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TRANSCRIPT OF VIRTUAL TRIBAL CONSULTATION

HELD ON

FRIDAY JUNE 6, 2025

10:00 A.M.

WASHINGTON, D.C.

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<p style="text-align: right;">Page 2</p> <p>1 VIRTUAL TRIBAL CONSULTATION 2 WORKFORCE EFFICIENCY/PRODUCTIVITY AND 3 EMERGENCY PERMITTING CONSULTATION 4 HELD ON 5 FRIDAY JUNE 6, 2025 6 10:00 A.M. 7 8 SCOTT DAVIS: All right. Good morning, 9 everybody. Good Friday. (Native language spoken). 10 Good day. Scott Davis here, Acting 11 Assistant Secretary for the Interior under Doug 12 Burgum. Welcome everybody. 13 This here is almost getting to the end of 14 our first consultation round with this 15 administration. There are the items today for 16 discussion, for consultation, and we'll get into 17 that here momentarily. 18 But welcome everybody online. Again, we 19 offer this virtually for Tribal leaders, Tribal 20 Nations across the nation, for those who cannot 21 travel. This was one of the requests we've gotten 22 over the years for -- from Tribal leaders of having 23 a virtual session, so again, welcome. 24 I will begin by just going down the line 25 with our staff, beginning with Bryan Mercier and</p>	<p style="text-align: right;">Page 4</p> <p>1 Rebecca or Kelly to begin. Thank you. 2 REBECCA BEAUREGARD: Sounds good. Thank 3 you all, and good morning. Welcome to today's 4 consultation session for Tribal Leaders and 5 Representatives. 6 This meeting is being hosted by the Bureau 7 of Indian Affairs. We are here to gather your 8 comments on two topics; the Assistant Secretary for 9 Indian Affairs reorganization plan as part of 10 Executive Order 14210, Department of Government 11 Efficiency workforce optimization initiative, and 12 the DOI emergency permitting procedures as part of 13 Executive Order 14156, declaration of a national 14 energy emergency. 15 For clarity, throughout today's session we 16 will refer to these as workforce efficiency and 17 productivity, and emergency permitting procedures. 18 Today's consultation session is being 19 recorded. 20 My name is Rebecca Beauregard. I'll be 21 supporting facilitation in today's consultation. My 22 colleagues and I are contractors to the Department 23 of the Interior. We are here as impartial 24 facilitators supporting the department's team in 25 conducting these consultations.</p>
<p style="text-align: right;">Page 3</p> <p>1 going down the line of staff who is part of the 2 consultation today. 3 Bryan. 4 BRYAN MERCIER: Thanks, Scott. Good 5 morning, everyone. This is Bryan Mercier. I'm the 6 director of the BIA. I'm an enrolled member of the 7 Federal Tribes of Grand Ronde, and I think this is 8 the seventh consultation we've done. So appreciate 9 y'all joining. 10 I think we'll hand it off to folks in the 11 auditorium. 12 KELLY RAEL: Hi, I'm Kelly Rael. I'm 13 serving at senior advisor to the Assistant Secretary 14 of Indian Affairs. 15 KEVIN BEARQUIVER: Good morning. Kevin 16 Bearquiver. I am the deputy bureau director for the 17 Office of the -- or for the Bureau of Trust Funds 18 Administration. 19 TRAVIS CLARK: Good morning, everybody. 20 My name is Travis Clark. I'm an associate deputy 21 director with the Bureau of Indian Education, and a 22 citizen of the Osage Nation. Thank you for being 23 with us today. 24 SCOTT DAVIS: All right. I think that's 25 who we have. Rebecca, if you want to -- turn it to</p>	<p style="text-align: right;">Page 5</p> <p>1 Also with us is Derrick Beetso from 2 Hayiilka who is part of our contractor team, and 3 recording your comments made here today. 4 Representatives from the Department of the 5 Interior are here and actively listening to your 6 comments. All comments you share today will be 7 passed along to them after the session. 8 This is an opportunity for Tribal leaders 9 to provide input on the workforce efficiency and 10 productivity, and emergency permitting procedures. 11 We greatly appreciate you all for taking time to 12 attend today's consultation. 13 This is a virtual consultation, and all 14 attendees will be joining online. I will walk us 15 through some information to get us on the same page 16 about how this will go. 17 We are supported by Kyle Vint and Jacob 18 Burnstein. Jacob will be our main point of contact 19 for technical support. They will share their name 20 and email in the chat, and you can use the chat 21 function to address any technical challenges you 22 encounter. 23 Close-captioning services are available. 24 Please go to the bottom of your screen, click on the 25 three dots that say more, select captions, and</p>

<p style="text-align: right;">Page 6</p> <p>1 choose show captions. You can also use the live 2 captioning service available at the link in the 3 chat. 4 Zoom may ask about your spoken language. 5 Select yours and hit save or cancel to close the 6 box. This will not impact your ability to 7 participate in the meeting or use closed-captioning. 8 Attendees will be muted and off camera 9 until the comment period. We will provide full 10 instructions for comments in a few moments. You 11 will be invited to unmute and turn on your camera 12 when it is your turn to speak. 13 If you have questions about the meetings 14 or the virtual schedule, you can email RACA@BIA.gov, 15 that's R-A-C-A at B-I-A dot gov. 16 Errin Kent is attending virtually as the 17 court reporter capturing your input today so that a 18 complete transcript can be prepared and shared with 19 DOI officials. 20 If you choose to comment, please state 21 your name, title, and Tribal affiliation. This 22 information will assist the court reporter. 23 This session will run for approximately 24 five and a half hours, concluding at 3:30 p.m. 25 Eastern time. We will queue for a 30-minute break</p>	<p style="text-align: right;">Page 8</p> <p>1 you're attending as a member of a non-federally 2 recognized Tribe or a member of the public, we 3 welcome you to submit written comments. The public 4 comment period will remain open until July 7th. 5 Please edit your Zoom name to include your 6 affiliation. If you would like to submit written 7 comments, you can submit those through email or mail 8 by 1:59 p.m. Eastern time on Monday July 7th. The 9 email address and mailing address will be posted in 10 the chat. 11 I will now welcome Cheryl Andrews-Maltais, 12 Chairwoman of the Wampanoag Tribe of Gay Head 13 Aquinnah for an opening blessing. 14 And do we have Chairwoman Cheryl with us? 15 CHAIRWOMAN CHERYL ANDREWS-MALTAIS: Thank 16 you so very much for the honor of doing the opening 17 prayer today. Please everyone feel free to pray in 18 your own way. 19 Creator and Ancestors, thank you for all 20 the many blessings that we have been bestowed and 21 for all the many sacrifices that you have made in 22 order for us to still be here today. Thank you for 23 the gifts of strength, courage, and resiliency in 24 order for us to continue the work that we do, and to 25 work on behalf of all of our Peoples.</p>
<p style="text-align: right;">Page 7</p> <p>1 at approximately 1:00, but as it is a long meeting 2 we encourage you to take breaks as needed. 3 Official from the Department of the 4 Interior will begin the consultation with a brief 5 presentation on the respective topics. Following 6 the presentation, we will invite comments from 7 elected or appointed Tribal leaders or their 8 designated representatives. Additional 9 participation instructions will be shared at that 10 time. 11 We want to ensure that all comments are 12 heard and captured. To create space for all voices, 13 we will hear from everyone once before offering 14 second opportunities to speak. Given the number of 15 attendees and the limited time, we respectfully ask 16 that speakers be mindful of the time they take to 17 share comment. 18 As facilitators, part of our role is to 19 help manage the flow of this consultation session to 20 allow for broad participation. We may offer gentle 21 time reminders to ensure we hear from as many Tribal 22 perspectives as possible. 23 This consultation session is specifically 24 intended for elected officials or designated 25 representatives of federally recognized Tribes. If</p>	<p style="text-align: right;">Page 9</p> <p>1 We thank you for our Mother Earth and all 2 our living creatures that live within, upon, and 3 above her. We thank you for the privilege of 4 representing our People. We thank you for the good 5 will that we share with our counterparts and our 6 federal partners. 7 We hope that you continue to guide our 8 thoughts and our actions to make good decisions for 9 all of our relatives, now and for the future 10 generations to come. 11 We ask for your compassion and blessings 12 for all those that are suffering, and those who need 13 your wisdom and your guidance, and your care and 14 love. 15 We thank you for all these gifts, and we 16 hope to have a very positive outcome to a very 17 robust discussion, to make really good decisions for 18 our People moving forward. Aho. 19 REBECCA BEAUREGARD: Thank you, 20 Chairwoman. I will now hand this over to Kelly 21 Rael. 22 KELLY RAE: Good morning, everyone. 23 Thank you for joining us for this virtual Tribal 24 consultation. I will open up with a statement from 25 the Secretary of Interior's office.</p>

<p style="text-align: right;">Page 10</p> <p>1 During his tenure as North Dakota 2 governor, Secretary Burgum was recognized for 3 fostering positive relationships with the state's 4 Tribal Nations. 5 The Department of the Interior and Bureau 6 of Indian Affairs remain committed to our trust 7 responsibilities of protecting Tribal treaty rights, 8 land assets, and resources, in addition to its 9 duties to carry out mandates of federal law with 10 respect to American Indian and Alaska Native Tribes 11 and Villages. 12 Before proceeding with any potential 13 reduction in force actions, the department will work 14 through the Tribal consultation to ensure any 15 proposed actions are informed by meaningful input 16 from Tribal nations, and fully consider the delivery 17 of services to Indian Country. 18 The purpose of consultation is for the 19 Department of Interior Indian Affairs to engage 20 directly with federally recognized Tribes and BIE 21 stakeholders to receive direct input as we develop 22 plans to implement the executive orders and 23 secretarial orders, specifically Executive Order 24 14210 on government efficiency workforce 25 optimization, Secretarial Order 3429 on</p>	<p style="text-align: right;">Page 12</p> <p>1 Next slide. 2 In this slide I'll give a brief summary of 3 each of the functions from the Indian Affairs 4 offices and programs, starting with the Office of 5 the Secretary of Indian Affairs. 6 Our major functions include providing 7 leadership over Indian Affairs, AS-IA, BIA, BIE, and 8 BTFA. Overseeing the development of new and revised 9 regulations, developing operational policies, 10 overseeing the White House Council on Native 11 American Affairs, as well as congressional relations 12 and public affairs, and providing oversight for 13 management and operations of Indian gaming, federal 14 acknowledgement, self-governance, and Tribal 15 economic development. 16 Next slide, please. 17 DASM. The Deputy Assistant Secretary 18 Management major functions include providing 19 executive leadership, guidance, and directions for 20 the following Indian Affairs operations. The Office 21 of Budget and Performance Management, the Office of 22 Chief Financial Officer, the Office of Human Capital 23 Management, Office of Facilities, Properties, and 24 Safety Management, and the Office of Information 25 Technology.</p>
<p style="text-align: right;">Page 11</p> <p>1 consolidation on the functions and the Secretarial 2 Order 14156 on regarding the national energy 3 emergency. 4 Next slide. 5 Okay. Executive Order 14210, Department 6 of Government Efficiency. The purpose of this order 7 is for federal bureaus to restore accountability to 8 the American people by eliminating waste and bloat 9 through critical transformation. Specifically as we 10 develop a plan, we seek your feedback on 11 restructuring Indian Affairs to support more 12 efficient interactions with Tribes, addressing 13 critical funding structures including efficiency 14 barriers to expedite funding to Tribes and Tribal 15 programs, and increasing support for Tribal self- 16 governance and self-determination. 17 Next slide. 18 Secretarial Order 3429, consolidation. 19 The purpose of this secretarial order is to 20 authorize and direct actions for consolidation, 21 unification, and optimization of administrative 22 functions within the Department of Interior. 23 Following your feedback, we will consider 24 if we at Indian Affairs will consolidate some of 25 these functions at the department level.</p>	<p style="text-align: right;">Page 13</p> <p>1 Next slide. 2 We'll discuss BIA. The Bureau of Indian 3 Affairs' major functions include carrying out 4 federal responsibilities to protect and improve the 5 trust assets of American Indians, Indian Tribes, and 6 Alaska Natives. BIA is responsible for the 7 administration and management of 55 million 8 subsurface acres and 57 million acres of subsurface 9 mineral estates held in trust. 10 BIA is the primary agency charged with 11 carrying out the United States' trust 12 responsibilities and maintain the federal government 13 to government relationships with federally 14 recognized Tribes and promoting self-determination. 15 BIA implements federal laws and policies, 16 and administers programs established for American 17 Indians and Alaska Natives under the trust 18 responsibility. The BIA director provides direct 19 oversight to the deputy bureau director's four core 20 agency components. 21 Next slide. 22 These major components include the Office 23 of Justice Service who is responsible for upholding 24 Tribal sovereignty and providing safety for Native 25 American communities through enforcing laws,</p>

<p>Page 14</p> <p>1 maintaining justice and order, and by ensuring that</p> <p>2 sentenced American Indian offenders are confined in</p> <p>3 safe, secure, and humane environments.</p> <p>4 The Office of Indian Services who managing</p> <p>5 programs in human services, Indian self-</p> <p>6 determination, Tribal government, transportation,</p> <p>7 and workforce development. The Office of Trust</p> <p>8 Services who carries out the Indian Affairs trust</p> <p>9 responsibilities associated with the management and</p> <p>10 protection of trusts and restricted lands, natural</p> <p>11 resources, and real estate services.</p> <p>12 These programs administer real estate</p> <p>13 services, land titles, and land records, probate,</p> <p>14 natural resources, forestry, wildland fire</p> <p>15 management, irrigation, and power safety of dams.</p> <p>16 Environmental services, Tribal community resilience,</p> <p>17 Indian energy development, land consolidation, and</p> <p>18 geospatial services.</p> <p>19 The Office of Field Operations who support</p> <p>20 the director of BIA by overseeing 12 regional</p> <p>21 offices and 86 agencies across Indian Country. The</p> <p>22 office provides organizational direction and</p> <p>23 coordination of ensuring field offices adhere to BIA</p> <p>24 policies, aligned with strategic goals and effective</p> <p>25 meet for customer needs.</p>	<p>Page 16</p> <p>1 fiduciary trust responsibilities by managing the</p> <p>2 financial assets of trust beneficiaries to include a</p> <p>3 portfolio of over 9 billion in investments, which</p> <p>4 include more than 4,300 Tribal accounts and 414,000</p> <p>5 individual Indian monies, IIM accounts.</p> <p>6 BTFA offers robust technical guidance on</p> <p>7 trust accounts which enhances beneficiaries'</p> <p>8 understanding and ensures that specific needs can be</p> <p>9 met. BTFA provides timely support and assistance to</p> <p>10 beneficiaries across all 50 states, three U.S.</p> <p>11 territories, and 27 countries through proactive</p> <p>12 outreach and the trust beneficiary call center.</p> <p>13 BTFA oversees trust records and operates</p> <p>14 the American Indian records repository which</p> <p>15 preserves historical documents related to federal</p> <p>16 treaty and trust obligations to Native Americans.</p> <p>17 And finally BTFA handles critical document</p> <p>18 production for litigation and manages historical</p> <p>19 accounting issues, ensuring fairness through the</p> <p>20 administrative appeals process for beneficiaries.</p> <p>21 Next slide.</p> <p>22 In the next two slides I will summarize</p> <p>23 Indian Affairs' proposed workforce efficiency</p> <p>24 strategies including the bureau specific strategies</p> <p>25 for BIE and BTFA.</p>
<p>Page 15</p> <p>1 Next slide. Bureau of Indian Education.</p> <p>2 Major functions include in partnership with Tribes,</p> <p>3 BIE proceed notes culturally based and comprehensive</p> <p>4 education that prepares and empowers students to be</p> <p>5 healthy and successful. BIE provides direct</p> <p>6 services and funding to support education for more</p> <p>7 than 400,000 Indian students across the U.S.</p> <p>8 These direct services and funding support</p> <p>9 include 183 bureau funded elementary and secondary</p> <p>10 schools on 64 Reservations across 23 states. 55 are</p> <p>11 BIE operated and 128 are Tribally controlled charter</p> <p>12 schools.</p> <p>13 BIE oversees direct operations for two</p> <p>14 postsecondary institutions which include Haskell and</p> <p>15 SIPI, and funding support for 33 independent Tribal</p> <p>16 colleges and universities and higher education</p> <p>17 scholarships.</p> <p>18 BIE supports the operations of off</p> <p>19 Reservation residential school, peripheral dorms</p> <p>20 near reservations, prenatal, infant, and toddler</p> <p>21 services. Adult education services, and preschool</p> <p>22 programs.</p> <p>23 Next slide, please.</p> <p>24 The Bureau of Trust Funds Administrations.</p> <p>25 Core functions include fulfilling the secretary's</p>	<p>Page 17</p> <p>1 Next slide.</p> <p>2 The proposed Indian Affairs workforce</p> <p>3 efficiency strategies. Across Indian Affairs, we</p> <p>4 remain focused on upholding our trust</p> <p>5 responsibilities to Tribes, ensuring alignment with</p> <p>6 the executive orders and efficient use of the</p> <p>7 Department of Interior's resources.</p> <p>8 As we look for ways to strategize around</p> <p>9 workforce efficiencies, we are proposing the</p> <p>10 following core approaches.</p> <p>11 Number 1, focus on continuity and</p> <p>12 improvement of federal services by expanding Tribal</p> <p>13 self-determination and self-governance to reduce</p> <p>14 federal bureaucracy and regulations.</p> <p>15 Number 2, focus on data-driven decision</p> <p>16 making to align with priorities and needs for Tribal</p> <p>17 communities, including investments in technology</p> <p>18 modernization to support this effort.</p> <p>19 Number 3, realign internal resources and</p> <p>20 mission objectives to better meet Tribal priorities</p> <p>21 by exploring merging of office and removing</p> <p>22 management layers. In addition to building capacity</p> <p>23 in critical function areas, to improve performance</p> <p>24 and service delivery.</p> <p>25 Next slide.</p>

<p style="text-align: right;">Page 18</p> <p>1 All right. Additional proposed BIE and 2 BTFA specific workforce efficiency strategies. BIE 3 and BTFA have additional proposed strategies to 4 support their specific population. BIE remains 5 focused on their commitment to high quality 6 education. 7 As BIE looks for ways to strategize around 8 workforce efficiencies, they are proposing the 9 following core approach. Invest in front line 10 educators through empowerment of students support of 11 teachers, counselors, and student leaders. 12 Including the use of data to access student needs 13 and drive resource allocation decisions that are 14 support academic achievement and well-being. 15 And lastly, straightening Tribal 16 consultation in education policies and program 17 development to ensure culturally responsive 18 practices are embedded at every level. 19 BTFA remains focused on their commitment 20 to streamline and prioritize. As BTFA looks at ways 21 to strategize around workforce efficiencies, they 22 are proposing the following core approach. 23 Number 1, focus on statutory regulation by 24 prioritizing the key fiduciary duties of receding, 25 investing, disbursing, reconciling, and reporting.</p>	<p style="text-align: right;">Page 20</p> <p>1 impact statement will now be reviewed in roughly 28 2 days. For the Endangered Species Act, pursuant to 3 the executive order we will exercise an expedited 4 Section 7 consultation process that involves the 5 appropriate bureaus notifying Fish and Wildlife 6 Services under the emergency consultation process. 7 Following notification, the appropriate 8 bureau can then proceed with whether to approve the 9 action. For more details, please click on the link 10 on the PowerPoint slide deck. 11 For the National Historic Preservation 12 Act, the executive order requires bureaus to follow 13 alternative procedures resulting in the notification 14 to Tribal Historic Preservation officers and Indian 15 Tribe or Native Hawaiian organization that may 16 attach religious and cultural significance to 17 historic properties likely to be affected. 18 This process will afford impacted Tribes 19 the opportunity to comment within seven days of the 20 notification. 21 Next slide. 22 We seek your questions and comments 23 related to the three topics related to Executive 24 Order 14210, first restructuring Indian Affairs. 25 Second, how to better support Tribes in reducing</p>
<p style="text-align: right;">Page 19</p> <p>1 Strengthen beneficiaries' understandings of 2 financial trust assets and utilizing comprehensive 3 data to modernize and improve systems and processes 4 for transparency, access, and efficiency. 5 Next slide. 6 All right. I'm going to, in the next few 7 slides, I'm going to give a brief summary of the 8 emerging emergency procedures under the national 9 energy emergency declaration. 10 Executive Order 14156, emerging permitting 11 procedures under the national energy emergency 12 declaration. Under the declaration of the national 13 energy emergency, the department and BIA will 14 implement emergency permitting procedures to 15 accelerate the development of domestic energy 16 resources and critical minerals. 17 Next slide. 18 Executive order 14156, emerging permitting 19 procedures. For NEPA, the department will be 20 adopting an alternative compliance process for more 21 concise documents and compressed timeline. 22 Specifically, projects analyzing environmental 23 assessments will be completed within approximately 24 14 days. 25 Projects requiring a full environmental</p>	<p style="text-align: right;">Page 21</p> <p>1 administrative burdens to assess and administer 2 funding, improving communication with Tribes on 3 funding, and improving technical assistance to 4 obtain and administer funding. And lastly, 5 increasing Indian Affairs' support to Tribal self- 6 governance and self-determination. 7 Next slide. 8 Questions for the national emergency 9 consultation. We seek your questions and comments 10 related to the national energy emergency and 11 emerging permitting procedures. Specifically, do 12 you have any concerns with the proposed process and 13 time frames? Are there any applicable situations 14 that are not covered by the proposed process and 15 timelines? 16 I'll now pass the mic back over to 17 Rebecca. 18 REBECCA BEAUREGARD: Thank you, Kelly. 19 Now we will turn to your input on workforce 20 efficiency and productivity, and emergency 21 permitting procedures topics. 22 We first invite input from elected or 23 appointed Tribal leaders, and next from their 24 designated representatives. These comments will be 25 prioritized before we hear comments from any other</p>

<p style="text-align: right;">Page 22</p> <p>1 attendees.</p> <p>2 To indicate your intention to provide</p> <p>3 comment, please use the raise-hand function at the</p> <p>4 bottom of the Zoom screen. Zoom will generate a</p> <p>5 queue of attendees wishing to comment. At this time</p> <p>6 elected or appointed Tribal leaders who wish to</p> <p>7 comment, please virtually raise your hand.</p> <p>8 We will follow the order in which you</p> <p>9 appear on my screen. I will announce that it is</p> <p>10 your turn, and you will be prompted to unmute and</p> <p>11 share your comment. If you encounter issues, we can</p> <p>12 work with you on chat to resolve it and get you back</p> <p>13 into the queue.</p> <p>14 For those attending by phone, please press</p> <p>15 star 9 to raise your hand and join the queue. You</p> <p>16 will use star 6 to unmute your phone when it is your</p> <p>17 turn to provide comment.</p> <p>18 If you choose to comment, please introduce</p> <p>19 yourself with your name, affiliation, and role or</p> <p>20 position. Our court reporter will note this</p> <p>21 information for the transcript.</p> <p>22 And with that, we will turn to Chairwoman</p> <p>23 Teri Gobin.</p> <p>24 CHAIRWOMAN TERI GOBIN: (Native language</p> <p>25 spoken). Good morning. (Native language spoken) is</p>	<p style="text-align: right;">Page 24</p> <p>1 Tulalip Tribes is located approximately 35 miles</p> <p>2 north of Seattle on the I-5 corridor, with our</p> <p>3 southwestern boundary extending to the Salish Sea.</p> <p>4 Like 21 other federally recognized Tribes in</p> <p>5 Washington State, Tulalip holds rights reserved</p> <p>6 under the treaty with the United States.</p> <p>7 A signatory to the Point Elliott Treaty,</p> <p>8 the Tulalip Tribes and other signatory Tribes retain</p> <p>9 rights to fish and harvest shellfish in our usual</p> <p>10 custom grounds and areas, as well as to hunt and</p> <p>11 gather plants, wildlife throughout open unclaimed</p> <p>12 lands including state and federal public lands.</p> <p>13 These treaty reserved rights have been</p> <p>14 affirmed repeatedly in federal courts, most notably</p> <p>15 in the landmark decision United States versus</p> <p>16 Washington commonly known as the Bolt decision. In</p> <p>17 interpreting these rights, the courts have</p> <p>18 constantly recognized that treaties are binding</p> <p>19 agreements between sovereign nations, and constitute</p> <p>20 the supreme law of the land.</p> <p>21 As the 9th Circuit Court has clearly</p> <p>22 stated, treaty signatory Tribes reasonably</p> <p>23 understood that not only did they retain access to</p> <p>24 exercise rights in these areas, but also that</p> <p>25 resources would be sufficient to sustain them.</p>
<p style="text-align: right;">Page 23</p> <p>1 my Traditional name. Teri Gobin is my English name,</p> <p>2 and I'm the Chairwoman of Tulalip Tribes.</p> <p>3 I wanted to get on here early because I</p> <p>4 have my regular board meeting starting in a half</p> <p>5 hour, because it's 7:30 a.m. our time, so we start</p> <p>6 at 8:00.</p> <p>7 We are here today in response to our Dear-</p> <p>8 Tribal-Leader letters that had been sent out from</p> <p>9 the Department of Interior, Secretary Burgum in</p> <p>10 April, and the second addendum sent in May,</p> <p>11 concerning the department's emergency permitting</p> <p>12 procedures and response to the national energy</p> <p>13 emergency declared by President Trump.</p> <p>14 The Tulalip Tribes is a federally</p> <p>15 recognized sovereign Indian government in Washington</p> <p>16 State, successors to the interest of the Snohomish,</p> <p>17 Snoqualmie, Skykomish, and other allied Tribes and</p> <p>18 Bands signatory to the Point Elliott Treaty of 1855.</p> <p>19 Members of Tulalip Tribes, together with</p> <p>20 other Coastal Salish Tribes have strong historical</p> <p>21 and spiritual ties and treaty rights reserved to</p> <p>22 hunt, fish, and gather on federal lands and waters</p> <p>23 managed by the United States government and its</p> <p>24 agencies.</p> <p>25 First I'd like to provide some context.</p>	<p style="text-align: right;">Page 25</p> <p>1 The ecosystem and habitats that support</p> <p>2 the exercise of these off-Reservation treaty rights</p> <p>3 are critical to fulfilling the federal government's</p> <p>4 treaty obligations.</p> <p>5 As such, the United States, through its</p> <p>6 federal agencies and its roles as trustees must not</p> <p>7 take action that would degrade or destroy any</p> <p>8 natural resources upon which these rights depend.</p> <p>9 Before I provide comments on the proposed</p> <p>10 alternative emergency procedures related to EPA,</p> <p>11 ESA, and NHPA, we want to make it clear that it is</p> <p>12 not timely or meaningful consultation, especially</p> <p>13 given the breadth of the topics listed in the</p> <p>14 consultation notice and second addendum to the</p> <p>15 notice.</p> <p>16 The issues that are set to be discussed</p> <p>17 today are staggering. Each law is unique, and the</p> <p>18 department's consultation with the Tribes for each</p> <p>19 deserves far more attention and discussion. The</p> <p>20 department must offer further consultation</p> <p>21 opportunities to gather Tribal input, and we request</p> <p>22 that you ensure that these occur even simultaneously</p> <p>23 so that we can continue to make progress.</p> <p>24 We also need more transparency with the</p> <p>25 thoughts, plans, and proposed actions under</p>

<p style="text-align: right;">Page 26</p> <p>1 consideration. In the future, the more information 2 that can be provided by the federal government about 3 the issues it is focusing on by the action that it 4 is considering taking, the increased likelihood the 5 Tribes can provide meaningful feedback.</p> <p>6 The Tulalip Tribes are not opposed to 7 permitting or environment reform form, whether on 8 Tribal lands or beyond. However, on current federal 9 laws such as reforms cannot proceed without 10 meaningful Tribal input, nor can they come at an 11 expense to our treaty reserved resources and their 12 associated habitats. Especially those located on or 13 within our treaty reserved areas outside the 14 boundaries of the Reservation.</p> <p>15 And thank you for giving me this 16 opportunity to speak this morning. I will be 17 jumping in and out when my board meeting starts.</p> <p>18 Thank you. (Native language spoken).</p> <p>19 REBECCA BEAUREGARD: Thank you, 20 Chairwoman.</p> <p>21 We'll come up on Chairwoman Andrews- 22 Maltais next.</p> <p>23 CHAIRWOMAN CHERYL ANDREWS-MALTAIS: Thank 24 you again, and thank you for being here and 25 dedicating the time that you have for these</p>	<p style="text-align: right;">Page 28</p> <p>1 bureaucracy, and the streamlining of that, I don't 2 think there's any bigger proponent for that than the 3 Tribal leadership in Indian Country.</p> <p>4 For far too long we've been working on an 5 antiquated system with tremendous amounts of 6 redundancy and bureaucracy that is simply not 7 necessary. Just even beginning with how we receive 8 our funding.</p> <p>9 As a self-governance Tribe, the statute 10 says that we're supposed to receive our money as of 11 October 1st of every fiscal year, the entire amount 12 for the fiscal year, and we are able to re-design 13 our programs and services to deliver them to our 14 people as we decide and develop them that is going 15 to best meet or People's needs.</p> <p>16 That is local control, and that is what we 17 expect, and that is what we had basically signed up 18 for. However, it's been a number of years, I think 19 since the '90s, that we have not received our 20 payments in lump sum as we're supposed to, but 21 instead we wait on our funding through 22 appropriations which we should not be discretionary.</p> <p>23 We should be mandatory, but that's a whole 24 different subject. But when we do receive our 25 appropriations, it takes so long because the funding</p>
<p style="text-align: right;">Page 27</p> <p>1 consultations.</p> <p>2 As the Chairwoman noted, that these issues 3 and these subjects are very broad, and they're very 4 important to all of us as Tribal leadership. And 5 with that said, it would be advantageous to us as 6 Tribal leadership to be able to have more time and 7 other opportunities to express our concerns and/or 8 our acknowledgement for good ideas as well as our 9 ideas to really help streamline these processes.</p> <p>10 With regard to the workforce, as we've 11 said, you know, the Department of the Interior over 12 all other departments realizes the most about the 13 trust and treaty obligation it has with Tribes, and 14 supporting the initiatives that the United States is 15 trying to repair our communities that were 16 systematically dismantled. Our economies, our 17 communities, our ways of life, and our existence as 18 a whole.</p> <p>19 As I said yesterday, the Tribes and our 20 People have paid it forward with the lives of our 21 ancestors, our lands, waters, and natural resources. 22 And we are trying to rebuild our communities from 23 the promises that the United States made to us in 24 exchange for those items that I just mentioned.</p> <p>25 When we talk about efficiencies and</p>	<p style="text-align: right;">Page 29</p> <p>1 gets awarded to Indian Affairs and then the bureau, 2 and then it gets send to the regions, and then it 3 gets sent back to self-governance. Then it goes 4 back and forth, and too many hands are touching it. 5 Again, bureaucracy and redundancy that is simply 6 unnecessary.</p> <p>7 Our funding should also not be going into 8 a delivery system or portal such as ASAP or any one 9 of those other portals. Our funding should be 10 coming in to us the same in wire transfers, the same 11 way it is, we were proven or it was demonstrated to 12 show how well this can be done and how effectively 13 we can streamline this process.</p> <p>14 That exactly was through COVID. During 15 the COVID-19 pandemic and emergency, not only the 16 Tribes but the federal government worked together in 17 collaboration to figure out how best to get the 18 resources into the Tribes' hands. And once those 19 resources were in our hands, the federal government 20 stepped back and allowed the Tribes to do what we do 21 best, which is manage our programs and services for 22 the health, safety, and well-being of our community 23 members.</p> <p>24 Tribes did an exemplary job as far as 25 making sure that we were able to structure our</p>

<p style="text-align: right;">Page 30</p> <p>1 delivery systems to our people, and the funds were 2 wired directly into our accounts, which eliminated 3 all of the bureaucracy that we currently go through 4 in our annual funding. 5 One of the other areas that we also know 6 that needs to be worked on is ensuring that the 7 employees not only in the Department of the Interior 8 that touch Indian Country and work with us, need to 9 be exempted from the workforce reduction. 10 Other agencies within the federal family 11 also need to be exempted. Every Tribe, or I should 12 say most Tribes have more than enough work with all 13 the other agencies from commerce to treasury to DOJ, 14 HHS, and every single cabinet. 15 And across the board, this funding that is 16 set aside for Tribes, but yet we are negatively 17 impacted by this workforce reduction because they're 18 only looking at certain areas as opposed to 19 understanding and applying the principle that Tribes 20 are governments unto ourselves, working with the 21 entire federal family of government entities. 22 And we rely on those funds to make sure 23 that we're doing those jobs on behalf of the United 24 States, but yet those other agencies are not taking 25 into account the need for people to be at the other</p>	<p style="text-align: right;">Page 32</p> <p>1 us, and when you have something that is structured 2 like the White House Council on Native American 3 Affairs that stretches beyond the Department of the 4 Interior but led by the Department of the Interior, 5 would be the most advantageous way to make sure that 6 all these other cabinets that touch Indian Country 7 are aware of the impacts their work and their 8 workers have on what we do for our People. 9 Another example is having round tables 10 with the Secretary of the Interior for leadership to 11 meet. Now, this is beyond the Secretary STAC which 12 is a very important and vital body, but is also the 13 need to have secretarial input and being able to 14 meet with Tribal leadership beyond the people that 15 are representative in the STAC. 16 With regard to more of the consolidations, 17 I was really happy to hear that there was no mandate 18 to consolidate the 12 regions down to five or six. 19 However, when we hear consolidation, we just want to 20 make sure that that doesn't mean elimination when we 21 talk about consolidation, you know. 22 It could mean or it should mean that like 23 services get rolled into one particular area, but 24 certainly not eliminating those services themselves, 25 or those functions, and clearly not eliminating the</p>
<p style="text-align: right;">Page 31</p> <p>1 end of the phone or be able to process the funding 2 through the mechanisms that we have. 3 And those mechanisms should be, the 4 funding should be put through our existing 5 mechanisms through our contracts and compacts for 6 Tribal Nations in Indian Country. It's heartening 7 to hear that there's an investment into self- 8 governance and to a self-governance model. And 9 basically what we need is Tribes to be able to have 10 the options as to how they want to receive and 11 administer their programs and services. 12 Not all Tribes are in the same position, 13 not all Tribes are the same in structure. It's no 14 one size fits all, no cookie-cutter. We're all 15 unique with the unique needs and the unique 16 structures, but what is necessary is the options for 17 Tribes and Tribal leadership to be able to determine 18 what it is and how it works best. 19 To that end, we should be, the Department 20 of the Interior should be really leaning or 21 utilizing the White House Council on Native American 22 Affairs more, and with that broad base of co- 23 partners, meeting with Tribal leadership so that we 24 can give that input. 25 We say there's nothing about us without</p>	<p style="text-align: right;">Page 33</p> <p>1 people who provide them. 2 One of the other things that I think would 3 be very helpful is really truly embracing the 4 principles and the intent of the Executive Order 5 13175 which encourages and in fact directs agencies 6 to work with Tribes to create those flexibilities 7 that I speak about. 8 And to accept and adopt Tribal policies 9 where they make sense for the Tribes and where they 10 are not in violation of any statute. Knowing full 11 well that if you do not have the authority to change 12 it, it's not within your authority, therefore you 13 can't. However, wherever the secretary has that 14 authority, it should be exercised to incorporate and 15 respect the Tribal sovereignty, and adopt the 16 processes, policies, and procedures that Tribes put 17 in place. 18 When recommendations come from Tribes, 19 those recommendations should be taken at face value 20 and given the weight that they should be based upon 21 the trust and treaty responsibility of the United 22 States as well as respecting Tribal sovereignty. 23 And I'm going on because I haven't seen 24 anybody's hands raised. 25 When it comes to the section 106</p>

<p style="text-align: right;">Page 34</p> <p>1 consultation, as I mentioned yesterday, that is</p> <p>2 patently unfair for any Tribe or Tribal Nation. Our</p> <p>3 THPO offices have been grossly underfunded as far as</p> <p>4 I can remember. Back when I was in Tribal Historic</p> <p>5 Preservation for our Tribe, we got a minimum amount.</p> <p>6 And as more and more Tribal Historic</p> <p>7 Preservation offices are established, there is not</p> <p>8 more funding that goes along with it. So all the</p> <p>9 Tribes are just getting less of a piece of that pie</p> <p>10 as opposed to increasing it with the increased</p> <p>11 demand on their times.</p> <p>12 Our shop has two people in it, and, you</p> <p>13 know, we have a couple of other contractors if we're</p> <p>14 lucky that we're able to assign, but the workload</p> <p>15 that comes in is phenomenal, and the size of the</p> <p>16 packages that they get.</p> <p>17 Somebody mentioned yesterday it was two</p> <p>18 feet tall. These environmental studies and all of</p> <p>19 the information that they have to glean through,</p> <p>20 read through, and then respond to is not possible to</p> <p>21 be done in seven days.</p> <p>22 And despite the fact that it is trying to</p> <p>23 work in previously disturbed areas, that doesn't</p> <p>24 make a difference, because before the Section 106</p> <p>25 and before the implementation of being able to have</p>	<p style="text-align: right;">Page 36</p> <p>1 leadership as well as our Traditional cultural</p> <p>2 leadership with regard to those places.</p> <p>3 So we do need to be working on that. Also</p> <p>4 when the Section 106 component gets rolled in</p> <p>5 underneath the NEPA process, it provides an offramp</p> <p>6 for those project proponents so that they do not</p> <p>7 engage with Tribes early on in the process.</p> <p>8 Tribes should be engaged at the initial</p> <p>9 stages of the contemplation of projects, not after</p> <p>10 those projects have already gotten underway and have</p> <p>11 gone down the path and gotten multiple approvals</p> <p>12 already.</p> <p>13 That just sets the Tribal leadership or</p> <p>14 just sets the Tribal Historic Preservation offices</p> <p>15 up for failure. So at the end of the day, what is</p> <p>16 needed first and foremost is more funding for the</p> <p>17 Tribal Historic Preservation offices, for them to be</p> <p>18 able to adequately do their job.</p> <p>19 Additionally putting conditions on</p> <p>20 permits, so therefore if the department can't afford</p> <p>21 to pay for their time and their expertise and</p> <p>22 fulfilling their obligation, then those permits</p> <p>23 should be conditioned so that the project proponents</p> <p>24 who pay for every other expert to be on their</p> <p>25 projects, the expertise of our Tribal culture</p>
<p style="text-align: right;">Page 35</p> <p>1 Tribal Historic Preservation officers being</p> <p>2 consulted, areas that were ceremonial, areas that</p> <p>3 were sacred to us, or areas that contain significant</p> <p>4 cultural resources and archeological resources were</p> <p>5 disturbed and disrupted prior to.</p> <p>6 So that doesn't mean just because the</p> <p>7 ground was disturbed once before that it does not</p> <p>8 still have that sacredness or hold those cultural</p> <p>9 resources.</p> <p>10 So again, Tribal Historic Preservation</p> <p>11 offices and their culture departments need ample</p> <p>12 time to be able to review what is being put in front</p> <p>13 of them for consultation.</p> <p>14 Furthermore, when they do provide those</p> <p>15 consultative comments and direction and guidance,</p> <p>16 that information and that traditional cultural</p> <p>17 knowledge is supposed to be respected.</p> <p>18 And when we talk about consultation</p> <p>19 through the National Historic Preservation Act, the</p> <p>20 first order of business or the first option is</p> <p>21 avoidance. And it is rare, if ever, that we ever</p> <p>22 see the Department of the Interior exercise</p> <p>23 avoidance before it goes into pre-determined</p> <p>24 decisions, and those projects move forward despite</p> <p>25 the objections and over the options of Tribal</p>	<p style="text-align: right;">Page 37</p> <p>1 bearers should be no less valuable and no less</p> <p>2 respected than that.</p> <p>3 And in closing, when we're looking at how</p> <p>4 to continue to keep projects going and not delay</p> <p>5 them too much, we also have to make sure that we're</p> <p>6 not thinking about just today, but as we as</p> <p>7 Traditional People think of the generations to come.</p> <p>8 And you cannot and should not be</p> <p>9 exchanging our future for the current, because we</p> <p>10 don't know what we don't know, and that's why it</p> <p>11 takes us time to make those discussions. Because</p> <p>12 once we destroy something, or once we wipe it off</p> <p>13 the face of the planet, there's no getting it back.</p> <p>14 And other times it might come back, but it</p> <p>15 might take generations, and that is not good for us</p> <p>16 and that is not good for humanity and all of our</p> <p>17 brothers and sisters who live within, upon, and</p> <p>18 above our Mother Earth.</p> <p>19 Thank you for this time. And if anybody</p> <p>20 else raises their hand, I'm happy to come back.</p> <p>21 REBECCA BEAUREGARD: Thank you,</p> <p>22 Chairwoman.</p> <p>23 I do not see any other hands raised, so I</p> <p>24 just want to remind our Tribal leaders and other</p> <p>25 attendees, if you would like to provide comment,</p>

<p style="text-align: right;">Page 38</p> <p>1 please use the raise-hand function at the bottom of 2 your Zoom screen.</p> <p>3 And we will now turn to Laurel 4 Yellowhorse. We'll go ahead and unmute you, and you 5 may provide your comment.</p> <p>6 LAUREL YELLOWHORSE: Good morning, 7 everyone. My name is Laurel Yellowhorse. I'm the 8 Paiute Indian Tribe of Utah Tribal Chairwoman.</p> <p>9 Can you guys hear me? 10 REBECCA BEAUREGARD: Yes, we can.</p> <p>11 LAUREL YELLOWHORSE: Okay. So I am going 12 to read my comment. On behalf of the Paiute Indian 13 Tribe of Utah, I submit and give oral testimony in a 14 strong support of the Tiwahe programming and to urge 15 the Congress and the Department of Interior to 16 project and expand funding for the Bureau of Indian 17 Affairs services that directly impact law and order, 18 family well-being, and community safety.</p> <p>19 These include several social services, job 20 placement, and training, Tribal courts, youth, and 21 elder programming. The recent, I can't ever say 22 that word, I apologize. The recidivism reduction 23 initiative.</p> <p>24 As the Tiwahe demonstration site we have 25 experienced firsthand the benefits of an integrated</p>	<p style="text-align: right;">Page 40</p> <p>1 breaking the cycle of repeat offenses and vital for 2 long term safety. Offers rehabilitation through 3 cultural responsive counseling and education.</p> <p>4 Supports reintegration through mentorship, housing, 5 and job readiness.</p> <p>6 Reduces incarceration rates. Restores 7 family stability and enhances public trust. Five is 8 youth and elder programming. These 9 intergenerational services create continuity and 10 cultural resilience. Youth programs build 11 leadership, culture identity, and life skills, 12 diverting at-risk youth from criminal paths.</p> <p>13 Elder services preserve knowledge, 14 dignity, and support aging citizens with dignity 15 while engaging them in mentoring roles. Together 16 they reinforce cultural transmission and community 17 -- I can't say that word right now. Both key to law 18 and order.</p> <p>19 The Tiwahe programming securing a path 20 forward. We urge Congress to enact the Tiwahe Act 21 of 2025 which authorizes Tiwahe as a permanent model 22 that consolidates and streamlines six federal 23 funding streams; social services, equal job 24 placement and training, Tribal courts and laws 25 enforcement, and housing improvement.</p>
<p style="text-align: right;">Page 39</p> <p>1 cultural rooted model that empowers family and 2 strengthens community infrastructure.</p> <p>3 The Tiwahe model is a vehicle for self- 4 governance and sovereignty, not only administrative 5 efficiently. Why these services are foundational to 6 law and order, one is social services. Social 7 services addresses the conditions that give rise to 8 crime, provide support for individuals struggling 9 with trauma, addiction, homelessness, and poverty. 10 De-escalates crisis before they lead to criminal 11 activity. Strengthening family units. Preventing 12 child neglect and domestic conflict.</p> <p>13 Two, job placement and training. 14 Meaningful employment builds safer communities, 15 reduces economic desperation and related criminal 16 behavior, builds dignity, purpose, and financial 17 stability. Fosters personal investment in the 18 success of the community.</p> <p>19 Three, Tribal courts. Tribal courts 20 uphold justice through a cultural competent lens, 21 employs restorative approaches over punitive 22 systems, resolves conflict in ways that repair harm 23 and restore balance. Reinforce Tribal sovereignty, 24 and reduce dependency on external courts.</p> <p>25 Recidivism reduction is number four,</p>	<p style="text-align: right;">Page 41</p> <p>1 Supports Tribal flexibility and invasion, 2 affirming that Tribal Nations are best positioned to 3 design and deliver services to their community.</p> <p>4 Recognizes Tribal data, sovereignty, and self- 5 governments, ensuring that decision making and 6 elevation remain in the hands of Tribal government.</p> <p>7 Centers families and local values 8 requiring each participating entity to place 9 families at the heart of their services, including a 10 strategic plan and whole of government 11 collaboration.</p> <p>12 Includes intergenerational care under the 13 eight Tiwahe well-being domains such as nurturing 14 relationships and connecting families, and 15 culturally and spiritually connected where youth and 16 elders alike are integral.</p> <p>17 Tiwahe being fully funded as a program 18 that is federally backed and Tribally led will guide 19 across agencies alignment and provide support, 20 technical assistance, and funding mechanisms for 21 long term success.</p> <p>22 In conclusion, invest in Tribal families, 23 protect our future. The services supported under 24 Tiwahe model are not optional, they are essential to 25 creating safe resilient and sovereign Tribal</p>

<p style="text-align: right;">Page 42</p> <p>1 communities.</p> <p>2 Eliminating or reducing funding now would</p> <p>3 unravel hard earned progress and place already</p> <p>4 vulnerable populations as risk.</p> <p>5 We respectfully urge fully funding Tiwahe</p> <p>6 and FY-26. Continue and expand investment in social</p> <p>7 services, job programs, justice system, and youth</p> <p>8 and elder programs. A firm commitment to Tribal</p> <p>9 self-governance and culturally aligned service</p> <p>10 deliveries.</p> <p>11 Thank you for your leadership and</p> <p>12 partnership. We stand ready to work with Congress</p> <p>13 and the Department of Interior to see Tiwahe become</p> <p>14 not just a demonstration, but a permanent foundation</p> <p>15 of Tribal well-being and law and order.</p> <p>16 Thank you.</p> <p>17 REBECCA BEAUREGARD: Thank you,</p> <p>18 Chairwoman.</p> <p>19 If we have any other attendees who would</p> <p>20 like to provide comment, please indicate as such by</p> <p>21 using the raise-hand function at the bottom of your</p> <p>22 Zoom screen. And I'll just wait for a few moments.</p> <p>23 And if we have no one wishing to provide</p> <p>24 comment at this time, I believe we will go off</p> <p>25 camera, off audio, and any attendee at any point in</p>	<p style="text-align: right;">Page 44</p> <p>1 resources.</p> <p>2 Those were given in exchange. So</p> <p>3 therefore there should be no reason why Tribes</p> <p>4 should ever have to compete against each other for</p> <p>5 grants, specifically underneath the Department of</p> <p>6 the Interior, because every Tribe should be entitled</p> <p>7 to receiving compensation and financial support for</p> <p>8 the programs and services.</p> <p>9 And we're happy to, we stand ready to work</p> <p>10 with the department to determine or figure out the</p> <p>11 best plan of action for that, but certainly it</p> <p>12 cannot be encapsulated in a consultation or</p> <p>13 consultative environment.</p> <p>14 It is more of a discussion and an exchange</p> <p>15 of ideas to working through a pathway forward as</p> <p>16 opposed to these types of listening sessions in</p> <p>17 consultation.</p> <p>18 And what I wanted to also ask is, is there</p> <p>19 going to be a copy of the transcript available for</p> <p>20 the Tribes to be able to go through?</p> <p>21 While there's oftentimes we like to be in</p> <p>22 more than one consultation to hear whether or not</p> <p>23 we're experiencing the same challenges exclusively</p> <p>24 at our own region or within our own Tribes, or</p> <p>25 whether or not it's something that's more universal,</p>
<p style="text-align: right;">Page 43</p> <p>1 time who would like to provide comment, you can</p> <p>2 raise your hand, and I see we have Chairwoman</p> <p>3 Andrews-Maltais.</p> <p>4 We will go ahead and unmute you.</p> <p>5 CHAIRWOMAN CHERYL ANDREWS-MALTAIS: Well,</p> <p>6 I guess the video won't unmute. Oh, there, we go.</p> <p>7 Thank you. And rather than going off</p> <p>8 camera, and you have all invested the time here,</p> <p>9 maybe by engaging in further conversation might</p> <p>10 encourage more comments.</p> <p>11 What I wanted to do was, you know, I guess</p> <p>12 circle back to re-envisioning the relationship that</p> <p>13 the Tribes have with the United States, and</p> <p>14 particularly with the Department of the Interior.</p> <p>15 And looking at how that can be, is</p> <p>16 utilizing the staffing that we have and that you</p> <p>17 provide for the Tribes, more technical assistance as</p> <p>18 opposed to the paternalistic overlordship that we</p> <p>19 currently have to put up with at certain points.</p> <p>20 But one of the other things that we should</p> <p>21 be doing is looking at eliminating the burdensome</p> <p>22 reporting. Because we're still using an antiquated</p> <p>23 grant system, Tribes weren't asked, you know,</p> <p>24 whether or not you are going to compete with each</p> <p>25 other to relinquish your lands, waters, and natural</p>	<p style="text-align: right;">Page 45</p> <p>1 as well as it gives the Tribes the ability to make</p> <p>2 sure that when you're hearing from us, our</p> <p>3 particular concerns or our particular ideas or</p> <p>4 recommendations, and it's being heard across Indian</p> <p>5 Country, that they really are being taken into</p> <p>6 account and given adequate and appropriate weight in</p> <p>7 formulating the decisions for creating policies or</p> <p>8 procedures for the department.</p> <p>9 And if there's nobody else, I was</p> <p>10 wondering whether or not it would be okay for you</p> <p>11 guys on the panels to, I guess, maybe elaborate a</p> <p>12 little bit more from what you currently or have in</p> <p>13 place, or have envisioned to be in place for the</p> <p>14 questions that have been put to us as per the</p> <p>15 consultation.</p> <p>16 Thank you.</p> <p>17 REBECCA BEAUREGARD: Thank you,</p> <p>18 Chairwoman.</p> <p>19 TRAVIS CLARK: Sure. I think, you know,</p> <p>20 for the Bureau of Indian Education, we are very</p> <p>21 much, you know, in support, you know, within the</p> <p>22 mechanisms that we have, you know, supporting all --</p> <p>23 all of the schools that want to be -- become</p> <p>24 Tribally controlled.</p> <p>25 Obviously that puts Tribes in the driver's</p>

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1 seat. That said, we are also, you know, at the same
2 time committed to the trust responsibilities. So
3 those Tribes are not desirous of taking over and,
4 you know, operating their own school under Public
5 Law 297 or 638 grant.

6 We're always going to, you know, be here
7 to, to carry out that mission. I think, you know,
8 we just want to ensure that as we go through this
9 exercise that we are, you know, our strategy is to
10 focus on that front line, you know, service provider
11 at the BIE.

12 So, you know, as we, you know, take the
13 comments and come back, and, you know, formulate
14 what the plan will be as far as the BIE goes, you
15 know, that, those, that's where our priorities are.

16 It's focusing on kind of the, you know,
17 that core mission of providing directed, you know,
18 those direct educational services to Tribes when
19 they so want us to directly operate them and
20 focusing on, you know, what, how are we best
21 equipping our front line educators and, and service
22 providers in the most efficient manner possible.

23 But then also, you know, kind of standing
24 at the ready, and wanting and encouraging Tribes to
25 assume direct control of their schools if and when

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1 they choose.

2 And it's reflected in the number of, as
3 Kelly showed in her presentation, you know. We have
4 183 K through 12 schools, the vast majority of them
5 are already Tribally controlled charter schools
6 operated by Tribes as under, you know, PL 297 grants
7 or 638 contracts.

8 And then 55 remain directly operated by
9 us, so, you know, just philosophically that's how we
10 are approaching this, this issue in this
11 consultation.

12 And very much look forward to being able
13 to, you know, like at the transcripts. Take your,
14 take your feedback back and work with our leadership
15 on, you know, how we -- how we respond to the
16 executive order and ensure that we're, you know,
17 kind of prioritizing that front line educator for
18 the BIE.

19 KEVIN BEARQUIVER: Thank you, Chairwoman,
20 for the question. For the Bureau of Trust Funds
21 Administration, one of the things we focused on in
22 the past three or four years is facilitating the way
23 for Tribes to withdraw their money and manage their
24 money themselves, their trust funds themselves,
25 under the Trust Reform Act.

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1 We've taken a process and streamlined it
2 to the last -- the most recent ones we can, example
3 I can give you is Pechanga Tribe. We did that in
4 less than nine months for Pechanga Tribe to withdraw
5 their -- their trust funds, and -- and manage that
6 -- manage the trust funds themselves.

7 Also we've been focusing for the
8 beneficiary, more of an online access, 24-hour
9 access via Amazon Connect and the use of an IVR.

10 So we have interactive voice response that
11 -- that Tribal members can access their accounts
12 24/7 now, for certain functions. They can't
13 withdraw funding through the phone, but they can
14 access the information on their accounts.

15 And likewise, we are in the process of, we
16 are piloting right now online access for Tribes,
17 three affiliated Tribes, our MHA Nation in North
18 Dakota is the first Tribe that has been piloting
19 this.

20 We will be rolling it out for more Tribes,
21 and the goal is by the end of the year is to allow
22 Tribes to have access to their information any time
23 they want.

24 I mean, the, you know, the people that are
25 authorized to view the accounts, obviously, can have

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1 access to their accounts. So that's, we focused on
2 streamlining processes and then making things more
3 open and transparent to both the beneficiary and the
4 Tribes.

5 And that's what we have been focusing on
6 for the past couple years, and hope to do more of
7 that. Thank you.

8 REBECCA BEAUREGARD: Thank you,
9 Chairwoman. And I do believe BIA intends to make
10 transcripts available.

11 We will go ahead and move on to Reylynne
12 Williams. We will be unmuting you, and you're
13 welcome to turn on your video if you wish, and
14 provide your comment.

15 REYLYNNE WILLIAMS: Good morning. My name
16 is Reylynne Williams. I am the Tribal Historic
17 Preservation officer for the Gila River Indian
18 Community in Arizona.

19 I have been delegated the responsibility
20 by my community to oversee the Section 106 process
21 under the National Historic Preservation Act.

22 There are over 200 Tribal Historic
23 Preservation officers across this country whom are
24 similarly responsible to protect, preserve, and
25 consult on projects that may impact natural and

<p style="text-align: right;">Page 50</p> <p>1 cultural resources within their aboriginal 2 territories. 3 We are challenged under every 4 administration to streamline and expedite the 5 Section 106 consultation process. Through our 6 continued efforts and working relationships with 7 federal agency personnel, we have developed formal 8 and informal processes to review and consult on 9 these energy resource projects. 10 Our office holds the federal agency 11 accountable to engage in meaningful consultations. 12 With the turnover and reduction of the federal 13 workforce, will impact the expedited review under 14 Executive Order 14156. 15 Another impact to the executive order is 16 the National Park Service Historic Preservation Fund 17 for state historic preservation office programs and 18 the Tribal Historic Preservation office programs. 19 These funds have not been released as of 20 this physical year, and next year's federal budget 21 further cuts funding for these offices to function. 22 If the Tribal communities and their respective 23 Tribal Historic Preservation offices are to meet the 24 demands under Executive Order 14156 to streamline 25 and expedite consultation for these energy efficient</p>	<p style="text-align: right;">Page 52</p> <p>1 REBECCA BEAUREGARD: We'll now call upon 2 Heston Smith. We will unmute you, and you can turn 3 on your camera if you wish, and please provide your 4 comment. 5 HESTON SMITH: Hello. Can you hear me? 6 REBECCA BEAUREGARD: Yes, we can. 7 HESTON SMITH: Thank you for the 8 opportunity to talk. Just for the leadership there, 9 just wondering what their -- how they plan to 10 continue supporting Tribes if they experience staff 11 cuts similar to what the other bureaus or agencies 12 have experienced. 13 Thank you. 14 TRAVIS CLARK: Well, I will just say from 15 the Bureau of Indian Education, again, you know, 16 regardless of what the staff number is, you know, it 17 doesn't change the mission that we have, you know, 18 and our dedication to ensure that that's carried 19 out, you know, on behalf Tribes, and maintaining 20 that trust and treaty responsibility as it -- as it 21 regards education. 22 Again, you know, we look forward to being 23 able to incorporate your thoughts and your feedback, 24 and to how we might better and more efficiently 25 carry out that mission.</p>
<p style="text-align: right;">Page 51</p> <p>1 projects, then the Office of the Secretary of the 2 Interior should expedite the release of the FY-25 3 National Park Service Historic Preservation funds 4 and to advocate for the future of the national Park 5 Service Historic Preservation funding for Tribal 6 Historic Preservation offices and the state historic 7 preservation offices. 8 I greatly appreciate all the comments that 9 were made by all the Tribal leadership yesterday, 10 and I thank you for your time and attention to these 11 comments. 12 REBECCA BEAUREGARD: Thank you, Reyllynne. 13 For our attendees online, if there is 14 anyone wishing to provide comment, no need to wait. 15 You can go ahead and use the raise-hand function at 16 the bottom of your Zoom screens and we can build up 17 a queue. 18 And if we have no one wishing to provide 19 comment at this time, we will go ahead and turn off 20 camera, off audio, and be on pause. However, we're 21 on the line so if anyone wishes to provide comment, 22 you can go ahead and raise your hand and we will 23 come back on. 24 Thank you. 25 (A break was taken.)</p>	<p style="text-align: right;">Page 53</p> <p>1 And, you know, sitting with our leadership 2 and developing what a potentially streamline work 3 morse might look like for the Bureau of Indian 4 Education, but you know, I will just say that, you 5 know, our commitment to, you know, carrying out our 6 mission of providing a high quality education to 7 Indian students, you know, that doesn't change 8 regardless of what the final plan might look like 9 coming on the other side of consultation and working 10 with our Indian Affairs political leadership on -- 11 on the workforce efficiently plan for the Bureau of 12 Indian Education. 13 REBECCA BEAUREGARD: Thank you, Heston. 14 KEVIN BEARQUIVER: I'll try to respond as 15 best as I can, since I had to step out of the room 16 for a second. 17 And I think we spoke a little bit about 18 this for the Bureau of Trust Funds Administration. 19 We've really focused on, primarily because we're a 20 high impact service provider, and so we do journey 21 mapping every couple years to see, like, where the 22 pain points are for the beneficiary and where pain 23 points are for Tribes. 24 And we've really focused on making 25 processes and procedures for people to access their</p>

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1 accounts, access their funds more efficient through
2 technology.
3 We've invested over the last couple years
4 into new systems. Like I said and like I had
5 mentioned previously as like Amazon Connect being
6 one of those new systems. We also invested into a
7 new -- into Salesforce as what we call our
8 beneficiary service management system.
9 And so that's -- and we're able to track
10 interactions and account for our interactions. Also
11 we share -- we're able to share more information
12 between the Bureau of Indian Affairs, in particular
13 on the social services side, so we can react and
14 work faster and quicker with the utilization of
15 technology.
16 We're looking at expanding that to work
17 with the Office of Justice Services to share
18 information, in particular for MMIP. And so that's
19 really where we've focused on technology and what
20 that focus on technology and allowing beneficiaries
21 and Tribes to have access themselves and self-
22 service, those efficiencies we've created can be
23 absorbed as required by the department and the
24 executive office.
25 Thank you.

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1 REBECCA BEAUREGARD: Thank you.
2 As a reminder to our attendees online, if
3 anyone wishes to provide comments, please raise your
4 hand to indicate as such.
5 And we will otherwise be turning off
6 camera and audio, and we will keep the line open so
7 if at any time anyone would like to provide comment,
8 please raise your hand and we'll come back.
9 (A break was taken.)
10 KYLE VINT: Hi, Robert. I see your hand.
11 We'll get going here in just a moment. Rebecca will
12 call on you, and then we will restart the meeting to
13 take your comment. Bear with us for just a moment,
14 please.
15 REBECCA BEAUREGARD: Calling upon Robert
16 Martin. You will be unmuted, and you can turn on
17 your camera if you wish, and go ahead and provide
18 your comment.
19 KYLE VINT: Robert, we've sent a request
20 to unmute your microphone. If you're talking, we're
21 not hearing you right now. So you need to go down
22 to the bottom left corner of your screen. There you
23 go, I see you unmuted now, and I see your video
24 coming on. We see you too.
25 ROBERT MARTIN: Great. Oseo, good

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1 morning. It's -- I want to thank you for this
2 opportunity to speak before this session, this
3 consultation session, and thank you the BIE and
4 others from the Interior Department for this
5 opportunity to listen.
6 I just wanted to talk about the
7 importance, of course, the TCUs and the Institute
8 American Indian Arts, and I am the presidents of
9 IAIA.
10 And I just, you know, I know how important
11 the TCUs are to our Tribal communities, and in terms
12 of higher education and training, yet we've been
13 eliminated in the president's budget.
14 And how does that fit with the BIE
15 reorganization, Tribal sovereignty, and the need for
16 higher education in Indian Country? Without
17 education, how can we lead our Tribes, create
18 industry, work towards self-government.
19 And the president's budget reflects his
20 policy. If he supports funding for historically
21 black colleges and universities, he needs to support
22 funding for the TCUs and the Institute of American
23 Indian Arts.
24 Thank you very much for this opportunity
25 to speak.

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1 REBECCA BEAUREGARD: Thank you, Robert.
2 As a reminder, any attendees who wish to
3 provide comment, please indicate as such by using
4 the raise-hand function at the bottom of your Zoom
5 screen.
6 And we will go off camera, off audio, but
7 be on the line if anyone else wishes to provide
8 comment. Go ahead and raise your hand using that
9 function at the bottom of the screen, and we'll come
10 back on.
11 Thank you.
12 (A break was taken.)
13 REBECCA BEAUREGARD: Hello, Robert. We
14 will hear from you again. We'll go ahead and unmute
15 you, and you're welcome to turn on your video, if
16 you wish.
17 ROBERT MARTIN: Wado. Thank you for
18 allowing me to speak again. Again, I'm Robert
19 Martin, President of Institute of American Indian
20 Arts, and speaking on behalf of the Tribal Colleges
21 and Universities.
22 I am wondering if anyone could comment
23 specifically on how eliminating funding for the TCUs
24 and IAIA fits into your plan for reorganization.
25 The administration's plan to cut our

<p style="text-align: right;">Page 58</p> <p>1 funding does not seem to fit with your comments 2 earlier about supporting Tribal colleges and TCUs, 3 and of course the BIE's postsecondary institutions, 4 Haskell and SIPI, we're very concerned about them 5 and what happened earlier in this semester in terms 6 of losing faculty and staff. 7 Many of those were able to return, but it 8 was very disruptive. And so we're very much 9 concerned about what the BIE can do to support the 10 TCUs, especially Haskell, SIPI, and IAIA. 11 Thank you. 12 TRAVIS CLARK: Certainly. So how that 13 would, you know, obviously the -- the president's 14 proposed budget will certainly be part of the 15 considerations when we work with our leadership 16 following this consultation around workforce 17 efficiency. 18 And we will have to, you know, consider 19 how that is going to impact any -- any final 20 proposed workforce efficiency strategies that we 21 work with the Indian Affairs leadership in 22 establishing. 23 So I would just say, of course the 24 president's proposed budget will be a consideration, 25 will -- will necessarily be a consideration as we</p>	<p style="text-align: right;">Page 60</p> <p>1 their budget, and as we know the president's budget 2 is just a proposal, and we didn't get any 3 notification. There was no consultation. 4 There was no advance warning that this was 5 being considered. And so it's really, you know, our 6 students and faculty and staff are very much 7 concerned. They are, you know, already with what 8 was occurring during this semester from these White 9 House executive orders, created a lot of stress and 10 anxiety and fear. 11 And of course, we think that's what the 12 administration wants currently, and that's 13 unfortunate. But to go through this now, and it's 14 going to impact our retention of not only our 15 faculty and staff, but especially our students. 16 And what I've advised my faculty and staff 17 to do is focus on our mission and our students, and 18 student success. And I think things will be all 19 right. 20 So we hope to have your support going 21 forward, and we know that Congress, in the past 22 we've had bipartisan support, and we think that, we 23 hope that will continue. We're asking that that 24 continue, and we're hoping that we have the support 25 of the BIE and the Department of Interior as we go</p>
<p style="text-align: right;">Page 59</p> <p>1 work with the leadership around workforce efficiency 2 strategies for the Bureau of Indian Education. 3 Of course, it is a proposed budget so we 4 will ultimately need to know what the financial 5 appropriation will or will not be. 6 So all that to say, you know, obviously 7 we're aware of the considerations that it would have 8 on the BIE's workforce around TCUs. So it would 9 certainly be a consideration that we are, you know, 10 working with as we sit down with our leadership 11 following consultation, incorporating yours and 12 comments from other Tribal leaders around these 13 issues. 14 And then establishing a workforce 15 efficiency strategy for the Bureau of Indian 16 Education. 17 ROBERT MARTIN: Wado. Thank you for that. 18 Yeah, and I know that many of you are very familiar 19 with the roles that TCUs play and Haskell and SIPI 20 and the Institute of American Indian Arts, and the 21 impact that we've had on Indian communities, not 22 only here in this country but in the world, 23 internationally. 24 So I hope that in your review and taking a 25 look at what Congress does in terms of formulating</p>	<p style="text-align: right;">Page 61</p> <p>1 forward. 2 Wado. Thank you very much. 3 KYLE VINT: And this is Kyle Vint, one of 4 the virtual facilitators. We did see a request in 5 chat to include the questions, the guiding questions 6 that were available on the slides earlier. 7 My colleague Jacob just put those into 8 chat, so if you were looking for the questions that 9 we asked earlier in the meeting to help frame or 10 shape some of the comments that we're seeking, those 11 questions are now available in chat. 12 Thank you. 13 REBECCA BEAUREGARD: Without further 14 comments at this time, we will go ahead and remain 15 on the line, but off audio, off camera. And if we 16 see a raised hand, we will come back on. 17 Thank you. 18 (A break was taken.) 19 REBECCA BEAUREGARD: Michael Peters. We 20 will take you off mute, and you can turn on your 21 camera if you wish, and provide your comment. 22 MICHAEL PETERS: It is too early in Alaska 23 for me. I was having a hard time with that. 24 So I've got just a couple comments. And I 25 was invited off of a Dear-Tribal-Letter up here in</p>

<p style="text-align: right;">Page 62</p> <p>1 Alaska, to this event.</p> <p>2 And my first comment is under the National</p> <p>3 Environmental Policy Act. Shortening these so</p> <p>4 drastically are going to affect us up here. I know</p> <p>5 my Council is opposed specifically to shortening</p> <p>6 these so drastically.</p> <p>7 Then my second comment that I am to</p> <p>8 address from my Council is on the workforce</p> <p>9 efficiency, mainly on the BIA side.</p> <p>10 We are entering into 18 months of working</p> <p>11 our 105(1), among many other BIA items that seem to</p> <p>12 drag on either due to changes in personnel or lack</p> <p>13 of personnel, that I encourage BIA to keep your</p> <p>14 guys' offices in Alaska, both of them, open, and to</p> <p>15 fill them as best possible.</p> <p>16 As a rural Alaska, it's pretty important</p> <p>17 to us to have access to answer some of the</p> <p>18 questions. I'm nine months into my job, never been</p> <p>19 in Tribal government, and my point of contacts have</p> <p>20 been priceless to me, and I appreciate that more</p> <p>21 than anything.</p> <p>22 That's really all the comments I have from</p> <p>23 Naknek and our Council, and I thank you guys for the</p> <p>24 opportunity.</p> <p>25 REBECCA BEAUREGARD: Thank you, Michael.</p>	<p style="text-align: right;">Page 64</p> <p>1 And I think we have Chairwoman Andrews-</p> <p>2 Maltais with us now.</p> <p>3 BETTINA WASHINGTON: Good morning,</p> <p>4 everyone. This is actually Tribal Historic</p> <p>5 Preservation Officer Bettina Washington for the</p> <p>6 Wampanoag Tribe of Gay Head Aquinnah. I was trying</p> <p>7 to find myself to re-name, but I can't do that.</p> <p>8 So as I said, I'm the THPO for the</p> <p>9 Wampanoag Tribe of Gay Head Aquinnah. We are aware</p> <p>10 of, when I say we, as most of you are probably</p> <p>11 aware, our Tribe has been dealing with the</p> <p>12 production of wind farms off the South Coast</p> <p>13 (inaudible) off our Tribal lands.</p> <p>14 And I don't actually know how to put it so</p> <p>15 people -- so officials and the general public can</p> <p>16 really understand the amount of work that was placed</p> <p>17 upon our department.</p> <p>18 And these were under normal, what I call</p> <p>19 normal procedures. Our THPO cultural department is</p> <p>20 two people and a contractor. That's what most of</p> <p>21 our THPO departments consist of. We're very small</p> <p>22 departments in our area.</p> <p>23 And the fact that we have looking down,</p> <p>24 what to us is a shotgun barrel of seven days from an</p> <p>25 expedited emergency, which still has not really been</p>
<p style="text-align: right;">Page 63</p> <p>1 And can you repeat your role and</p> <p>2 affiliation? I did not catch that.</p> <p>3 MICHAEL PETERS: Michael Peters. I'm the</p> <p>4 Tribal Administrator for the Naknek Native Village</p> <p>5 Council.</p> <p>6 REBECCA BEAUREGARD: Thank you.</p> <p>7 KYLE VINT: This is Kyle Vint, the virtual</p> <p>8 facilitator. I, very briefly, saw a hand raised</p> <p>9 from Secretary Nefertiti Jett.</p> <p>10 If you would like to raise your hand,</p> <p>11 please go ahead and re-raise it so that we can call</p> <p>12 on you and get you integrated into the participation</p> <p>13 period.</p> <p>14 If it was unintentional, don't worry about</p> <p>15 it.</p> <p>16 REBECCA BEAUREGARD: And let's call upon</p> <p>17 Chairwoman Andrews-Maltais. Go ahead and unmute,</p> <p>18 and you're welcome to come on camera if you wish.</p> <p>19 Chairwoman, are you with us?</p> <p>20 KYLE VINT: I've sent a request to unmute.</p> <p>21 You can chat me if that's not working.</p> <p>22 REBECCA BEAUREGARD: As a reminder for any</p> <p>23 attendees, if you wish to provide comment, please</p> <p>24 use the raise-hand function at the bottom of your</p> <p>25 Zoom screen.</p>	<p style="text-align: right;">Page 65</p> <p>1 defined. If it's issued on a Thursday, that means</p> <p>2 we have until -- one, two, three, four, five --</p> <p>3 Wednesday maybe.</p> <p>4 Because it's not business days, it's</p> <p>5 calendar days. This puts a burden on already</p> <p>6 understaffed, underfunded offices. And to -- I just</p> <p>7 cannot fathom how we are to answer other than -- we</p> <p>8 can put out comments and they're going to be</p> <p>9 comments that can come on a, I don't want to a</p> <p>10 superficial because that implies that they don't --</p> <p>11 these are very basic things.</p> <p>12 First of all, our comments, while they are</p> <p>13 not basic, it depends on the project what the</p> <p>14 comments are, obviously. So for, let's take for</p> <p>15 instance for the wind farms. It's going to be, you</p> <p>16 know, first and foremost one of our most is our</p> <p>17 whales and the mammals that are in the ocean that</p> <p>18 we're concerned about fishing areas, breeding areas</p> <p>19 for our fish.</p> <p>20 Then we're concerned about ancient similar</p> <p>21 land farms. So we can put all these things out</p> <p>22 very, almost like an informational sheet, but that's</p> <p>23 not what true consultation is.</p> <p>24 This is, consultation is building a</p> <p>25 relationship. That's what is working on a project.</p>

<p style="text-align: right;">Page 66</p> <p>1 When we're consulting, we want to get down past the 2 introduction. I do not understand getting comments 3 within seven days. 4 If we're going to the moon, if we're going 5 to Mars, do you think that's seven days worth of 6 contact, seven days is enough time? It's not enough 7 time for anything. 8 When we talk about consultation, we also 9 talk about the spirit of consultation, and I do not 10 believe this is in the spirit of consultation. It's 11 more of a check box, which in fact, we have fought 12 against for a number of years. 13 We asked you, your comments. We fulfilled 14 our duty. Instead of what I, and this is me 15 speaking as my individual THPO, okay. I don't want 16 to imply that this is the thought process or 17 consensus of anybody else, okay. 18 I was hoping that we were headed, to me, 19 as I viewed it, we were heading in a good way. We 20 were heading into the acceptance of TEK, of really 21 listening to Native People, our Indigenous Peoples, 22 and how we understood our lands, our waters. 23 Our landscapes, the relationship between 24 earth and sky. I really thought we were moving in 25 that direction, and there's no way I believe that</p>	<p style="text-align: right;">Page 68</p> <p>1 afternoon. My name is Nicole Grigg. I am outside 2 counsel for the Habematolel Pomo of Upper Lake from 3 Upper Lake, California. I'm a member of the Tribe, 4 and I've been authorized by our Chairwoman to 5 provide comments on behalf of the Tribe. 6 Thank you for this opportunity to speak. 7 Our Tribe descends from the Pomo Peoples 8 whose ancestral lands spanned a vast area of North 9 Central California from the Pacific Coast to the 10 Clear Lake region. 11 Like many Tribes, we have survived 12 centuries of hardship and adversity including 13 displacement, genocide, and unjust federal policies 14 such as the 1850 Bloody Island Massacre and the loss 15 of our land base following attempted federal 16 termination. 17 Today we are a federally recognized Tribal 18 government headquartered near our ancestral 19 territory which is located on the northern portion 20 of Clear Lake, the largest natural freshwater lake 21 in California. 22 Continuing to rebuild our land base and 23 government's capacity despite historic and ongoing 24 barriers. We will be submitting comprehensive 25 written comments that detail our recommendations</p>
<p style="text-align: right;">Page 67</p> <p>1 this will help this in the direction that I had 2 hoped we were going. 3 And I just have to say that we will still 4 attempt to the best of our ability, to fulfill our 5 role, but I would encourage any and all to 6 understand the burden you are placing on -- and 7 again, it's not just THPOs. 8 Every Tribe does not have a Tribal 9 Historic Preservation Officer, but every Tribe has a 10 culture, and every Tribe usually has individuals who 11 hold that knowledge, and every Tribe deserves to 12 have enough time to voice those concerns. 13 I thank you for the opportunity to speak 14 with you all, and I hope what I've said has made 15 sense to you. 16 If you have any questions about anything 17 I've said, you can go to our website and contact me 18 by email. You can, and my phone number is there, 19 but I appreciate everyone's time and effort, and I 20 wish you all a really good day. 21 REBECCA BEAUREGARD: Thank you, Bettina. 22 We will move to Nicole Grigg. We will be 23 unmuting you, and there you are on camera. Please 24 go ahead and provide your comment. 25 NICOLE GRIGG: Good morning, good</p>	<p style="text-align: right;">Page 69</p> <p>1 supported by examples and contextual background. 2 For today's session, however, I will offer 3 a high level overview of our comments in response to 4 the request for input. 5 As to question one regarding improve 6 efficiency at the Indian Affairs. In response to 7 the request for recommendations to improve 8 efficiency through staffing changes, resource 9 sharing, process improvements, and potential 10 consolidation of programs and offices, I will begin 11 by stating that any effort to improve efficiency 12 within Indian Affairs must begin by centralizing 13 Tribal sovereignty, not administrative convenience. 14 Tribes are not just federal program 15 recipients. They are sovereign governments with 16 diverse capacities and needs. We recommend a 17 skilled workforce with cross-functional training 18 including a digital infrastructure, broadband, cyber 19 security, and Tribal data governance. 20 We recommend the expansion of programs 21 like the Indigenous connectivity and technology 22 division to provide dedicated funding opportunities, 23 facilitate collaborative engagement sessions, and 24 establish clear guidelines to ensure that federal 25 policies uphold and respect Tribal digital</p>

<p style="text-align: right;">Page 70</p> <p>1 sovereignty.</p> <p>2 We recommended the creation of new</p> <p>3 positions such as Tribal digital liaisons to support</p> <p>4 Tribes in integrating federal resources with local</p> <p>5 strategies.</p> <p>6 Efficiency must be measured not just in</p> <p>7 metrics, about you in the quality of engagement</p> <p>8 through prioritizing culturally competent field-</p> <p>9 based staff who build long lasting relationships</p> <p>10 with the Tribes that they serve.</p> <p>11 In response to the question two regarding</p> <p>12 improving access to federal programs and funding, it</p> <p>13 must be understood that for many Tribes,</p> <p>14 particularly for smaller rural or land limited</p> <p>15 governments like ours, access to federal programs is</p> <p>16 hindered less by eligibility criteria than by</p> <p>17 structural and administrative barriers.</p> <p>18 Current systems are fragmented and overly</p> <p>19 complex with duplicative application processes,</p> <p>20 inconsistent reporting requirements, prolonged</p> <p>21 disbursement timelines, and excessive compliance</p> <p>22 burdens.</p> <p>23 We recommend a unified digital platform</p> <p>24 for Tribal grant access and management. We request</p> <p>25 investment in real world technical assistance</p>	<p style="text-align: right;">Page 72</p> <p>1 support of Tribal self-determination requires a</p> <p>2 fundamental shift from managing programs to enables</p> <p>3 governance.</p> <p>4 Tribes are already leading in broadband,</p> <p>5 clean energy, digital commerce, and more. What they</p> <p>6 need from Indian Affairs is not prescriptive</p> <p>7 oversight, but responsive partnership.</p> <p>8 Flexibility means recognizing that Tribes</p> <p>9 must be able to integrate funding streams, pilot new</p> <p>10 governance models, and build institutions that</p> <p>11 reflect their community strength and aspirations.</p> <p>12 Support this invasion through compacting,</p> <p>13 tailored implementation, and regulatory waivers when</p> <p>14 needed. Critically, the agency must take an active</p> <p>15 role in supporting and defending Tribal jurisdiction</p> <p>16 and digital spaces, including over e-commerce, data</p> <p>17 governance, online consumer protection, and digital</p> <p>18 infrastructure located on Tribal lands.</p> <p>19 The future of Tribal self-governance will</p> <p>20 be as much virtual as it is territorial. That</p> <p>21 future depends on recognizing that Tribal Nations,</p> <p>22 like other sovereigns, have the right to define how</p> <p>23 their citizens engage in digital commerce, how their</p> <p>24 data is managed, and how infrastructure is</p> <p>25 regulated.</p>
<p style="text-align: right;">Page 71</p> <p>1 including help with grant compliance, digital</p> <p>2 planning, and long term fiscal strategy.</p> <p>3 Federal communications must improve to</p> <p>4 provide timely, tailored, and actionable updates</p> <p>5 rather than lengthy reports or generic webinars.</p> <p>6 Additionally Indian Affairs must adopt and</p> <p>7 promote clear policies around Tribal data</p> <p>8 sovereignty, ensuring that federal data systems,</p> <p>9 funding conditions, and reporting mechanisms respect</p> <p>10 Tribal ownership and control over sensitive data,</p> <p>11 particularly as more programs shift towards digital</p> <p>12 government.</p> <p>13 In sum, improving access means removing</p> <p>14 friction, affirming sovereignty, and recognizing the</p> <p>15 administrative realities that many Tribal</p> <p>16 governments face.</p> <p>17 Regarding the question three about</p> <p>18 enhancing flexibility for Tribal economic growth and</p> <p>19 self-governance. So address the feedback on how</p> <p>20 Indian Affairs can optimize its functionality and</p> <p>21 effectiveness to provide Tribes with improved</p> <p>22 flexibility to foster economic growth, address the</p> <p>23 specific local needs of their communities, and</p> <p>24 increase pathways to self-determination and self-</p> <p>25 governance, optimizing Indian Affairs functional in</p>	<p style="text-align: right;">Page 73</p> <p>1 Indian Affairs can also help foster long</p> <p>2 term growth by investing in Tribal capacity and</p> <p>3 supporting Tribal legal systems, administrative</p> <p>4 frameworks, and cross-sector strategies.</p> <p>5 And, we call on you to invest in legal,</p> <p>6 administrative, and regulatory capacity building for</p> <p>7 Tribes. Success should be measured by whether the</p> <p>8 department removes structural barriers to Tribal</p> <p>9 self-determination.</p> <p>10 As to question four regarding Tribal role</p> <p>11 in federal environmental permitting and energy</p> <p>12 development. I would also like to provide comments</p> <p>13 on the declaration of a national energy emergency</p> <p>14 and the use of emergency authorities for accelerated</p> <p>15 processes under NEPA, ESA, and NHPA.</p> <p>16 First, nothing in the National Emergency's</p> <p>17 Act or other emergency procedures negates the</p> <p>18 obligations the federal government owes to Tribal</p> <p>19 Nations as a self-appointed trustee of our</p> <p>20 resources.</p> <p>21 Therefore, all an extremely truncated</p> <p>22 environmental review process does is invite more</p> <p>23 challenges and unpredictability to an incomplete</p> <p>24 federal process.</p> <p>25 So the question should not be how much can</p>

<p style="text-align: right;">Page 74</p> <p>1 you minimize the Tribal role in permitting, but how 2 can you support and make Tribal involvement more 3 efficient?</p> <p>4 The most quick and cost effective federal 5 permitting that has occurred over the past 10 years 6 has included increased Tribal participation. This 7 increase has been borne in both federal consultation 8 activities and private party coordination efforts.</p> <p>9 It is identified that Tribes are not 10 always in opposition, but can be a willing and ready 11 partner in development, and that as a partner, 12 Tribal Nations can increase permitting efficiency.</p> <p>13 Habematolel's written comments will 14 reflect the participant steps we believe the federal 15 government should take to ensure Tribal partnership 16 in permitting, including funding Tribal 17 participation and cultural review.</p> <p>18 Tribal interests must be identified early, 19 during pre-application and scoping stages, not in 20 rushed timeliness of seven or 14 days.</p> <p>21 We call on you to provide funding for 22 meaningful Tribal participation and environmental 23 reviews, to increase opportunities for Tribes to 24 serve as cooperating agencies under NEPA, and to 25 establish a Tribal energy growth working group to</p>	<p style="text-align: right;">Page 76</p> <p>1 solutions are already happening. What Tribes need 2 is for Indian Affairs to support, not hinder those 3 efforts.</p> <p>4 In sum, we urge the department to act with 5 urgency, humility, and deep respect for the 6 sovereign governments it serves.</p> <p>7 Thank you.</p> <p>8 REBECCA BEAUREGARD: Thank you, Nicole.</p> <p>9 If we have any attendees who would like to 10 provide comment, please indicate as such now by 11 using the raise-hand function at the bottom of your 12 Zoom screen.</p> <p>13 If we have no attendee wishing to provide 14 comment, we will move to closing, so I'll just give 15 one more moment. Okay.</p> <p>16 Thank you, everyone, and I will hand this 17 over to Director Bryan Mercier.</p> <p>18 BRYAN MERCIER: Thank you, Rebecca, and 19 thank you everyone for joining our virtual session 20 today.</p> <p>21 I want to thank everyone for taking the 22 time to provide thoughtful comment. As I've said in 23 the past, these sessions really help me and other 24 BIA and Indian Affairs officials prepare for the 25 upcoming conversations with the departmental</p>
<p style="text-align: right;">Page 75</p> <p>1 identify and resolve regulatory barriers.</p> <p>2 Overall I would like to highlight for 3 officials here that federal lands used to be Tribal 4 land, and energy resources are abundant in Indian 5 Country, so if you really want to unlock American 6 energy, you need us.</p> <p>7 Tribes like ours are ready partners in 8 energy development and national energy security, if 9 the federal government makes space for that 10 partnership.</p> <p>11 In closing, this moment presents an 12 opportunity for Indian Affairs to realign its 13 mission with the lived realities of Tribal 14 governance. Tribes like the Habematolel Pomo of 15 Upper Lake have had to adapt and modernize outside 16 of necessity, whether due to geographic isolation, 17 economic constraints, or other challenges.</p> <p>18 And we are stronger as a result. In the 19 same spirit, Indian Affairs must evolve to address 20 the pressing issues of modern Tribal sovereignty, 21 while remaining accountable to the commitments and 22 responsibilities it carries from the past.</p> <p>23 Sovereignty must be the foundation of 24 every federal reform effort. Digital self- 25 determination, economic growth, and Tribal led</p>	<p style="text-align: right;">Page 77</p> <p>1 leadership on the workforce efficiency and the NEPA 2 streamlining that we're consulting on.</p> <p>3 I also want to apologize. Yesterday I 4 said -- I misspoke and said that next week's 5 Bismarck, North Dakota, consultation would be a 6 hybrid.</p> <p>7 It, in fact, will not. It will be in 8 person only, and that will be our final consultation 9 of this series regarding workforce efficiency and 10 the NEPA regulations. So unfortunately, this will 11 be our last opportunity for virtual participation.</p> <p>12 So thank you everybody for joining us over 13 the last seven consultations that we've had and 14 appreciate the engagement.</p> <p>15 Ken, I see you came on camera. If you 16 want to close out anything from the AS-IA hallway.</p> <p>17 Thank you all for joining.</p> <p>18 KENNIS BELLMARD: Yes. We appreciate your 19 virtual attendance. We will now take these 20 comments. We will certainly go through them very 21 carefully and respond as -- as required.</p> <p>22 We do take these consultations very 23 seriously, and I hope you all do understand that.</p> <p>24 And once again, as -- as Bryan mentioned, we 25 appreciate you hanging in there with -- on this</p>

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1 virtual call. I know they're never the easiest to
2 do, but we thank you very much for your attendance.

3 BRYAN MERCIER: Thank you, Rebecca and
4 team for a great series of virtual sessions, and
5 hopefully see some of you all in Bismarck, North
6 Dakota.

7 Thanks, all.

8 (WHEREUPON, the virtual meeting was
9 concluded at 12:15 p.m.)
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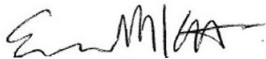
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1 CERTIFICATE

2
3 I, Errin Kent, do hereby certify that I
4 reported all proceedings adduced in the foregoing
5 matter and that the foregoing transcript pages
6 constitutes a full, true and accurate record of said
7 proceedings to the best of my ability.
8

9 I further certify that I am neither related to
10 counsel or any party to the proceedings nor have any
11 interest in the outcome of the proceedings.
12

13 IN WITNESS HEREOF, I have hereunto set my hand
14 this 13th day of June, 2025.
15

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17 
18

19 Errin Kent, #2704
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