funding. By honoring these principles, the United</p> <p>24 States can begin to repair historical injustices and</p> <p>25 create a collaborative framework that truly reflects</p>

<p style="text-align: right;">Page 150</p> <p>1 the nation-to-nation relationship promised in 2 treaties and affirmed by federal law.</p> <p>3 A couple policy changes to protect tribal 4 sovereignty, and compel U.S. government to honor 5 trust responsibilities. One, direct funding. The 6 objective, provide direct allocations to tribes 7 bypassing state intermediaries. Examples, guarantee 8 a \$300,000 base allocation directly to small tribes, 9 instead of a competitive \$50,000 grant. Eliminate 10 state-level intermediaries for USDA or HUD grants. 11 Provide advanced, predictable funding mechanisms.</p> <p>12 Two, land and economic sovereignty 13 objectives. Streamline land into trust processes 14 and support tribal economic development. Examples, 15 expedite all tribes' land into trust application 16 within reasonable timeframe. Reduce land transfer 17 legal costs from \$250,000 to under \$25,000. 18 Allow tribes to develop economic projects on trust 19 lands without additional state approvals.</p> <p>20 Number 3, self-governance expansion. 21 Objective, expand tribal contracting and self- 22 determination opportunities. Examples, allow tribes 23 to contract directly with National Park Service for 24 visitor center management. Expand tribal contracts 25 with EPA for environmental monitoring. Allow tribes</p>	<p style="text-align: right;">Page 152</p> <p>1 never been to our Bay. Our Bay is the location of 2 the very first salmon, commercial salmon operation 3 in all of Alaska. It was also the home and the site 4 of the very first mining operation in all of Alaska. 5 That generational wealth, most of those people 6 aren't living in Alaska, or near our Bay, and have 7 never been there before. But yet, I'm in a position 8 where I have to come and ask for what's already been 9 told what's going to be given to us.</p> <p>10 And I have people in my village, instead 11 of enjoying a generational wealth, are having to 12 decide between internet and feeding their kids. We 13 have elders that can't afford to build decks or 14 ramps that they need for their wheelchairs. Things 15 like this.</p> <p>16 So I ask you to keep that in mind, as 17 you're looking at the budget cuts that are coming 18 our way. We need to stay afloat. We've been at 19 this a long time, and we'll keep up the fight. I 20 appreciate you guys being here. I'm honored to be 21 here, and it's good to see you guys for the third 22 time, so thank you.</p> <p>23 MR. VINT: We're going to go back to our 24 virtual attendees. We have two that we're going to 25 be calling on in this go-through. We're going to</p>
<p style="text-align: right;">Page 151</p> <p>1 to manage their own health care administration 2 across federal agencies.</p> <p>3 Four, reduce administrative burdens. The 4 objective, simplify reporting requirements and 5 recognize tribal governance. Examples, accept 6 single audit reports as sufficient documentation. 7 Reduce monthly reporting to quarterly. Eliminate 8 Davis-Bacon wage requirements for small tribal 9 infrastructure projects.</p> <p>10 Five, meaningful constitution. Objective, 11 provide genuine comprehensive consultation 12 processes. Example, provide draft NEPA 13 environmental assessment 60 days before comment 14 period. Allow sufficient time for tribal input, not 15 7- to 14-day windows.</p> <p>16 Six, funding equity. Objectives, increase 17 funding for tribal administrative capacity. 18 Examples, increase tribal priority allocations from 19 \$500,000 to \$1 million. Create a dedicated fund for 20 small tribe administrative support. Guarantee five- 21 year funding commitments instead of annual 22 appropriations.</p> <p>23 In our Bay, we had generational wealth at 24 one time. Today, we have generational trauma. The 25 generational wealth has gone to people that have</p>	<p style="text-align: right;">Page 153</p> <p>1 start with Chairman Verlon Jose, followed by 2 Treasurer Sarah W. Zephyr.</p> <p>3 Verlon, you should be able to turn on your 4 video, and you've now been given the ability to 5 unmute yourself. If you go ahead and accept that 6 unmute. Yeah. We see that you're unmuted now.</p> <p>7 MR. JOSE: Okay. Hold on one minute here. 8 All rightly. Yeah. I had to pull off the side of 9 the road, so give me a minute here.</p> <p>10 My name is Verlon Jose. I am Chairman of 11 the Tohono O'odham Nation. We are a federally- 12 recognized tribe with over 36,000 members. Our 13 reservation is in Arizona. It encompasses 14 approximately 2.8 million acres, about the size of 15 the state of Connecticut. Given the significant 16 size of our population and reservation, we have an 17 extensive relationship with our federal trustee. A 18 BIA superintendent has had a physical presence on 19 our main reservation in Sells, Arizona for more than 20 a century.</p> <p>21 The Tohono O'odham Agency, formerly Papago 22 Agency, provides a wide variety of critical services 23 to our members. Everything from real estate 24 services, facilities management, and roads 25 maintenance, to probate and trust management, which</p>

<p style="text-align: right;">Page 154</p> <p>1 is strained by lack of resources, lack of manpower, 2 or person power.</p> <p>3 The BIA Western Regional Office in Phoenix 4 also is a critical provider of services. It serves 5 53 tribes, including 20 of Arizona's 22 tribes. The 6 Phoenix Field Solicitor's Office, which supports 7 these BIA offices, also is critical to the efficient 8 and effective provisions of services to our nation 9 and its people. We ask that you share this with the 10 Solicitor's Office.</p> <p>11 The first, restructuring of Indian Affairs 12 for more efficient interactions with tribes. 13 Because of our close working relationship with these 14 offices, we very much appreciate the department's 15 goal of making interactions with Indian Affairs more 16 efficient for the tribes.</p> <p>17 We have the following comments regarding 18 the efficient delivery of federal services and 19 assistance. BIA is already understaffed and 20 underfunded. We are concerned that significant 21 workforce reduction already have taken place before 22 these consultations, and that more reduction in 23 force are likely to come in the future.</p> <p>24 Many of the federal government's 25 interactions with tribal governments are required by</p>	<p style="text-align: right;">Page 156</p> <p>1 these programs. We also ask the Department to 2 evaluate the processes related to the self- 3 governance program to improve functions through 4 streamlining and reducing bureaucratic hurdles.</p> <p>5 Addressing current funding structures. 6 Like many tribes, the Tohono O'odham Nation relies 7 on federal funding to provide government services to 8 our members. These fundings must be timely and 9 reliable. Funding delays derail projects, threaten 10 our ability to pay our staff, and ultimately 11 increase our costs. We work most efficiently when 12 funding allocations allow for flexibility.</p> <p>13 Competitive grants and overly burdensome reporting 14 requirements are counterproductive. We urge the 15 Department to streamline guidelines and reduce 16 reporting requirements for federal funding. Most 17 important, of course, is just making sure the 18 funding is there, in the first place.</p> <p>19 We are very concerned about the reports of 20 deep budget cuts. As Chairman of the Tohono O'odham 21 Nation, we share the concerns of our brothers and 22 sisters, our tribal leaders, about true 23 consultation. Yes. We hope that this is not just 24 to check the box. A lot of us, including Tohono 25 O'odham Nation, I have a 22-member council, a</p>
<p style="text-align: right;">Page 155</p> <p>1 federal law and are extensive and complex, and 2 adequate size and adequate experience in the federal 3 workforce is absolutely necessary to ensure that 4 truly efficient delivery of required services and 5 the carrying out of mandated federal protections.</p> <p>6 We are deeply concerned that the lease for 7 the Western Regional Office was terminated. Where 8 are we, and the other 53 tribes it's served, 9 supposed to turn to without that office? Without a 10 clear explanation of how we will still be able to 11 receive services, given funding and workforce cuts, 12 we have no choice but to urge that these cuts will 13 create inefficiency and paralysis. Respectfully, we 14 ask that you provide us with more information about 15 how these reductions and funding cuts will translate 16 into better and more efficient services for our 17 nation and our tribal members.</p> <p>18 Increased support for tribal self- 19 governance and self-determination. Thank you for 20 the Department's support for self-governance and 21 self-determination. Obviously, these are 22 contractual obligations, and so they must be fully 23 funded. We ask the Department to actively support 24 the core principles of self-governance and self- 25 determination by supporting continued funding of</p>	<p style="text-align: right;">Page 157</p> <p>1 legislative council I have to report to. I have 2 36,000 tribal members I have to report to.</p> <p>3 So I hope that all that has been said 4 today and has been said over the years, it's the 5 same thing over, and over, and over again. I think 6 many of us are not looking for handouts. We have 7 our hand extended, not for a handout, but to join 8 hands in serving our people. The federal government 9 has a trust responsibility. We, as tribal leaders, 10 have a trust responsibility to our people.</p> <p>11 So in closing, I want to thank you, each 12 and every one of you. However, it concerns me that 13 every time we have a consultation -- and I 14 apologize, I couldn't fly across the country to be 15 there in person, or I would have -- it bothers me 16 that we set up these tribal consultations, and it 17 all looks good and well on paper. And I know a lot 18 of us are busy. I'm in transition to other 19 meetings, as well. But when we look, and I'm 20 looking on the screen, and we see empty seats, why 21 aren't those seats filled? When the federal 22 government is meeting with nations around the world, 23 what about the tribal nations? What about the 24 Tohono O'odham Nation? We -- as was said before, we 25 were sovereign before someone even said we were</p>

<p style="text-align: right;">Page 158</p> <p>1 sovereign.</p> <p>2 So thank you again to everyone for</p> <p>3 coordinating these, what you call, consultations.</p> <p>4 We ask that you continue this important dialogue</p> <p>5 with tribal leaders, and come back to us with more</p> <p>6 details about what your plans may be before making</p> <p>7 any final decisions about restructuring.</p> <p>8 Together, we are stronger. Thank you very much, and</p> <p>9 may the Creator be with each and every one of you.</p> <p>10 Those are my comments and will also provide written</p> <p>11 comments. Thank you.</p> <p>12 MR. VINT: Thank you, Chairman.</p> <p>13 We're going to go next to Sarah W. Zephyr,</p> <p>14 followed by Lisa Goree, Chairman Goree.</p> <p>15 Sarah, you should be able to unmute and</p> <p>16 turn on your video now, if you want to go ahead and</p> <p>17 give it a try.</p> <p>18 MS. ZEPHYR: Hi. Good afternoon. My name</p> <p>19 is Sarah Zephyr, treasurer for the Yankton Sioux</p> <p>20 Tribe. Thank you for the opportunity to speak</p> <p>21 today.</p> <p>22 I must respectfully clarify, for us, this</p> <p>23 forum does not meet the criteria for formal</p> <p>24 consultation under our tribe's established</p> <p>25 consultation protocols. For us, true consultation</p>	<p style="text-align: right;">Page 160</p> <p>1 Another concern is our tribally-controlled</p> <p>2 schools. We already face limited funding and</p> <p>3 minimal ISEP funding from an inadequate formula.</p> <p>4 Education is vital. Our children and future</p> <p>5 generations are important, as they are the future of</p> <p>6 our nations. The reduction in staff caused by</p> <p>7 Executive Order 14210 is negatively impacting</p> <p>8 services to schools, which is then being</p> <p>9 misconstrued as inefficiency.</p> <p>10 The federal government preaches</p> <p>11 efficiency, but is doing everything it can to make</p> <p>12 things less efficient. If the BIA is inefficient</p> <p>13 now, it is impossible for it to increase efficiency</p> <p>14 with less staff and funding. We're looking for real</p> <p>15 solutions to improve BIA efficiency.</p> <p>16 For us, that means investment in tribal</p> <p>17 economic independence, like fully-funded BIA</p> <p>18 services, streamlined trust processes, modernized</p> <p>19 technology, reduced bureaucratic red tape, and the</p> <p>20 ever-changing reporting requirements. We would like</p> <p>21 to shift more authority to local agencies and tribal</p> <p>22 governments, and utilize block grant funding for</p> <p>23 greater flexibility and fewer administrative</p> <p>24 barriers.</p> <p>25 Tribal economic success means better</p>
<p style="text-align: right;">Page 159</p> <p>1 must occur directly with our general council, which</p> <p>2 is our nation's governing body. I say this not to</p> <p>3 discredit these sessions, but to affirm our</p> <p>4 sovereignty and ensure a mutual understanding of our</p> <p>5 protocols.</p> <p>6 While this isn't a formal consultation</p> <p>7 according to our tribal protocols, I wanted to share</p> <p>8 some of our concerns today. Firstly, from our</p> <p>9 perspective, the BIA is already under-resourced and</p> <p>10 overwhelmed. Initiatives like Executive Order 14210</p> <p>11 and Secretarial Order 3429 may aim to improve</p> <p>12 efficiency, but without tribal input, they risk</p> <p>13 worsening service delivery and violating trust</p> <p>14 responsibilities.</p> <p>15 Tribes, we're not line items on a budget.</p> <p>16 We're sovereign governments, sovereign nations.</p> <p>17 Reducing funding and staff will not increase</p> <p>18 efficiency and will continue to slow down tribes and</p> <p>19 BIA, which already has an outstanding backlog in</p> <p>20 fee-to-trust and probate matters. Our tribe has a</p> <p>21 fee-to-trust application that has been pending since</p> <p>22 2004, which was intended to house IHS staff.</p> <p>23 Despite BIA assurances, the land is still not in</p> <p>24 trust. This is just one of the many examples of how</p> <p>25 the current system is failing tribes.</p>	<p style="text-align: right;">Page 161</p> <p>1 education and job opportunities, and the combination</p> <p>2 of economic and educational success raises needed</p> <p>3 capital for tribes.</p> <p>4 If the BIA wants to increase efficiency, it must</p> <p>5 fully fund and staff its agencies and give more</p> <p>6 authority to the tribes and agencies actually on the</p> <p>7 ground dealing with these issues, first-hand.</p> <p>8 More local and tribal management, and</p> <p>9 control over programs and services is more effective</p> <p>10 and efficient than expecting less staff to do more</p> <p>11 with less funding. Local agencies and tribes, we're</p> <p>12 better equipped to oversee Indian Affairs programs</p> <p>13 and having to communicate with regional offices,</p> <p>14 realistically, is an unnecessary step in the</p> <p>15 bureaucratic chain-of-command. If the BIA wants to</p> <p>16 improve efficiency, it is clear that more local</p> <p>17 authority will lead to more tribal economic</p> <p>18 independence and better long-term success for</p> <p>19 programs and services. Any decisions regarding</p> <p>20 efficiency should be decided by tribes and their</p> <p>21 local agencies.</p> <p>22 Regarding Secretarial Order 3429, we're</p> <p>23 disappointed that tribes were not consulted. This</p> <p>24 undermines the principle of nation-to-nation</p> <p>25 relations and reinforces the notion that these</p>

<p style="text-align: right;">Page 162</p> <p>1 consultations are solely for the government to check 2 a box. The Department of Interior should not make 3 decisions about us, without us, and should have 4 collaborated with tribal nations beforehand. True 5 consultation must be early, meaningful, and based on 6 free, prior, and informed consent, as outlined in 7 the United Nations Declaration on the Rights of 8 Indigenous Peoples. We call on the federal 9 government to make these standards enforceable by 10 law.</p> <p>11 Finally, Executive Order 14156 and efforts 12 to shorten NEPA and Endangered Species Act timelines 13 to just days are unacceptable and impossible, 14 considering tribal nations like ourselves. We 15 require input from our General Counsel. Rushed 16 timelines, it causes irreparable harm to sacred 17 sites, lands, and treaty rights. These do not allow 18 for meaningful consultation and violate treaty 19 responsibilities.</p> <p>20 Tribal sovereignty is not and has never 21 been a barrier to efficiency. It is something to be 22 treated with respect, and included, and considered 23 in all federal decision-making processes.</p> <p>24 In closing, we welcome the chance to 25 discuss these matters further and in depth, but we</p>	<p style="text-align: right;">Page 164</p> <p>1 will have a significant impact on our tribal 2 economy.</p> <p>3 Also, tribes should be able to participate 4 in any restructuring or consultations of the BIA to 5 ensure that operation does not result in any loss of 6 its treaty obligations to tribal nations. We want 7 to make sure that efficiency is created, and that 8 redundancy or inequity is not put in its place. 9 There should also be a plan to address the 10 inadequacies, but the plan must also be implemented 11 in order to prevent any delay in services that 12 tribal governments and communities are entitled to.</p> <p>13 Any replacement of people who are retiring 14 should be -- training should be implemented for 15 those people, and the employees that currently hold 16 those seats before they become vacant, they should 17 be able to train the new employees that are coming 18 in.</p> <p>19 I would just also like to reiterate our 20 tribal brother that stated that you are our 21 trustees, and we look forward to continuing the 22 support that you give us, and the right to defend 23 our lands, and our right to remain sovereign and 24 self-governed. Our tribal members rely on their 25 tribal leaders and their tribal governments, and we</p>
<p style="text-align: right;">Page 163</p> <p>1 respectfully invite the Department of Interior to 2 visit our lands and engage in formal consultation 3 under Yankton Sioux protocols. Thank you.</p> <p>4 MR. VINT: Thank you, Treasurer Zephyr. 5 We're going to go next to Chairwoman Lisa 6 Goree. Chairwoman, you should have the 7 ability to unmute.</p> <p>8 MS. GOREE: Okay. Thank you very much. I 9 would like to thank the Department of the Interior 10 for facilitating this tribal consultation.</p> <p>11 Just a few points. From the Shinnecock 12 Nation, we would like to ensure adequate staffing at 13 the level of the Department of Interior and the 14 Bureau of Indian Affairs. We know that prior to 15 this administration, staffing was already limited, 16 so we just want to ensure that there are no further 17 cuts. And if there are further cuts, we would like 18 to have the ability to ensure that the needs of all 19 tribal nations are met. We know that there will be 20 significant impacts, and it will limit our ability 21 to properly operate our tribal governments and any 22 of our current tribal businesses that we have.</p> <p>23 Many tribes, like Shinnecock, rely solely 24 on federal grants, and without the appropriate 25 staffing and resources to access those grants, it</p>	<p style="text-align: right;">Page 165</p> <p>1 rely on you.</p> <p>2 Shinnecock is not a large tribe, like many 3 others. We are a small tribe, who was only 4 federally recognized in 2010, so we are still 5 navigating our way through these waters. We are 6 still navigating our relationships with the BIA, and 7 we continue -- we look forward to continuing our 8 relationship and the services that you provide to 9 our nation. Thank you.</p> <p>10 MS. BEAUREGARD: Thank you. How are we 11 doing? Doing all right? I want to take a moment to 12 check if there are any elected or appointed tribal 13 leaders who have not yet provided comment and would 14 like to do so, either in this room or online. 15 Please raise your hand before we move on.</p> <p>16 MR. VINT: And if you're online, we have 17 two that have raised their hand online, but we don't 18 believe you to be tribal leaders. If that is not 19 the case, just lower your hand and re-raise it, and 20 we'll identify you as such and get you in for 21 comment right now, too.</p> <p>22 We will go to Governor Lewis now. You 23 should have the ability to unmute yourself and turn 24 on your video, should you like to do so.</p> <p>25 MR. LEWIS: Okay. Thank you. This is</p>

<p style="text-align: right;">Page 166</p> <p>1 Governor Lewis. I'm unable to, because of technical 2 difficulties from my video, so I'll just -- if you 3 can hear me, I'll just continue. 4 MR. VINT: We can hear you. 5 MR. LEWIS: Thank you. Okay. Good 6 afternoon, and I appreciate the opportunity to 7 participate in this consultation virtually, on 8 behalf of the Gila River Indian Community. I would 9 have preferred to be there, but I'm in water 10 meetings currently and -- you know, but I've been 11 monitoring the prior consultations and today's 12 consultation, and just have some remarks to add. 13 Now, many of my remarks will echo the 14 remarks of my fellow tribal leaders, but as with any 15 federal initiative, it appears there are both 16 challenges and opportunities to any plan to optimize 17 and reorganize the department. 18 Now, I want to start with my remarks by 19 stating a principle that has been highlighted 20 repeatedly, but that cannot be overstated. Any 21 reorganization or restructuring of the Department 22 and its implementation of tribal programs must be 23 done with the trust responsibility at its core. The 24 government-to-government relationship relies on both 25 parties, the tribal government and the federal</p>	<p style="text-align: right;">Page 168</p> <p>1 and consolidation. We also don't know how the 2 proposed budget reductions will impact staffing or 3 support for key functions, if enacted by the 4 appropriators, so my recommendations will focus on 5 the key principles of self-governance and self- 6 determination. 7 Now, I've been pleased by statements made 8 at prior consultations, in budget documents, and the 9 Secretary's testimony, and by the interest that you 10 all have taken in learning more about the ways that 11 self-governance is working in the community. It's 12 critical that tribal self-determination and self- 13 governance be honored and supported in any effort to 14 optimize the ways the tribes engage with the 15 Department. Now, whether a tribe compacts or 16 contracts with the federal government or chooses to 17 have the Department, that provides direct access. 18 Now, in many ways, the Department already 19 has a system in place that reduces the federal 20 footprint and bureaucratic decision-making and an 21 efficient method of delivering those federal 22 programs, and that is the self-governance program 23 under the Indian Self-Determination and Education 24 Assistance Act, ISDEAA. 25 Now, through this act and its various</p>
<p style="text-align: right;">Page 167</p> <p>1 government, to hold up their responsibilities. 2 Now, throughout the decades, as we've 3 seen, tribes have dealt with federal policies that 4 were decided for us, around us, and without us. 5 Now, despite this, we've proven to be good partners, 6 to be good stewards of our federal funding, to be 7 innovative in advancing solutions for our tribal 8 communities, our states, our country, and to be 9 efficient and effective in carrying out our 10 programs, even though we've had long faced 11 underfunding and understaffing at the federal level. 12 You can understand that when we hear, as 13 tribal leaders, that the Executive Order 14210 seeks 14 to look at how the government can be more efficient, 15 our response is that we have been already doing this 16 for the entire history of the Department. There are 17 clearly ways to bring efficiencies to the Department 18 and to streamline the processes, but it is important 19 that it's done surgically. 20 Now, in many ways, our comments here are 21 premature. We don't yet have enough information 22 about where reductions in force occurred in 23 probationary employees, how many department 24 employees will accept the deferred retirement offer, 25 or what functions are proposed for reorganization</p>	<p style="text-align: right;">Page 169</p> <p>1 amendments, nearly all tribal governments have taken 2 over the operation of one or more of the programs 3 that used to be carried out by the federal 4 government, and this has led to a reduction of 5 federal employees in BIA and BIE programs from 6 approximately 15,000 before self-governance, to an 7 estimated 7,000 federal employees today. 8 Now, the transfer has allowed for capacity 9 building at the tribal level, job creation, and 10 local decision-making, but the federal government 11 still has a critical role in ensuring the success of 12 these programs. 13 Funding is still required, and it's always been at 14 less-than-need across Indian Country, and staffing 15 is needed to ensure compacts and those contracts are 16 negotiated, amended, and finished -- excuse me -- 17 and funded, rather. 18 Now, in the case of 105L leases, which the 19 Gila River Indian Community has a great deal of 20 experience in, we are seeing a large influx of 21 leases since our first initial lease created the 22 105L program under the Trump Administration, the 23 first Trump Administration. Now, this is good for 24 the program and good for tribes who are requesting 25 leases for existing or new facilities, and good for</p>

<p style="text-align: right;">Page 170</p> <p>1 reduction of the federal footprint, but we're now 2 experiencing backlogs in lease negotiations and in 3 timing of lease payments. 4 So when tribes ask for efficiencies in the 5 federal government, this is the type of efficiency 6 that we're seeking. What we need to streamline 7 federal functions is increased flexibility and use 8 of federal funds, streamlining reporting and 9 staffing sufficient to address backlogs and programs 10 like the 105L lease processing, and payments, and 11 probate, and real estate services. 12 Now, for our part, we know that there will 13 be inevitable consequences to the effort to reduce 14 the federal program's workforce, so the community is 15 undertaking -- excuse me -- so the community is 16 undertaking a plan process to take over any 17 remaining programs that are still being delivered by 18 the Department. 19 For instance, we are developing a plan to 20 take over the realty functions that are being 21 carried out by the regional office, and this is the 22 function that makes the most sense and will make the 23 Gila River Indian Community almost entirely self- 24 governed in our dealings with the department. But 25 this will take time and will still require federal</p>	<p style="text-align: right;">Page 172</p> <p>1 MS. KORTHUIS: Great. Thank you. Hi, 2 everyone. My name is Vivian Korthuis. I serve as 3 the Chief Executive Officer for the Association of 4 Village Council Presidents. 5 I'm calling in from Bethel, Alaska. 6 AVCP is a consortium of 56 tribes, serving 7 tribes along the Yukon River, Kuskokwim River, and 8 Bering Sea Coast in western Alaska. 9 I'd like to thank the panel for traveling 10 to Anchorage at the beginning of this series, the 11 consultation series, to meet with the tribes here in 12 Alaska. At that consultation, I had the opportunity 13 to speak. I was the second speaker, but when I 14 listened to the whole series, what I have observed 15 is that the tribes from our region have very limited 16 access to these tribal consultations, and only a 17 handful of them were able to travel to Anchorage. So 18 I really appreciate the fact that this is virtually, 19 and the tribes, I hope, will continue to have this 20 opportunity to consult with the federal government 21 on a tribal basis. 22 It's really difficult for us to travel 23 into Anchorage, at all, any time there's a 24 consultation, and many times, we have not the 25 internet access to do so. Despite that, I want to</p>
<p style="text-align: right;">Page 171</p> <p>1 support, and the funding must follow the function. 2 This is true of any changes. We have to 3 have the Department as our true partner. I have 4 experience and willingness on your part to do so, 5 and I do appreciate this consultation. But based on 6 the lack of information available about staffing 7 vacancies, the funding decisions, and no sense of 8 plans for consolidating functions or reducing 9 physical offices, at this point, respectfully, I can 10 only say that I think these consultations are the 11 beginning of a dialogue with tribal governments 12 about how to improve services, and not the end of 13 the discussion. 14 Again, thank you for your time and the 15 opportunity to engage you in this consultation on 16 behalf of the Gila River Indian community. 17 MR. VINT: Thank you, Governor Lewis. 18 We had one more hand come up while you 19 were speaking. That's Vivian Korthuis. 20 Vivian, I'm going to give you the ability 21 to unmute now. If you are a tribal leader, you can 22 come off mute and share your comment. 23 MS. KORTHUIS: Good morning. Can you hear 24 me? 25 MR. VINT: We can, yes.</p>	<p style="text-align: right;">Page 173</p> <p>1 reiterate how important it is to reach out to the 2 tribes, especially in our region, because of 3 geography. It's just really difficult to connect in 4 this way. 5 I wanted to highlight just a couple things 6 and reiterate some of the things that we are 7 advocating for. First, is that the federal 8 government, through its different avenues, 9 especially the BIA and the IHS, to protect those 10 services that we already are providing here in 11 Alaska. Many of our services are done through 12 consortium. That is the model that we have 13 selected, and it works quite well here in Alaska. 14 Many of our tribes are smaller tribes. 15 They are far into the rural areas of the state. In 16 terms of rural America, I try to describe our area 17 as extremely rural, way off the beaten path. No 18 roads. No access. The only way to get into our 19 communities, many times, is through the barges that 20 come up, when the ice is not there, or flying. We do 21 not have any access to our region. We have to fly 22 another hour outside of Anchorage, further west, and 23 then from Bethel, we go on smaller flights to the 24 communities, so access is extremely important for 25 us.</p>

<p style="text-align: right;">Page 174</p> <p>1 One of the things that I'd like to 2 reiterate again is the -- for the federal government 3 to work directly with the tribes. I'm advocating 4 for, for example, public safety. Right now in our 5 region, it's really difficult in all aspects of 6 public safety, especially with no direct funding for 7 public safety here in Alaska because of PL 280. I am 8 encouraging Department of Interior to really look 9 at, with other -- the other agencies across the 10 federal government, to really look at -- with DOJ, 11 to really look at the opportunities we have to 12 demonstrate, especially in the Yukon-Kuskokwim 13 Delta, how public safety can best be implemented, 14 despite the challenges that we all have. 15 I'm asking that the Department of Interior 16 work with Senator Murkowski to take a look at the 17 opportunities to develop a model for public safety 18 for rural Alaska, based on the success of the health 19 aid program and model after the health aid program a 20 public safety model that ABCP has introduced last 21 year. We are having consultations with meetings 22 with DOJ, and we would really encourage the 23 Department of Interior to assist the tribes in those 24 opportunities we would like to advance. 25 The other thing that I want to remind the</p>	<p style="text-align: right;">Page 176</p> <p>1 Department of Interior work with Senator -- 2 Congress, Senator Lisa Murkowski's office, and 3 respond to the many tribal requests that were 4 already given on the salmon crash here in Bethel a 5 couple years ago. So despite the fact that we've 6 been working really hard on many levels on the 7 salmon crash, it still persists. 8 So my ask today is in designing the 9 changes that are occurring within the agency and 10 across agencies, that we take into consideration 11 what's happening to tribes on the ground. Here in 12 our region, salmon is very important to us, and we 13 do not have access because there is no salmon. So 14 what that means to our communities is, that we are 15 going through a culture loss. 16 We are going through all kinds of 17 challenges in our families, and it's showing up in 18 public safety issues. So these things are tied 19 together, and I really would appreciate in 20 redesigning services to tribes that we consider 21 events like this that are really challenging for us 22 right now. 23 Some other things I'd like to advocate for 24 is, I'd like to advocate for the Not Invisible Act 25 recommendations for Alaska. I'd like to see the</p>
<p style="text-align: right;">Page 175</p> <p>1 federal government is, that we have tribes that live 2 along the Yukon River and Kuskokwim River and Bering 3 Sea Coast, especially in our region. We rely -- 4 like many of the people that have already talked 5 about subsistence, on a daily basis, our families, 6 our communities, our tribes rely on salmon. We are 7 salmon people. We fish for a living. 8 We put up fish in our smoke houses, but we have a 9 challenge currently, especially along the Yukon 10 River, since we do not have any salmon returning. 11 We are entering the sixth year here in the YK Delta 12 with what we're calling the salmon crash. It's an 13 event that has so many challenges. 14 We're trying to navigate so many of the 15 solutions. But at the end of the day, what is 16 happening is our tribes, our communities are left on 17 the riverbank with our smoke houses empty. We are 18 not able to put away fish for the winter. Our 19 freezers are empty, and we'd like direct help from 20 the Department of Interior regarding the salmon 21 crash. 22 A couple years ago, Senate Committee on 23 Indian Affairs held a field hearing here in Bethel. 24 And my request to the Secretary of Interior 25 yesterday, when I met him in Anchorage, was that the</p>	<p style="text-align: right;">Page 177</p> <p>1 Department implement those specific recommendations 2 for Alaska. We spent a lot of time -- I sat on the 3 Not Invisible Act Commission, and we spent a lot of 4 time researching, and advocating, and putting that 5 report together. So I would really appreciate not 6 only the Department of Interior, but other 7 departments to take a look at that and really 8 consider working with Congress to implement those 9 changes. 10 And, lastly, I'd like to share my support 11 to the Tiwahe Act of 2025 that was just submitted 12 recently to Congress and we -- as AVCP, we are a 13 demonstration site here in Alaska. We've had 14 success with that for the last 10 years with all our 15 tribes in our particular region, and we would like 16 to make that recommendation to advance that concept. 17 And we look forward to the success of the Tiwahe 18 Program Project Initiative as it processes through 19 the federal government for the next 10 years and 20 beyond. 21 So on behalf of our tribes in our region, 22 thank you for the consultation, and that's the end 23 of my comments. Thank you. 24 MS. BEAUREGARD: Thank you, tribal 25 leaders.</p>

<p style="text-align: right;">Page 178</p> <p>1 We have a little bit less than 30 minutes</p> <p>2 to go, and I believe we have approximately six to</p> <p>3 eight commenters who would like to provide comment,</p> <p>4 and so I'll just kindly remind everyone to be</p> <p>5 cognizant of the time you take.</p> <p>6 And we have Reggie Tupponce.</p> <p>7 MR. VINT: One moment. I think the</p> <p>8 battery may be dead on that microphone.</p> <p>9 MR. TUPPONCE: Good afternoon. My name is</p> <p>10 Reggie Tupponce, a citizen of the Upper Mattaponi</p> <p>11 tribe in Virginia. I'm also the Vice President for</p> <p>12 the Southeast Region for National Congress of</p> <p>13 American Indians, and I'm here today on behalf of</p> <p>14 Chief Adkins of the Chickahominy Tribe providing</p> <p>15 comment for his tribe.</p> <p>16 Chief Stephen Adkins is chief of</p> <p>17 Chickahominy Tribe, which is in Charles City,</p> <p>18 Virginia. It's very close to Jamestown, which is</p> <p>19 arguably the birthplace of the United States. He</p> <p>20 has great concerns about some of the proposed</p> <p>21 restructuring. One has been stated multiple times.</p> <p>22 There's not a lot of information that's coming out,</p> <p>23 so that's concerning to him. The closing of offices</p> <p>24 or restructuring departments and offices will lead</p> <p>25 to a reduction in staff where significant staffing</p>	<p style="text-align: right;">Page 180</p> <p>1 contracts, compacts and distribution of funds.</p> <p>2 While I'm on the subject of funding, self-</p> <p>3 governance should be paramount. The expansion of</p> <p>4 638 contracts for other areas would be very good for</p> <p>5 tribes. A lot of tribes, mine, Chickahominy and</p> <p>6 others, have grown immensely and can take care of</p> <p>7 those issues. They know their people better than</p> <p>8 the federal government does, so being able to</p> <p>9 contract those different services would be really</p> <p>10 helpful.</p> <p>11 Our nations should receive direct and full</p> <p>12 funding that has maximum flexibility so that tribal</p> <p>13 nations can budget to meet their priorities. Tribal</p> <p>14 nations are diverse, as are their priorities.</p> <p>15 Tribal funding is a treaty and trust responsibility,</p> <p>16 and the funding should not be cut. We're already</p> <p>17 experiencing deficits with funding.</p> <p>18 I know that in some of the western states</p> <p>19 with larger reservations have law enforcement</p> <p>20 issues, where they have very few officers or BIF</p> <p>21 officers to cover an extensive area, and so funding</p> <p>22 cuts would make the problems even worse.</p> <p>23 Moving to consultation itself, the</p> <p>24 Chickahominy Tribe, as are the other 573 federally</p> <p>25 acknowledged tribes, are sovereign nations with a</p>
<p style="text-align: right;">Page 179</p> <p>1 shortages already exist. A reduction of staff and</p> <p>2 closing of offices will cause a loss of experienced</p> <p>3 staff, especially those with subject matter</p> <p>4 expertise and local knowledge.</p> <p>5 It was -- there was comments earlier about</p> <p>6 the fee-to-trust process. I have a background in</p> <p>7 that area, had a title agency and a title</p> <p>8 examination business for about 21 years, and worked</p> <p>9 for a surveying and engineering firm. The skills</p> <p>10 that it takes to review those applications, to</p> <p>11 review the documents and the surveys are highly</p> <p>12 technical. That's not a skill that you can pick up</p> <p>13 quickly, so there's a very large learning curve on</p> <p>14 that. So if we were to lose people in that area, it</p> <p>15 would be really detrimental and create even a bigger</p> <p>16 backlog on the fee-to-trust process.</p> <p>17 Another area is contracting officers. A</p> <p>18 contracting officer that I dealt with in the eastern</p> <p>19 region left one agency and went to another, and a</p> <p>20 void created in the first agency was immediately</p> <p>21 impactful. The person replacing him didn't have the</p> <p>22 knowledge. He didn't have the knowledge of the</p> <p>23 tribes in our region, and it slowed down the ability</p> <p>24 to work with him. These changes will exacerbate</p> <p>25 already long delays on approval of agreements,</p>	<p style="text-align: right;">Page 181</p> <p>1 nation-to-nation relationship with the United</p> <p>2 States. Consultation is our right. Consultation</p> <p>3 should be early, often, meaningful, and funded. Many</p> <p>4 tribes do not have the ability to participate in</p> <p>5 funding, especially in person. The Alaska Native</p> <p>6 tribes are a case in point. Being able to make it</p> <p>7 even to ones that are in Alaska are difficult for</p> <p>8 them and costly.</p> <p>9 Consultation should not be a checking of a</p> <p>10 box after decisions are already -- have already been</p> <p>11 made. Consultation -- asking for comment for a new</p> <p>12 permitting process, as in here, is not consultation.</p> <p>13 If the process has already been defined or already</p> <p>14 been approved, then we're really not consulting on</p> <p>15 anything. We're just getting information from you</p> <p>16 on what you're going to do without our input.</p> <p>17 Going into the area of NEPA, Endangered</p> <p>18 Species Act and the -- and NHPA, acceleration of</p> <p>19 timelines for NEPA, the Endangered Species Act and</p> <p>20 National Historic Preservation Act is not reasonable</p> <p>21 and does not uphold the treaty and trust</p> <p>22 responsibility.</p> <p>23 Under NEPA, with the environmental</p> <p>24 assessment changing to 14 days and Environmental</p> <p>25 Impact Statement changing to 28 days, it's just not</p>

<p style="text-align: right;">Page 182</p> <p>1 enough time. Even for tribes that have large 2 departments that handle that, it's very difficult. 3 When I worked for my tribe, the Upper Mattaponi 4 tribe, we were heavily engaged with offshore wind in 5 the mid-Atlantic region. We would get boxes two 6 feet tall of documents to review. 7 BOEM had 40, 50 or more specialists, their 8 own staff and contract people, turtles, whales, you 9 know, all the different species there. We had 10 myself and my environmental director. We didn't 11 have the knowledge to be able to do that and also to 12 do it in 30 days. So the ability to consult on 13 these things, to be able to act and to give good 14 statements has to be based on the ability to do 15 that, the timing and the necessary expertise. 16 Otherwise, it's not true meaningful consultation. 17 And I think I will go ahead and stop at 18 that point and give the next person some time. 19 Thank you for your time, and Chief Adkins will be 20 providing more comments, written comments. Thank 21 you. 22 MS. BEAUREGARD: Thank you. 23 We'll call on Kitcki Carroll. 24 MR. CARROLL: Good morning to my relatives 25 out west in Alaska. I'll put this into voice for</p>	<p style="text-align: right;">Page 184</p> <p>1 DOI STAC meeting, one of the things that was 2 expressed was this idea that we are all the same. 3 And it was offered in the context of, therefore, we 4 all bear the responsibility to deal with the 5 challenges that this country is facing. So I want 6 to borrow from my Lakota relatives, the concept of 7 Mitakuye Oyas'in, meaning we are all related. 8 And I believe that, but that's not why we 9 are here today. We are here because there is, as 10 you've heard throughout the day, a special and 11 unique relationship that deserves the respect that 12 you've heard throughout the day, so the comments 13 that I want to offer are in recognition of that. 14 One thing I want to reinforce, as well, 15 while I stand here as an advocate for Indian 16 Country, I'm also a father. I'm a grandfather. I'm 17 a community member. I'm an American citizen. I'm a 18 taxpaying American citizen. So when we have these 19 conversations about what American taxpayers want, 20 let's not forget that we are some of them, as well, 21 so we have a right to say what we think about the 22 things that are taking place right now. 23 One thing I want to reinforce, if we're 24 going to keep having these conversations about 25 sovereignty, nation to nation, government to</p>
<p style="text-align: right;">Page 183</p> <p>1 those of us who are here on the East Coast. Kitcki 2 Carroll. I'm a citizen of the Cheyenne Arapaho 3 tribe. I serve as Executive Director for United 4 South and Eastern Tribes, USET, and the USET 5 Sovereignty Protection Fund. 6 Just for reference, and I know all of you, 7 so I'm standing here more just to make sure that 8 this offering I'm about to provide is for the record 9 because I share some of the sentiments that were 10 expressed prior to me, regarding this consultation, 11 the presence of officials, et cetera. So I want to 12 make sure that these comments are on the record for 13 consideration, as this process evolves. 14 But for your reference, in addition to 15 serving as the Executive Director for USET, I also 16 serve as one of the regional representatives to the 17 Department of Interior, Tribal Interior Budget 18 Council. I also serve as one of the technical 19 representatives to DOI STAC, so these issues that 20 we're talking about are very familiar. I've been 21 with the organization now for about 15 years. 22 What I also want to say, though, is this 23 table that's before us right now is a false divide, 24 right. I'm looking at you all as relatives, as 25 relations. And, you know, when I was at the recent</p>	<p style="text-align: right;">Page 185</p> <p>1 government, et cetera, while consultation is 2 important, and while consultation must be 3 meaningful, as you've heard by one of the commenters 4 this afternoon, if we're going to really talk about 5 a relationship that we're describing, we're talking 6 about consent. No sovereign should be taking 7 actions within the lands of another sovereign 8 without its consent. And when you reflect on the 9 history of this country and the loss of assets and 10 lands that Indian Country suffered throughout that 11 history, I don't think it's a big ask to say that 12 what we have left should not be infringed upon 13 without our consent. Because the whole history is 14 about not consulting, not consenting, and the theft 15 of our lands and natural resources. 16 I also want to be clear, that I stand 17 before you without any political affiliation or tag 18 on my chest. It doesn't matter whether you are a 19 Democrat, Republican. I don't care. We don't care. 20 Our measure is whether you are fulfilling trust and 21 treaty obligations. If you do it well, we will 22 celebrate you. If you don't do it well, we will 23 hold you accountable. It's as simple as that. So 24 we are a nonpartisan organization, just making sure 25 that the United States fulfills those trust and</p>

<p style="text-align: right;">Page 186</p> <p>1 treaty obligations.</p> <p>2 And as an American, I do believe in</p> <p>3 American exceptionalism, but here's what I say along</p> <p>4 with that, though. American exceptionalism should</p> <p>5 begin with a measure of how well we honor our first</p> <p>6 promise, because my contention is if we don't honor</p> <p>7 that adequately, it really begs the question about</p> <p>8 how exceptional we actually are.</p> <p>9 This country that we all live in now is</p> <p>10 one of the most powerful, if not the most powerful,</p> <p>11 wealthy nation the world has ever known. Part of</p> <p>12 that strength and power is from the lands and</p> <p>13 natural resources that were derived from Indian</p> <p>14 Country. It wasn't this twistery of history, sort</p> <p>15 of understanding, that there was a conquering. The</p> <p>16 United States wasn't what it was then, what it is</p> <p>17 today. It had to rely on those allyships</p> <p>18 domestically, as it was warring internationally, so</p> <p>19 that's the basis of this relationship.</p> <p>20 Now, people conveniently forget that</p> <p>21 history and the land where we are, but it's pretty</p> <p>22 simple. If you're going to hold on to those lands</p> <p>23 and natural resources, you have a requirement to</p> <p>24 fulfill those obligations in perpetuity, because if</p> <p>25 you don't want to, return the lands and assets. I</p>	<p style="text-align: right;">Page 188</p> <p>1 models that don't align with true diplomacy, so we</p> <p>2 have to return to an understanding which is actually</p> <p>3 at our origins as a country.</p> <p>4 And this idea that we are trimming fat is</p> <p>5 the assumption that there's fat to even trim. I</p> <p>6 can't think of a time, ever, where the United States</p> <p>7 has been structured in a way, when it comes to</p> <p>8 execution of trust and treaty obligations, where</p> <p>9 there's sufficient services to even have a</p> <p>10 conversation about trimming fat.</p> <p>11 And here's one thing that I do know, which</p> <p>12 is factual. Instead of having a conversation about</p> <p>13 achieving efficiencies, shouldn't we first be having</p> <p>14 conversations to measure effectiveness, and we're</p> <p>15 not doing that. So the department, looking at DOI,</p> <p>16 BIA specifically, during the last Trump</p> <p>17 Administration, said in public record that it wasn't</p> <p>18 the responsibility of the United States to measure</p> <p>19 how effectively it was delivering on its trust and</p> <p>20 treaty obligations. So if you don't have a measure</p> <p>21 of how well you're doing that, how are you making</p> <p>22 any decisions about becoming more efficient? I</p> <p>23 don't know how you're doing that.</p> <p>24 There's a process to make this better, but</p> <p>25 we're concerned about the way that it's being</p>
<p style="text-align: right;">Page 187</p> <p>1 don't think that's what you want to do, so the</p> <p>2 alternative then is to fulfill those obligations.</p> <p>3 And if you think it's not reasonable, if you look at</p> <p>4 federally available data and the value of those</p> <p>5 lands and natural resources, and you compare that to</p> <p>6 the most recent office of management budget cross-</p> <p>7 cut, which is inflated in relationship to what is</p> <p>8 actually going to Indian Country in reflection of</p> <p>9 those trust and obligations, it's less than one-</p> <p>10 tenth of one percent. So we're having all these</p> <p>11 conversations about bloat, and fraud, and abuse, and</p> <p>12 all these things, but one -- less than one-tenth of</p> <p>13 one percent of that value, that the United States</p> <p>14 benefits from, actually makes its way in fulfillment</p> <p>15 of trust and treaty obligations. That's despicable.</p> <p>16 And while we're talking about those</p> <p>17 fulfillments, they're not needs. All these tribal</p> <p>18 leaders that stood before you, they are elected by</p> <p>19 their citizens to respond to the needs of the</p> <p>20 nations of which they govern. That is a different</p> <p>21 conversation than unfulfilled trust and treaty</p> <p>22 obligations, which you all possess. There's a</p> <p>23 distinct difference, but we've allowed ourselves,</p> <p>24 over decades and centuries, to fulfill trust and</p> <p>25 treaty obligations through grant models or other</p>	<p style="text-align: right;">Page 189</p> <p>1 executed up to this point. Because the four of you</p> <p>2 know, you've heard me say this enough times, our</p> <p>3 organization will never be somebody running to the</p> <p>4 first line to say that the federal system is not</p> <p>5 overly bureaucratic, paternalistic, problematic. In</p> <p>6 fact, we'll be running to the first line to tell you</p> <p>7 that it is. The problem is how you go about</p> <p>8 correcting that.</p> <p>9 We're about to celebrate the 250th</p> <p>10 anniversary of this country. Fifty years of that</p> <p>11 250 years has been about self-determination. Two</p> <p>12 hundred of it was about termination, removal, and</p> <p>13 assimilation, constructs put into federal policy</p> <p>14 that don't embrace our inherent God-given, Creator-</p> <p>15 given, inherent sovereign rights and authorities.</p> <p>16 So our contention is, no president,</p> <p>17 regardless of what political affiliation they wear,</p> <p>18 has ever properly fulfilled the honoring of trust</p> <p>19 and treaty obligations. So what does that mean? It</p> <p>20 means starting with this president and moving</p> <p>21 forward. Every one of them has the opportunity to</p> <p>22 do something historical right now, to do something</p> <p>23 that no president has ever done, and that is to</p> <p>24 fulfill trust and treaty obligations at a proper</p> <p>25 level.</p>

<p style="text-align: right;">Page 190</p> <p>1 And in that way, we are absolutely willing 2 to work in partnership, to reimagine what that 3 relationship looks like, to move forward further 4 into the 21st century that actually returns us to 5 the origins of our relationship, which is about 6 mutual coexistence, about respecting each other's 7 sovereignty, and respecting each other's rights to 8 make decisions about our own communities. So we are 9 open to having those conversations. 10 One thing I want to stress that was 11 mentioned by one of the tribal leaders earlier is, 12 yes, self-governance is critically important. We 13 are celebrating the 50th anniversary of that, but 14 the most successful self-governance models in this 15 country are tribal nations who have the economic 16 means to subsidize federal trust and treaty 17 obligations. So if you want to have an actual 18 conversation about moving towards further self- 19 governance, contracting, and compacting, there has 20 to be a parallel conversation about adequate 21 funding. Otherwise, you are just moving your burden 22 to us, and that's not going to solve anything. 23 There has to be a prioritization of those 24 obligations, but at the same time, you have to 25 respect the sovereign choice of a tribal nation to</p>	<p style="text-align: right;">Page 192</p> <p>1 I fully understand that, and I get that, but every 2 moment is not ripe for a business transaction 3 understanding. Rather, ours is a relationship 4 deeply rooted in our history, in who we are as a 5 nation, in who we are as people. 6 A couple notes I want to just offer from 7 throughout this day, because I had some other 8 remarks I was going to offer. But I'd rather just 9 reflect from today's conversation and offer just a 10 few other things before I wrap up. In a space of 11 limited funds, which is what we are dealing with 12 right now, how every dollar is utilized is 13 imperative and critically important. 14 So I am glad to hear, in the opening 15 remarks, the mention of the White House Council on 16 Native American Affairs, because that sort of space, 17 and that sort of convenient, and that sort of 18 outside-the-box thinking, in a limited resource 19 space, can allow for leveraging of a dollar. But 20 you have to be imaginative in a way that goes beyond 21 the restrictions and boundaries that we're dealing 22 with right now. 23 So you've heard lots of suggestions 24 offered today, about interagency transfers, all 25 these other things. And, Mr. Micklin -- I don't</p>
<p style="text-align: right;">Page 191</p> <p>1 determine what is best for it. So whether it's 2 direct service, contracting, or compacting, each one 3 of those tribal nations has the right, based upon 4 their circumstances, infrastructure, capacity, 5 capabilities, all those things, to decide what makes 6 sense for them. Because it's simple as, you can't 7 deconstruct something over decades and centuries, 8 and then wake up one morning just going to flip the 9 light and everybody should be good. 10 This is a result of a snowballing effect 11 over time, and you don't unwind that over time. So 12 it took 250 years to get to where we are in this 13 moment now. I can only imagine what it's going to 14 be, to move it where we need to be. But every 15 moment offers an opportunity, and we feel this is 16 one of those opportunities to work together to 17 create something pretty magical that this country 18 has never done, when it comes to fulfilling 19 obligations to Indian Country. 20 I also want to say, as somebody who has 21 both a not-for-profit background, tribal government 22 background, and a corporate background, this 23 relationship is not a business transaction. I 24 understand that efficiencies sometimes call for 25 business acumen and a business approach.</p>	<p style="text-align: right;">Page 193</p> <p>1 think he's in the room anymore -- made a comment 2 that I want to just double down on because it's 3 critically important. So you couple with limited 4 dollars, potential reductions in budgets, reductions 5 in force, all those sorts of things. We negotiate 6 tribal nations and not-for-profits, negotiate 7 indirect cost rates for the administrative supports 8 that go along with that. But if you artificially cap 9 that because you think that 15 percent is the magic 10 number, then you are further hurting performance 11 that you're talking about measuring. 12 And that was something that was mentioned 13 today from this table, was data-driven decision 14 making. There is no system in the DOI and BIA that, 15 as it stands right now, to provide you the very data 16 that you're talking about to make data-driven 17 conversations, decisions. How do I know that? 18 Because for years, we've been advocating for the 19 establishment of a structure that would allow that 20 data to be collected. 21 So, one, so you knew how we are 22 performing, but also so we know where those 23 deficiencies are, and that was paused. That project 24 was killed. So you're sitting here now, in the 25 dark, making efficiency decisions without any</p>

<p style="text-align: right;">Page 194</p> <p>1 understanding of the very data points that you need 2 to make decisions. So what you've heard throughout 3 the day are valid concerns that we are further going 4 to complicate and exacerbate an already problematic 5 situation, and I don't think anybody wants that, 6 Native or non-Native. I know there were some non- 7 Natives sitting up here earlier. I don't care 8 whether you're Native or not. We all have the same 9 goal and objective, right? If we are human beings 10 who care about others, other than ourselves, then we 11 take actions that affect the world in that sort of 12 way. We may have differences how to get there, but 13 we have that shared common concern.</p> <p>14 So I will put on the table right now, that 15 we are not always going to agree, but that doesn't 16 mean that we can't come together as professional 17 adults for the benefit of the people that we serve. 18 There were some youth that were in here earlier who 19 are no longer here, but that's what we're doing this 20 for, whether it's for them or the ones that come 21 after them.</p> <p>22 Now, I don't know if you can see online or 23 anybody can see in this room, what I'm standing at 24 here is actually causing me a little bit of trauma 25 right now. This is a music sheet stand. And if</p>	<p style="text-align: right;">Page 196</p> <p>1 Okay. Morgan Faulkner. 2 MS. FAULKNER: Good afternoon. My name is 3 Morgan Faulkner. I'm an Upper Mattaponi tribal 4 citizen and general counsel for the administration 5 of Chief Frank Adams. On behalf of my people, I 6 give you these remarks, and I strongly urge this 7 administration to provide full and sustained funding 8 for all Indian Affairs programs.</p> <p>9 I certainly had much lengthier remarks, 10 but given this late hour, I'm going to be a little 11 bit more succinct, but I just want to make sure to 12 echo all of the concerns that everyone, who's gone 13 before me, has also expressed today.</p> <p>14 Specifically, when it comes to staff 15 reductions and our already under-resourced field 16 offices, delayed funding disbursements due to 17 reduced administrative capacity, and I just want to 18 just say that true efficiency can be achieved by 19 removing bureaucratic barriers and not services, and 20 investing in local capacity and tribal staff 21 development.</p> <p>22 But what I want to specifically talk about 23 on behalf of my tribe is, something that has become 24 all too accustomed to Virginia peoples. We're no 25 stranger to being denied federal programming, but</p>
<p style="text-align: right;">Page 195</p> <p>1 those notes on those sheets aren't played properly, 2 it's chaos to your ears. But when you can play 3 those notes as intended, it's harmonious, and it's 4 created some of the most beautiful symphonies that 5 we've ever heard, right? So this is one of those 6 opportunities where we can work together towards a 7 harmonious sort of reality, having plenty of 8 political differences, but we all share Turtle 9 Island together. So why wouldn't we want to make 10 beautiful music together? That should be the 11 ultimate goal. Thank you.</p> <p>12 MS. BEAUREGARD: Thank you.</p> <p>13 So we're at time, but we're going to hold 14 that just a bit. We just have a few more folks, I 15 believe, who would like to provide comment. And I 16 just want to remind everyone here and online, that 17 if you would like to provide comment and do not get 18 opportunity today, there is another consultation 19 session tomorrow from 10:00 to 3:30 Eastern time. 20 You can find details on that in the Dear Tribal 21 Leader Letter or on the BIA website. And I'll just 22 remind commenters once again, to be brief, be 23 cognizant of others, so everyone may have time.</p> <p>24 And we will call upon Larry Wright, Jr. 25 No longer here.</p>	<p style="text-align: right;">Page 197</p> <p>1 even after receiving federal acknowledgement, we are 2 still being denied what we're entitled to. The 3 Upper Mattaponi Tribe and other Virginia tribes have 4 been denied basic funding for our court systems, the 5 type of funding that is available to all other 6 tribes. And this is despite the clear legal 7 requirements under the Indian Reorganization Act and 8 the Thomasina E. Jordan Indian Tribes of Virginia 9 Federal Recognition Act of 2017.</p> <p>10 This refusal is not only unjust, but is 11 also unlawful. The BIA eastern region has failed to 12 provide equal support to the Upper Mattaponi Tribe 13 and other tribes in Virginia for judicial services. 14 Additionally, this administration has not proposed 15 an increase for funding and tribal court programs.</p> <p>16 Tribal courts are essential to addressing 17 one of this administration's stated goals of 18 increased support to law enforcement, yet we're not 19 being resourced in any meaningful way to actually 20 help achieve that goal.</p> <p>21 We are from a very small corner in rural 22 Virginia, and we have become good community partners 23 in the area where we live, yet we're not really 24 given any sort of practical funding to help with the 25 issues in King William County.</p>

<p style="text-align: right;">Page 198</p> <p>1 So we are -- moving on. We are also 2 disheartened that this administration proposes 3 reducing funding and capacity while also speeding up 4 the timelines for the NEPA process, Section 106 and 5 the ESA. We are a very small government in 6 Virginia. We are just getting our feet wet and 7 getting our government set up. And, now, we're 8 being told that not only do we not have the capacity 9 to do this, but it's going to become even more 10 difficult for us, moving forward. So I would urge 11 you all to consider those timelines, especially for 12 these smaller tribes that do not have the capacity 13 to comply with them.</p> <p>14 So, last, I will just indicate in my 15 comments today that really who suffers the most in 16 all of this is our people. The social services and 17 programs that are funded by the BIA and other 18 federal agencies are not luxuries, but they're life- 19 saving resources for some of the most valued -- 20 excuse me -- vulnerable members of my community. We 21 urge you to continue funding housing programs and 22 also programs that benefit child welfare in Indian 23 Country, and also infrastructure programs to help 24 make sure that our basic needs, such as safe 25 drinking water, reliable energy resources, and</p>	<p style="text-align: right;">Page 200</p> <p>1 and community health and vitality, both now and into 2 the future.</p> <p>3 Tribal Historic Preservation Officers, 4 THPOs, are on the front lines of protecting Native 5 places. They are tribal government officials 6 implementing federal laws, who rely on federal 7 funding to do their jobs. This funding for fiscal 8 year '25, the year that started last October, was 9 approved and appropriated by Congress in the 10 continuing resolution in March, with 60 days to 11 deliver it to tribes. That has not happened. We 12 are told it is stuck in a new level of review at 13 White House OMB. This is a direct violation of 14 numerous requirements and responsibilities, and the 15 funding must be released immediately. This is an 16 existential crisis for THPOs.</p> <p>17 This funding has only ever provided them 18 one staff member. There is no wiggle room for 19 reduction and no backup plan. Furthermore, 20 regarding the supposed energy emergency, reducing 21 the already inadequate 30-day consultation period 22 under NHPA to a 7-day notification period is 23 unconscionable. Cultural resources and sacred 24 places being destroyed and sacrificed in the name of 25 extraction are lost forever.</p>
<p style="text-align: right;">Page 199</p> <p>1 sanitary sewer systems continue to be funded.</p> <p>2 So in conclusion, true government 3 efficiency in Indian Country is measured not in 4 dollars saved, but in lives improved. So we urge 5 you to reject any policy that would reduce funding 6 or services under the banner of efficiency. Thank 7 you so much for the time.</p> <p>8 MS. BEAUREGARD: Thank you. 9 I'm calling upon Valerie Grussing.</p> <p>10 MS. GRUSSING: Sorry. Board meeting. 11 Valerie Grussing, Executive Director, National 12 Association of Tribal Historic Preservation 13 Officers. That's NATHPO. We are a non-profit 14 membership organization of Tribal Historic 15 Preservation Officers based in Washington, D.C., and 16 I will talk in a minute about what they are.</p> <p>17 First, I want to echo and uplift 18 everything that everyone has said here today, and 19 I'm going to try not to be too duplicative, but I do 20 want to talk about cultural resources, 21 archaeological sites, sacred places, areas and 22 species that are critical for subsistence, human 23 remains of ancestors. These are vital to the 24 continuation of Native traditions, language, 25 practices, religion, and identity, and individual</p>	<p style="text-align: right;">Page 201</p> <p>1 We agree that project review processes 2 have become slow and inefficient. The way to 3 expedite them, while honoring treaty and trust 4 responsibilities and protecting places in the public 5 interest representing our nation's shared history, 6 is to follow the law and fund the people charged 7 with doing the work. Thank you.</p> <p>8 MS. BEAUREGARD: Thank you. 9 Before we move to closing, is there anyone 10 who would like to provide comment that I have 11 missed, either online or in person?</p> <p>12 (No audible response.)</p> <p>13 MS. BEAUREGARD: Okay. I will hand this 14 over to Director Bryan Mercier.</p> <p>15 MR. MERCIER: Great. Thank you all very 16 much, and thank you for sticking with us five-and-a- 17 half hours into this consultation. It's not the 18 record. We set the record with our colleagues from 19 Alaska. We did a seven-and-a-half-hour consultation 20 without a break, so that's one that is for the 21 record books, for sure.</p> <p>22 So I just wanted to talk a little bit 23 about next steps and share with you all what I plan 24 to do with what we've heard today. Obviously, we 25 have one final consultation tomorrow. It is a --</p>

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CERTIFICATE

Andrea Pearce

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