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UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
TRIBAL LISTENING SESSION

MYSTIC LAKE CASINO
SHAKOPEE MDEWAKANTON SIOUX RESERVATION
PRIOR LAKE, MINNESOTA
TUESDAY, JUNE 6, 2017

REPORTED BY: JAYNE M. CARRIKER, RPR, CCP

1 Tribal Listening Session, held at the Mystic
2 Lake Casino, 2400 Mystic Lake Boulevard, Prior Lake,
3 Minnesota, on the 6th day of June, 2017.

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7 APPEARANCES

8
9 FOR THE BUREAU OF INDIAN AFFAIRS:

10 Ms. Hankie Ortiz

11 Deputy Bureau Director

12 Office of Indian Services

13
14 FOR THE BUREAU OF INDIAN EDUCATION:

15 Mr. Tony Dearman, Director

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PROCEEDINGS

(Commencing at 8:45 a.m.)

MS. ORTIZ: Okay. Good morning, everyone. Welcome to the listening session on reorganization with the Department of the Interior. My name is Hankie Ortiz, and I'm the acting deputy director for field operations for the Bureau of Indian Affairs, and in that capacity I oversee the 12 regions in the bureau and work directly with the director of the Bureau of Indian Affairs.

We are holding these listening sessions with regard to Executive Order 13781, which is a comprehensive plan for reorganizing the executive branch that was issued on March 13, 2017.

And that executive order requires us within 180 days to submit to the director of OMB a proposed plan to reorganize the agency if appropriate in order to improve the efficiency, effectiveness, and accountability of that agency, and it calls for us to solicit input, suggestions, and improvements on the organization, and tribal leader input is critical to the development of any proposed changes to the organization.

1 So this listening session is being held for
2 the benefit of tribal leaders, and we're going to give
3 you an opportunity to comment. I kind of want to walk
4 you through a little bit about the organization. We
5 have the org charts. There was a packet out there, so
6 please make sure that you have picked up a packet of
7 information that includes the letter, Dear Tribal
8 Leader letter, the executive order information that
9 was issued in the federal register, and the org charts
10 for the Bureau of Indian -- for the Bureau of Indian
11 Affairs, the Bureau of Indian Education, and for the
12 offices that are within the assistant secretary of
13 Indian Affairs office directly.

14 Before we get started, I want Mr. Dearman
15 to introduce himself.

16 MR. DEARMAN: Good morning, everyone.
17 First of all, really appreciate the tribal leaders.
18 Thank you for taking the time to come and talk to us
19 today. Really look forward to hearing what you have
20 to say, your comments, and again thank you.

21 My name is Tony Dearman. I'm the director
22 of the Bureau of Indian Education, six months on the
23 job, member of the Cherokee Nation, and I'm from
24 Oklahoma.

25 And in the packet that we passed out, we

1 gave an overview of our proposed organizational chart,
2 our organizational chart currently. The organization
3 chart right now has not been signed off. It is with
4 our administration being reviewed for signatures, but
5 the positions as far as the duties will not change
6 other than maybe possibly the locations depending on
7 what our tribal leaders decide and what the input is
8 that we receive.

9 But in the organizational chart right now,
10 my office is located in Washington, D.C. We have
11 several offices located in Washington, D.C., and if
12 you'll look at the education resource centers and our
13 associate deputy director, we actually have an
14 associate deputy director in Minneapolis, Minnesota,
15 and that's Rose-Marie Davis, and she's in charge of
16 seven education resource centers located in
17 Albuquerque, New Mexico; Bismarck, North Dakota;
18 Flandreau, South Dakota; Howes, South Dakota;
19 Minnesota, Minneapolis, Minnesota; Nashville,
20 Tennessee; and Seattle, Washington.

21 And then we have an associate deputy
22 director that's over the BIE operating schools which
23 consists of 22 schools, and we have an ERC located in
24 Phoenix, Arizona; Albuquerque, New Mexico; and
25 Belcourt, North Dakota. And then we also have our

1 associate deputy director for the Navajo region, and
2 we have offices in Shiprock, Window Rock, Crownpoint,
3 Chinle, and Tuba City.

4 So this is an overview of our
5 organizational chart, and we really look forward to
6 hearing the comments from our tribal leaders. We're
7 really looking for comments about improved services,
8 distribution of offices throughout the United States,
9 whatever the tribal leaders have to comment today.

10 Thank you.

11 MS. ORTIZ: Thank you, Tony. I also want
12 to share with you a little bit about what we're doing
13 and how we're going to be doing that so that you
14 understand how the information will be gathered and
15 utilized.

16 So these meetings are being recorded and
17 transcribed. We have the recorder over here.
18 Comments are also being collected in writing, so if
19 you have anything in writing, you can hand that to us,
20 or you can submit that on the website. Copies of the
21 transcripts are going to be available at www.bia.gov.

22 And your comments and ideas and suggestions
23 will be used to guide the administration in how Indian
24 Affairs can best meet the needs of Indian Country in
25 the future.

1 So after these meetings -- We're doing
2 these consultations or these listening sessions across
3 the country. After we complete all the listening
4 sessions and at the end of the comment period, the
5 transcripts and all the written comments will be
6 analyzed, and recommendations will be reported to the
7 Assistant Secretary of Indian Affairs and to the
8 Secretary of the Interior.

9 The secretary is going to submit a plan to
10 reorganize interior to the Office of Management and
11 Budget by September 9, 2017. OMB will publish a
12 federal register notice inviting public comment, so
13 you will see the results of the listening sessions and
14 what decisions are made, and that will be published,
15 and you'll have an opportunity to comment on that.

16 Within 180 days of the comment deadline in
17 the federal register, OMB will submit a proposed plan
18 to reorganize the executive branch to the president.
19 So we're looking at all of the executive branch, but
20 right now we're focusing on Indian Affairs.

21 And Indian Affairs is structured -- the way
22 Indian Affairs is structured, there's -- the assistant
23 secretary oversees several offices directly and then
24 oversees also the Bureau of Indian Affairs and the
25 Bureau of Indian Education, and that's what the

1 different org charts represent.

2 Some of the topics that we want to discuss
3 are does the structure of the Department of the
4 Interior and Indian Affairs currently meet the tribes'
5 needs? What changes to the structure, if any, would
6 you recommend, and why would you make those
7 recommendations? What structure would improve
8 efficiency, in other words, would promote efficient
9 delivery of services? What structure would improve
10 effectiveness to better meet the tribes' needs and
11 promote self-determination and self-governance? What
12 structure would make the Department and Indian Affairs
13 more accountable?

14 So those are the kind of questions that
15 we're asking you to address, and I'm going to -- Tony
16 talked a little bit about the organization of the
17 Indian education, so I'm going to talk a little bit
18 about the Office of the Secretary of Indian Affairs
19 and the Bureau of Indian Affairs.

20 And if there are any questions about those
21 organization charts, you can ask us questions to
22 clarify, and we're happy to do that and to explain a
23 little bit how the structure is if that's not clear.

24 But our main purpose here is to listen to
25 you because tribal leader comments are extremely

1 critical to transitions like this, and what you have
2 to say is most important, so we want to dedicate time
3 to that.

4 After our walkthrough of the charts, we'll
5 open up the microphone, and when you make a comment,
6 please clearly state your name for the record and also
7 spell your name, and that will be helpful I think to
8 the person who is taking notes for us.

9 Okay. So let's take a look at the Office
10 of the Assistant Secretary of Indian Affairs chart.
11 As you can see, the assistant secretary has a
12 principal deputy assistant secretary, and that deputy
13 oversees several different offices including Federal
14 Acknowledgment, which is the recognition, Office of
15 Congressional and Legislative Affairs, the Office of
16 Regulatory Affairs and Collaborative Action, and the
17 Office of Indian Gaming.

18 The assistant secretary also has a deputy
19 assistant secretary for policy and economic
20 development, and that deputy oversees the -- is the
21 executive director to the White House Council on
22 Native American Affairs, the Office of
23 Self-Governance, the Office of Indian Energy and
24 Economic Development, and there are several divisions
25 under that office.

1 The assistant secretary also has a deputy
2 assistant secretary for Indian Affairs, so there are
3 three deputy -- deputies under the assistant
4 secretary. The deputy assistant secretary for Indian
5 Affairs or Management oversees the Administrative and
6 Resources Management Division, the Division of
7 Internal Evaluation and Assessments, and the Office of
8 Human Capital Management, which is our human resources
9 office, Office of Facilities, Property and Safety
10 Management, Office of Information Management
11 Technology, the Office of the Chief Financial Officer
12 in the Office of Budget and Performance Management.

13 And then underneath all of those offices,
14 there are numerous different divisions, but that's
15 kind of a broad general overview.

16 And for the Bureau of Indian Affairs, the
17 director of the Bureau of Indian Affairs reports
18 directly to the assistant secretary and oversees
19 directly Land Buy Back and the Acquisition Center.

20 And then also there are four major offices
21 located in central office for the Bureau of Indian
22 Affairs, that a deputy director for field operations,
23 which is the position I'm acting in now, oversees the
24 12 regional offices located across the country. On
25 the far left-hand side of the page, you can see all

1 those.

2 Also there's a deputy bureau director for
3 justice services, and that deputy oversees the law
4 enforcement and tribal courts as the major portions of
5 that deputy's responsibilities.

6 There's a deputy director for Indian
7 Services. That's my normal position, and that
8 includes these five divisions: human services, tribal
9 government, transportation, self-determination,
10 workforce development, and then there's a deputy
11 bureau director for trust services, and that deputy
12 oversees real estate services, land title and records,
13 probate services, natural resources, forestry and
14 wildland fire management, water and power, Indian
15 energy service center, and the division of program
16 management and coordination.

17 So the BIA director has four deputies, and
18 those are the offices that they oversee, and so that's
19 kind of the structure that we have now for Indian
20 Affairs and for the BIA, so this is the current --
21 these are the two current structures. There's no
22 proposed changes in these two structures.

23 So do you have any other comments, Tony?

24 MR. DEARMAN: I do have a couple comments.
25 Secretary Zinke, one of his initiatives is he's really

1 big about strengthening the front lines, and in
2 strengthening the front lines, what they're looking at
3 doing is moving a lot of the offices to the field.

4 And I think it's important for our tribal
5 leaders to know that there is no proposal on the
6 table. This is at the very beginning because in the
7 past some of the consultations that I've attended when
8 there's proposals brought in, a lot of the tribal
9 leaders have said, We'd like to get in at the very
10 beginning.

11 Well, that's what's great about this.
12 You're at the very beginning. There are no proposals
13 on the table, so that's why we're really looking
14 forward to the comments that we hear today.

15 MS. ORTIZ: Okay. And with that said, I
16 think we're ready to open up the microphone for
17 comments. So, again, please state your name and spell
18 it for the recorder.

19 VICE CHAIRMAN ANDERSON: Hi, good morning.

20 MS. ORTIZ: Morning.

21 VICE CHAIRMAN ANDERSON: My name is Keith
22 Anderson, and that's with an s-o-n. I'm vice chairman
23 here at Shakopee Mdewakanton Dakota Community.

24 I thought I would stand up first and
25 acknowledge all the important leaders and people in

1 the tribal Indian Country. It's an honor to be here
2 and welcome all of you to the listening sessions, and
3 I look forward to enlightening myself on a lot of the
4 comments that you'll have to make. I think for now I
5 will listen to that and just say good morning. Thank
6 you very much.

7 MS. ORTIZ: Thank you very much.

8 VICE CHAIRMAN ANDERSON: They thought I was
9 going to go on longer.

10 MS. ORTIZ: You're welcome to.

11 VICE CHAIRMAN ANDERSON: I'm still writing
12 down. I'm still formulating.

13 MR. CHAPMAN: Good morning. My name is
14 Eric Chapman, C-h-a-p-m-a-n. I'm a tribal council
15 member with the Lac du Flambeau band of Lake Superior
16 Chippewa Indians of Wisconsin. Appreciate you being
17 here, inviting us to come here and speak and also for
18 our brother tribe that has agreed to host this session
19 for us. Thank you.

20 Some of the concerns that I have is if you
21 look at the 2016 sequestration budget cuts, a lot of
22 the tribal programs were, boom, slashed, you know, and
23 you look at the -- what BIA, BIE within the Department
24 of Interior, they're like, you know, just a few
25 pennies compared to, you know, all of the other

1 interior departments.

2 And I went to some of the tenet meetings,
3 and we tried to put together solid funding packages,
4 but for some reason once they get higher up, a lot of
5 times they fall on deaf ears.

6 My recommendation for reorganization is no
7 reorganization. I think it's important that we keep
8 what we have now because, you know, usually if there's
9 any type of cuts or reductions, usually the minorities
10 are the first ones that feel it, and they feel it the
11 hardest. So with that, thank you.

12 MS. ORTIZ: Thank you for your comment.

13 MS. MASON: Boozhoo (Native American
14 greeting).

15 Tara Mason, White Earth secretary/
16 treasurer. Spell that T-a-r-a M-a-s-o-n. First of
17 all, I would just like to thank Shakopee for hosting
18 this and for you being present and listening to our
19 comments and concerns.

20 I thought I would go just kind of close to
21 the beginning because there's a lot of things that I
22 have to say, and I haven't had time to prepare because
23 one of the comments that I want to make is that though
24 I really appreciate this opportunity to be able to
25 speak and to be able to have comments and that it's

1 open to the tribal -- all tribes to be able to present
2 this information, I think one thing that when I was
3 first made aware that the listening sessions were
4 going to happen, my first concern was that the BIA
5 structure just looking at the organizational chart is
6 huge, right?

7 And as an elected official just knowing the
8 issues and all of the responsibilities that are placed
9 on our shoulders and the work that we do on our
10 reservations and our tribes makes it difficult to
11 completely understand the system that the BIA is
12 functioning, and when I look at this org chart, I have
13 ten questions that come just right off the bat.

14 But I do appreciate all that you do, and I
15 do appreciate you taking this opportunity to speak and
16 meet with us.

17 But I think when it comes down to it when
18 asking the tribes how best to serve us, I think one
19 thing is is that we don't have a full understanding of
20 the entire system. Some of the things that I've
21 noticed, I've been an elected official for three
22 years, is just communication in between departments.

23 So how is your communication working? You
24 know, how are we to advise on a system that treats us
25 as warts of the federal government, right? So the

1 relationship that is currently, even though we say we
2 have consultation, just like I believe the chairman
3 had just mentioned is that we can do all this work, we
4 can make all of these statements and offer all of
5 this -- these opinions and positions of where we
6 stand, but in the end does that consultation really
7 carry through.

8 So we haven't had any reorganization in the
9 BIA for over 100 years, right? Okay. So one thing
10 is, is my question is, what is the state of Indian
11 Country? Do we know, what is the evaluation process
12 that's going on at the BIA to say, This is the
13 progress that we've made?

14 Because if we're really going to make
15 changes, if we're going to do something, not to just
16 react and have something done by September, but if
17 we're going to make significant changes that are going
18 to impact our members' lives, then do we really have
19 evaluations that are done on the BIA on the
20 effectiveness.

21 One of the reasons, the big reason why I'm
22 not prepared today is because on my way down I got a
23 call from our chief of police. We had a suicide, a
24 young mother. Okay. The thing that hits me so hard
25 is that this is my children's namesake, the grandma.

1 She has to tell her 6-year-old granddaughter why her
2 mother is dead. But the thing that hits me the
3 hardest, this is the second daughter she's lost to
4 suicide.

5 Okay. So we have drug epidemics. We have
6 all of these things. As elected officials this is
7 where we're working, you know, so I spent last night
8 and I spent this morning helping make arrangements,
9 right, making sure that we have support out there.

10 When we turn around and look at our
11 funding, the first thing I thought of was teewahee.
12 We are not a teewahee tribe, right? And they said,
13 Well, teewahee is a light self-governance.

14 But when I look at this org chart, where is
15 self-governance on this org chart? How is the
16 communication happening? Because when it comes to
17 self-determination and we -- we're funded at 11% in
18 our tribal courts. There's a great disparity because
19 in Minnesota we're a PL280C, and we look at law
20 enforcement. We look at public safety. We look at
21 the drug epidemic. We look at all of these things,
22 and there's a federal trust responsibility that's not
23 being met. Okay.

24 And so now we're talking about
25 reorganization. We're talking about streamlining. To

1 me that puts more anxiety on me as a tribal leader
2 because I'm thinking, Oh, they want to reorg, they
3 want to get rid of what's not efficient.

4 Well, when you look at the state of Indian
5 Country, we -- this is not efficient. Our people are
6 dying because we are not funded at many times 50% of
7 need. You know? I think this is the thing is that
8 there's so much responsibility that's put on us as
9 tribal leaders to take care of our people, and I will
10 never shirk my responsibility as an elected official.
11 I know why I ran. Because our people need help. The
12 tribes need help, you know.

13 And so when this reorg came up, and yes, I
14 appreciate the listening session, but for me I'm like
15 how are you going to cut us more? What is going to be
16 the easiest way for us to have to swallow additional
17 cuts?

18 Because my first thought is if they're
19 going to start cutting -- You know, we've already
20 seen that proposed budget, right? If they're going to
21 start cutting, my first knee-jerk reaction is to cut
22 the BIA staff, the ones that are actually working
23 those federal offices. Don't harm us any further in
24 these cuts, you know, because this is life and death.
25 This is what we deal with on a -- this is life and

1 death.

2 And then at the same time there are pieces
3 where we have social service programs. We have law
4 enforcement. We have education. We have all of these
5 pieces. But at the same time we're trying to put
6 trust -- or be in trust status. Can we go any slower,
7 you know?

8 You guys can't afford to be cut as well,
9 but who advocates for us, because you have to stand
10 there and hold that line. The message that comes is
11 that we have to support that budget. We work for the
12 BIA. Who works for us?

13 Not many of us are gaming tribes, and we
14 appreciate the gaming tribes that do help and do
15 provide support to the smaller tribes, but we have to
16 do everything we can to not lose an inch, and when it
17 comes to restructuring, I only see this as something
18 that's going to be detrimental to our people, to
19 ground level services.

20 And so my one question is how does self-
21 governance work in this whole organizational chart?
22 Because I think one of the things is if you want to
23 streamline the big pieces is how are the different
24 organizations conversing back and forth, how are they
25 streamlining, how are they working jointly instead of

1 in silos, you know, and how is it that the
2 communication is coming down directly to the tribes.

3 So that would be one of my big questions is
4 the communication process and what can we do to really
5 make that more effective and more efficient and so
6 things are done more in a timely manner.

7 I sent out messages, because I look at the
8 room, and it's kind of sparse in here, so I sent out
9 messages to some tribal leaders, and some weren't
10 really aware, you know, so I'll always do everything I
11 can to get communication out there. So that was one
12 of my big pieces.

13 The other one, too, is the time frame. So
14 we haven't had a reorganization in 100 years, and now
15 there has to be a plan not just for BIA but for the
16 entire interior by September. That's huge, you know,
17 because if we go back and start looking at our data,
18 what is the overall picture? Is there some place that
19 we have, you know, with all of the statistics.

20 To me I seem kind of spread out, and if I
21 need something, I have to go, and I have to dig, and I
22 have to find it, and I have to call people, and I have
23 to have other people call people and try to find, but
24 there's no central area because I think that data, our
25 data that we keep reporting every month and keep

1 reporting and keep reporting, where is that collected,
2 and how is that given back to us. Because if we're
3 really going to talk about a change, we need to know
4 what the problem is, you know. We need to understand
5 what exactly it is that we're trying to achieve.

6 We can restructure all day. You guys can
7 have a great plan by September, but is it really going
8 to impact the objectives that have been set. And what
9 are those objectives? Do we have something like that
10 from the other tribes and reservations across the
11 country?

12 Yes, we prioritize, and here's our top ten,
13 and here's what we're going to do, you know. But in
14 the end that's just a laundry list of different issues
15 in Indian Country that are currently being funded and
16 is this really being raised.

17 And then again I just want to mention, you
18 know, looking at zeroing out teewahee, to me that is a
19 huge concern, and it's not that White Earth is a
20 teewahee tribe, but I think this was the real true
21 opportunity for tribes to make a significant
22 difference and impact for their people for the simple
23 fact is that when I look at teewahee and it says,
24 well, oh, it's a light self-governance. No, self-
25 governance, we're backed into a corner. We're serving

1 our people on pennies on the actual need, but we're
2 still confined to trying to meet that need.

3 With teewahee here was a chance to step
4 outside of that and say what would really make a
5 difference, what would really impact our people, you
6 know, and I do advocate. Red Lake is our neighbor,
7 but I also think when we start talking about
8 infrastructure, right, so that was one of the big
9 agenda items was that infrastructure.

10 I'll tell you right now White Earth is
11 taking our own dollars, and we're investing heavily
12 into our IT systems, right? We've looked through and
13 in the past few years evaluated the inefficiencies on
14 White Earth.

15 And so I think this is something that if
16 you really want to support tribes, it goes back down
17 to data collection. It goes back down to having
18 efficient ways of collecting data to be able to
19 correlate it to make sure that we are able to stand
20 here and say, Here's where we're at, this is what we
21 need, instead of us even internally running.

22 So with that I just want to say thank you
23 so much. I really do appreciate the time to speak,
24 and with that I'm done.

25 MS. ORTIZ: Thank you so much for all your

1 comments.

2 CHAIRMAN TAYLOR: First of all, I want to
3 thank you for being here. I think, you know, it's
4 time that we reorganize the Indian people tribes,
5 reorganize and look at the BIA.

6 But before I do that, I want to tell you a
7 little story about the creation -- about the creation
8 of the BIA. When the BIA was originally created,
9 there was a gentleman by the name of Calhoun that
10 became the first director. When he went to his other
11 job, he told his BIA employees, Don't do anything
12 until I get back. And it seems like that's been the
13 story ever since.

14 You know, to me because of the high
15 technology that we don't need three layers of
16 bureaucracy to get an approval for a simple request
17 either to get a referendum on our reservation to
18 change, you know, the charters and bring up to date a
19 more sophisticated tribal government, and, you know, I
20 think it's long overdue that BIA have an overhaul.

21 Not only that, but for every dollar that's
22 appropriated from congress, what really trickles down
23 to the tribe is maybe a dime. You know, the bureau is
24 created for us, not for bureaucracies, and today as a
25 tribal leader, you know, I can't participate in social

1 security nor can I participate in 401(k), but the BIA
2 employees that are employed through our system that's
3 designed to put the betterment of life on our
4 reservation, look at all the federal benefits they
5 get, and yet when we get a 638 contract, those cannot
6 be extended to our employees. Why? You know, we have
7 the poorest type of a retirement program probably in
8 the nation, and yet we can't participate in the
9 benefit of things.

10 So I think, you know, for me to sit here
11 and to sit here and be part of this testimony, try
12 to -- you know, try to recreate the BIA, I think we
13 ought to. About time we did. I think it's -- all
14 this is history.

15 To me, you know, we need to put in place
16 what they call the policy of government to government,
17 not government to bureau into the tribes. To me I
18 think that's all, you know -- there's so many --
19 there's so many layers that have -- that we have to do
20 to get approval for simple questions.

21 And to me I think that those layers that
22 absorb our allocations that are created -- that are
23 appropriated by congress, I have no benefit from them.
24 My people are suffering. It's time that we -- you
25 know, that we put in place policies.

1 And I mean I'm not the only Indian that's
2 going to speak here. I think they should echo across
3 Indian Country that we need to -- you know, we need
4 to, you know -- we need to change the policies and we
5 need to change the direction that the BIA has a trust
6 obligation to the Indian people. You know, some
7 obligation that that's been reaffirmed. I don't see
8 much of it.

9 But, again, you know, if we realign this
10 and give more direct funding as it should be, I think
11 we'll -- you know, to me I think that Indian life on
12 the reservation will -- we'll have a better life
13 there. Not only that, but a higher standard of
14 living. We can fix these holes that are made of tar
15 paper.

16 I think we need to really, you know, revamp
17 our reservations and make it more accessible to
18 government to government as stated by law as created
19 by some of these statutes, and yet they don't apply to
20 us. I think, you know, for white folk and everybody
21 else, it goes directly to them.

22 Look at Trump eliminating food stamps. How
23 many Indian people are going to starve? I mean we're
24 not all rich, you know. You know, thank God for those
25 that are in prime locations to access, you know, a

1 market for their gaming operations.

2 We don't. We live in the boonies, you
3 know, and the only time we probably are going to make
4 money is in the summertime when the tourists come to
5 those cabins and fish, and for their entertainment,
6 you know, they might come to the casino.

7 But again, like I say, location is, you
8 know, part of the success where, you know, in large
9 metropolitan areas they take advantage of it, and I
10 thank them. I stand right with them. But for us that
11 are in the country, I mean, you know, that's where the
12 government should have -- should look to their
13 obligations.

14 And I think, again, you know, I think for
15 the better life of us that are -- that are living in
16 poverty, let's change that. Let's have a good
17 standard of life, and let's eliminate this bureaucracy
18 because that money belongs to us, not the government
19 employees, and I think, you know, for me that we need
20 to stand together as we try to realign and make a
21 better bureau for what it was created for for us on
22 the reservation.

23 So I want to thank you for this opportunity
24 to say these few words, and God bless us all if we
25 make this happen. Thank you.

1 MS. ORTIZ: Thank you. Thank you for your
2 comments. I'm sorry, sir. I don't think we got your
3 name or your tribe. Would you mind putting your name
4 and tribe for the record. Your name and your tribe.

5 CHAIRMAN TAYLOR: My name is Lewis Taylor.
6 I'm the chairman of St. Croix Wisconsin, and, again,
7 you know, let's hear some voices here. I didn't come
8 here to sit around and listen to myself. We all
9 represent these nations, tribes. Let's realign this,
10 and let's do a good job of trying to get these
11 policies changed, and hopefully Trump doesn't need an
12 executive order to terminate us if we don't say
13 anything and protect ourselves.

14 MS. ORTIZ: Thank you, Chairman.

15 MS. BUCK: Hi, I'm Shelley Buck. I'm
16 president of the Prairie Island Indian Community here
17 in Minnesota. Thank you for being here listening to
18 us.

19 I guess I agree with the chairwoman -- or
20 the councilwoman from White Earth. Communications is
21 a big key. I know for my tribe a lot of turnover
22 within the department throughout the years has really
23 stalled some of the things that we send up to the BIA
24 whether it be contracts all the way up to trust
25 applications.

1 So the turnover, seems like every time
2 there's a new person in legal or a new person in a
3 different department, we're having to reeducate those
4 people, we're having to wait for them to catch up to
5 speed with what we're doing, so that's a big issue for
6 us.

7 And then communication, apparently --
8 We're currently in a secretarial election right now,
9 and before we could actually do this one, we were told
10 we needed to rescind I think one or two previous
11 requests for secretarial elections that none of us had
12 any clue had ever happened. These were back in the
13 '90s.

14 So the fact that that communication stopped
15 and the BIA never -- whether it was contact the
16 council at the time and find out if they still wanted
17 to do the secretarial election or what the process
18 was, but the fact that that communication stopped
19 somewhere, it's a factor for us, and it holds us up
20 along with the turnover.

21 I'm not real sure with the reorganization,
22 I don't know how it's going to help or if it's going
23 to help. I'm still really unclear about that. I'm
24 like her. I don't know what a lot of the things are
25 that the BIA, the Department of Interior can do, will

1 do, need to do. But that's all right now that I have
2 to say. Thank you.

3 MS. ORTIZ: Thank you.

4 MR. CLEVELAND: (Native American greeting)
5 Say good morning to you and thank you for coming. My
6 name is Wilfrid Cleveland, president of the Ho-Chunk
7 Nation.

8 I guess I'm here out of curiosity to find
9 out this restructuring that's being talked about is --
10 how is that going to happen. And there was mention --

11 Well, first of all, thinking about it in
12 the restructuring, the way that we do things -- And
13 I'm from Wisconsin. Back in Wisconsin when we begin a
14 meeting, usually we make an acknowledgment to the
15 Creator of what's going to happen, how it's going to
16 be and thankful to be here, those types of -- I don't
17 know if that changes once people go to Washington,
18 D.C., but I was kind of thinking about that, you know,
19 as the things got going here.

20 But I appreciate the time that the two of
21 you, three of you are making for us, and as you're
22 following direction from Washington, D.C., and there's
23 a lot -- there's a lot to be talked about, and
24 according to that short letter that we received saying
25 that there was going to be this meeting here and Zinke

1 talking about it's been 100 years since the BIA has
2 been restructured, and I was thinking maybe there's an
3 idea that was going to be brought forth other than
4 what's in place for us to give us some ideas of how
5 the restructuring is going to be and how we can add to
6 what's going to be taking place just like right out of
7 the gates for us to being saying, Okay, this is what
8 we want.

9 And each one of us, each one of us as
10 tribal leaders, we have needs in our reservations and
11 our trust lands and our communities, similar but maybe
12 different, and so the priorities that we have because
13 of where we're located may be different, and so I was
14 curious as to how this is all going to take place
15 within -- within the -- Back in the years when
16 treaties were made and what was said, what was written
17 in those treaties and responsibility that the federal
18 government was saying that they were going to have for
19 the indigenous people on these lands and --

20 But where is that? Where is that today?
21 That seems to have gotten -- gotten away from, got
22 watered down to where most of our programs are here
23 because the majority I would guess, I would assume
24 that our trust lands, our reservations that we're
25 below poverty, so they push us into that category, and

1 most of the programs that we have are because we're
2 poverty indigenous people on these lands, not because
3 the federal government has the trust responsibility
4 for us. So how is this going to change?

5 I think most of the programs, the education
6 programs, the housing programs, we all have to go by a
7 poverty, poverty level that's out there rather than
8 because we're indigenous people because the federal
9 government has a fiduciary responsibility to us
10 indigenous people here.

11 And so I think that's where -- one place
12 that we could start is getting -- eliminating this
13 idea that indigenous people are here because they're
14 giving us assistance because we're poverty-stricken.
15 There was a lot that was said in those treaties and
16 what the federal government is going to do for us, but
17 that isn't happening because we're all poverty people.

18 And so then also the other thing that's
19 going to be happening with the way that we are as
20 indigenous people and what is happening with Mother
21 Earth has a lot of effect on us and our ceremonies.
22 We talk about our water. All these are a very, very
23 important part of us, and being stewards of these
24 lands, these all have to be addressed.

25 But it isn't because money talks, and

1 that's where all this destruction, destruction of
2 Mother Earth is happening, and for us to thrive on the
3 creation, we have to take care of her, and this is
4 another area that really needs to be looked at, and
5 how is this -- are all these things going to be done
6 by, what the young lady was saying earlier, by
7 September. Is this all going to be happening?

8 And with these field offices that are
9 coming in here, are they -- is that just another --
10 what Chairman Taylor was saying, another layer of
11 bureaucracy where we don't have to -- we don't want
12 the indigenous people in Washington, D.C., so we'll
13 make field offices, so we go over there and talk to
14 those people. What authority do they have to fulfill
15 what we want from the federal government, or do they
16 have to go and talk to another layer in Washington,
17 D.C., to get what we want. And, again, where is that
18 going to end up? Picking up dust someplace.

19 And so these are the kinds of things that
20 need to be looked at, and efficiency, we all know that
21 the BIA and the -- is very inefficient for Indian
22 Country in what we're doing today, and these -- these
23 streamlining that's going to be taking place, and how
24 is it going to happen if we're having field offices
25 put out here, more field offices, and then they're

1 going to streamline. It doesn't seem like that's
2 going to work if that's the way that it's going to be.

3 So I was just kind of curious as to what --
4 you know, how is this restructuring going to happen.
5 We know that we as indigenous people and tribal
6 leaders, we have to work with whoever is the president
7 of the United States, whether they're a republican or
8 a democrat, and I feel that indigenous people are
9 neither republican or democrat, but we have to work
10 with those people because they have their alignment to
11 be where they're at today.

12 And with the president being more of an
13 economic development type of a person, is that going
14 to be giving Indian Country opportunities to become
15 more independent with our possibilities, that the
16 president is going to be making it so that we would be
17 able to become more independent of the U.S. government
18 by putting jobs in our communities, making ways for us
19 to become more self-sufficient with opportunities that
20 are out there, or is this just some -- another way for
21 the federal government to again push us further back
22 away from them and so that they can be divisive with
23 Mother Earth and what is happening with her.

24 So I think that this restructuring is
25 something that could be looked at and could be worked

1 with I think maybe even a better way than a listening
2 session where we would have to come down to even the
3 different communities and look at us, see how we are,
4 and then see what our needs are and then put that all
5 together, and it ain't going to happen overnight.

6 I mean it took 100 years to get us -- to
7 get to where we're at today, and then in a few short
8 months we're going to be making a complete overhaul of
9 all this deterioration.

10 Maybe the intent was good when the BIA was
11 put together to make a relationship with indigenous
12 people, but like I say, to me maybe over time things
13 have become deteriorated, so I think, yeah, that this
14 is probably a good intention, but if it could be -- it
15 would be successful if we could make major
16 accomplishments where we could deal with the president
17 on a face-to-face as tribal leaders, as a nation to
18 nation, I think that would be one good step that we
19 could do. Thank you for listening.

20 MS. ORTIZ: Thank you very much for your
21 comment.

22 VICE CHAIRMAN ANDERSON: Hi. I get two
23 times at the microphone. Keith Anderson, vice
24 chairman at Shakopee. On some of the -- based on some
25 of the comments that have been made here today, I'd

1 like to mention that we recognize and appreciate the
2 BIA's hard work and individual work that you all do
3 and the professionalism that you bring forward, so
4 thank you for that. We've never been lost on that.

5 One of the thoughts that was presented to
6 me by our individuals who work with the BIA is -- has
7 to do with the -- one of the comments made by the lady
8 from White Earth, and that's communication amongst the
9 departments, and at our level that's what we discuss
10 and spend a lot of time on, and recently for us it
11 would be the trust process, new employees, not enough
12 employees, just legal interpretations of interior
13 operations I would guess.

14 One of the suggestions that I would have is
15 I think that's probably what your listening sessions
16 here are for would be for suggestions, and the thought
17 was that if there were a tribally elected board of
18 indigenous people selected as a liaison for their
19 region or even an individual navigator for specific
20 parts of the region as each tribe has their individual
21 needs almost separate from the neighboring tribe or
22 different tribe in their region, that would greatly
23 increase that communication.

24 I looked at the org chart, and it's two
25 pages. It's very large. I mean and I'm sure you're

1 all aware, but as tribes under the Department of the
2 Interior, these are the original people of the United
3 States, and as mentioned in the constitution,
4 separately and sovereign tribal nations, and we're
5 under the Department of the Interior, Bureau of Indian
6 Affairs. That's a category that we're put into so
7 that you would think that it's the Bureau of Indian
8 Affairs, but sometimes we sometimes think it could be
9 the bureau of state affairs or the bureau of county
10 affairs because of the access that some of our local
11 legislative people have had in Washington to try and
12 influence the BIA. It has worked in the past.

13 We used to say around here it isn't the
14 bureau of county affairs, it's the Bureau of Indian
15 Affairs, and, you know, that's part of the position
16 that you have, that liaison and that communication
17 with the local.

18 The paternal part of what you do is hard to
19 take, but then the necessary part of what you need to
20 do in dealing with all of the governments across the
21 country, that's understandable as well. But I would
22 just like to point out that sovereignty is written
23 into the constitution, is also part of that federal
24 responsibility.

25 I heard gaming mentioned. We are the rare

1 success story that suggests that gaming has been a win
2 all, a positive for all tribes. It is not. Gaming,
3 tribal gaming works for tribes, providing jobs and
4 income for their infrastructure and their local
5 economy. We just happen to have a higher population.

6 But we're very cognizant of the fact that
7 it does not supplant that federal responsibility, does
8 not add that copper and relieve that responsibility
9 and then sometimes cuts right to the bottom line in
10 supplementing those tribal coppers and providing jobs
11 for tribal people in their area. It works quite well
12 with a lot of the tribes that we help.

13 And so part of the responsibility here at
14 Shakopee for our success is to help our tribes, our
15 sister tribes, our friends in the region and across
16 the country with that success, and we do so very
17 openly and very responsibly, so I thank our tribal
18 members for that.

19 Somebody mentioned that there would be --
20 The last gentleman mentioned that there would be a
21 decision made by some tribes to be democrat or
22 republican. I think that's a donkey and an elephant,
23 but we're the buffalo party so -- I hope.

24 MS. ORTIZ: Thank you very much.

25 MS. MASON: Boozhoo again. I'm going to

1 take another crack at this, then. So, again, when I
2 first started -- Tara Mason, White Earth, and as I
3 mentioned before, I really -- I haven't prepared for
4 this, so I do apologize for that, but I would like to
5 start with the mission statement of the Bureau of
6 Indian Affairs.

7 The Bureau of Indian Affairs' mission is to
8 enhance the quality of life, to promote economic
9 opportunity, and to carry out the responsibility to
10 protect and improve the trust assets of American
11 Indians, Indian tribes, and Alaska natives.

12 So with that when we start really looking
13 at the reorganization of the BIA is how do we through
14 a bureaucracy build in a system that will hold the
15 tribes harmless when budget cuts like these come and
16 affect the lines, and then moving forward with that is
17 really looking at mandatory funding versus
18 discretionary funding. You know, is that something
19 within your authority or ability to advocate or put in
20 place.

21 Because when it comes down to a tribal
22 trust responsibility, in March of this year White
23 Earth just celebrated its 200th anniversary of the
24 1867 treaty that was signed by the White Earth people,
25 the Mississippi Band. Okay.

1 So I'll tell you right now White Earth did
2 not have a huge celebration celebrating our treaty.
3 Next year we will celebrate -- we will celebrate our
4 150th year. Next year we will celebrate with our
5 150th powwow. We will celebrate our people, but we
6 will not celebrate our treaty because we look at all
7 of the unfunded, the unsupported, the unbacked
8 promises that were given to the White Earth people.

9 And, again, we sit, and we talk about how
10 are these cuts going to affect us, and we're going to
11 restructure. How are we going to support and enhance,
12 promote all of the promises that were made to us.

13 So with that I just wanted to mention that
14 maybe with the rest of your listening sessions you
15 bring that mission statement of the BIA with your
16 paperwork and your organizational charts so we all
17 have a clear understanding of what is the mission of
18 the BIA because, like I said earlier, I know you guys
19 will probably be cut as well in this reorganization,
20 but it's going to affect us as well.

21 And so we do appreciate the work that has
22 been done, the work that needs to be done, and we know
23 that we need to do this together, but I do support a
24 lot of everything that's been said here because
25 reorganization does need to happen. With that I shall

1 say miigwech, and this will be the last time. Thank
2 you.

3 MS. ORTIZ: Thank you. You can come back
4 if you think of another comment. And just so everyone
5 knows, I think that you may be helping -- hearing
6 other comments helps you think of comments you want to
7 make, and if you want to formulate your comments, you
8 can submit them in writing, and there's some time to
9 do that.

10 CHAIRMAN TAYLOR: Chairman Taylor again.
11 You know, to me I think the bureau is just overloaded
12 with responsibility that they can't really, you know,
13 process timely for Indian tribes.

14 We have a pipeline going through our
15 reservation, and this pipeline is a natural gas, but
16 to extend it up to our reservation to our own land, we
17 have to get the bureau's permission. It has been
18 almost two years since we requested right-of-ways, you
19 know, to have that extension of that gas line to our
20 homes, and, you know, it's very expensive for us as --
21 you know, without that.

22 When our -- when this pipeline, when this
23 gas line came in, we heated our -- we usually heat our
24 tribal center in our conferences on our campus there
25 with, you know, fuel oil, and fuel oil is very

1 expensive, and, you know, we cut our costs of heating
2 for our buildings there almost by 70%, and yet we're
3 having some difficulty from the bureau to get it
4 extended.

5 Hey, it's our land. I think we have the
6 right to agree to a pipeline extension. I think
7 that's a sovereign right of the tribe, and yet the
8 bureau says it's their responsibility. I guess I
9 really need to -- We have to draw a line as to what
10 is the bureau's responsibility versus, you know,
11 the -- that of the tribe, and I mean maybe it's our
12 constitution that prevents us from it, but I think to
13 me that, you know, we've got some problems.

14 And we recently in our economic development
15 phase of our tribe, we're looking at economic
16 development trying to diversify our reservation
17 economy, and we're doing that. We're doing that.
18 We've got a section 17 economic development component
19 that we want to -- you know, that's recently, you
20 know, approved by the bureau, so that's one of the
21 things that we're currently working on to do.

22 The other thing is the -- the backbone. I
23 mean there's a maze of regulations that it's just
24 difficult for us to succeed as entrepreneurs, and I
25 think in that phase of economic development I think we

1 should have the right to determine our destiny, but
2 we've got regulations from the bureau that kind of
3 stifle our efforts. There are so many great nations.

4 I think for me EPA, that's been there ever
5 since the treaties were acquired, and we never dirtied
6 the land, and yet we have to comply with EPA. There's
7 so many regulations that impede the progress of the
8 tribe, so we're -- maybe we're just a tribe that is
9 burdened down by regulations, and maybe we're -- you
10 know, we're too receptive of that paternalism by the
11 bureau. Maybe if we do it by ourselves and the bureau
12 can ask questions later.

13 But I think, you know, to me in terms of
14 realigning the bureau, you know, look at some of these
15 regulations, I think as Indian tribes we've got to. I
16 mean, you know, like this paper says, it's been --
17 there hasn't been a realigning in over 100 years.

18 Well, 100 years, you know, we've stepped up
19 in terms of technology, communication, and the ability
20 to be educated and to govern ourselves. We don't need
21 the BIA to govern my tribe. I mean 100 years ago
22 nobody spoke English, and that was the, you know --
23 And I would agree that we had some cause for the
24 bureau to regulate us.

25 But today with, you know, learning this

1 English, you know, absolutely, I don't think we need
2 these layers of bureaucracy, and I think as educated
3 tribal leaders, I think we all got to stick together
4 and make something happen good for our people. I mean
5 I'm here to, you know, protect and defend tribal
6 sovereignty and the erosion of any trust obligation or
7 responsibility that may be the result of a future
8 executive order that the president might have on us.

9 So, again, I think we need to, you know,
10 really -- we really have to defend ourselves even more
11 I think for the -- for the warriors that Indian people
12 have developed over the years protecting us, you know,
13 we need these -- we need people to defend us called
14 attorneys. I think, you know, in terms of where we
15 need to go and what avenues in protecting us, I think
16 we all need to get a good tribal attorney so that
17 we're not bamboozled with some kind of language that
18 we don't understand.

19 So, again, I think as Indian people this is
20 our chance. We can now realign the bureau because,
21 hey, I speak English, and I can speak it good, and I'm
22 going to defend my people. Again, I think in terms of
23 coupling that allocation that congress gives us and it
24 only trickles down to 10 cents to my people, there's
25 something wrong with that story, and we need to change

1 that story.

2 So, again, I want to thank you for the
3 opportunity to comment on a few more words. Hopefully
4 we can do something with it, but again I appreciate
5 this listening session.

6 MS. ORTIZ: Thank you, Chairman.

7 MS. JORGENSON: Hi. My name is Donna
8 Jorgenson. I'm a member of the Cheyenne River Sioux
9 tribe, and I came here today not expecting to see all
10 these wonderful people, but thank you for being here,
11 and thank you, Shakopee, for supporting this event.

12 I'm an end user of what has happened with
13 the BIA. Since my mother died in 1992, this is one
14 month's worth of paperwork that I get from the BIA,
15 the Department of Interior, one month's worth of
16 papers, so you can imagine since 1992 I have had that
17 many papers and more trying to solve fractionalized
18 land interest, probates.

19 I'm working with five different counties
20 because my grandfather, great-great grandfather owned
21 land from Pierre, South Dakota, all the way out to the
22 Black Hills, and that's five different counties we
23 have to work with to determine what's going on. Some
24 of the information we have currently is in Arlington,
25 Virginia, at this point. We're still working on some

1 issues.

2 My brother spent over \$20,000 trying to get
3 attorneys that will work with us on all of these
4 issues, and we continue to do a lot of the reparation
5 kind of work trying to determine who relatives are.

6 Probates have not happened. We are now
7 having to do probates for many of the people that we
8 are related to. We started out with over 45 people in
9 the family that we have to work with. We're down to
10 about 20 whatever. I'm not sure of the exact number.

11 But, again, I just wanted to let you know
12 that these are personal issues for me that I've had to
13 deal with for many, many years. I'm at the point now
14 where -- my brother is getting to a point where he's
15 very ill. I don't know how much longer we can do
16 this. We're working on our wills now. I would like
17 to have these done.

18 So all these levels of government that we
19 have to deal with get to be very frustrating for us.
20 So thank you for listening.

21 MS. ORTIZ: Thank you for your comments.
22 Does anyone else have any comments or questions about
23 the organizational charts that were provided?

24 VICE CHAIRMAN ANDERSON: Just one more
25 thing. I'd like to address the education. Keith

1 Anderson again, vice chairman of Shakopee. Once
2 again, thank you for listening.

3 Tony, I saw you up here, and it just
4 reminds me of the number one thing that is hard to
5 justify, and it has been in school districts forever,
6 and that's to put money into education, but we all
7 know that that investment, while hard to measure
8 return, is well spent, and that solves a lot of issues
9 proactively. If that's a way to consider putting more
10 money towards the Indian schools.

11 And I know, and Minnesota is one of the
12 most -- the most, I don't know, forward thinking both
13 conservative and liberal state, and they like to jump
14 back and forth and test the water on the leadership
15 here. But I almost believe that within the last few
16 years one of Mark Dayton, our governor's, criticisms
17 was that Indian education was ranked last nationally
18 here in Minnesota.

19 And right now I'm -- I was kind of relieved
20 of a meeting with our education committee on electing
21 new officers, as we have elections every two years for
22 that committee that oversees our education, but
23 nevertheless I asked if they needed me to be there
24 because one of the things I encourage is that it's not
25 a blind allocation of money, but it's an investment in

1 that system that we have, and I want it to expand
2 beyond our educational guidelines and so forth, so
3 that type of leadership is something that maybe you
4 can think about in the reorganization.

5 I don't know how to say invest in it, but
6 that's what I'm saying. Invest in that for tribes,
7 especially for the tribes that have issues with their
8 school structures and so forth. I mean it's the whole
9 gamut. That's going to be a great investment I think
10 that would help your overall organization eventually.
11 So thank you very much again.

12 MS. ORTIZ: Any more comments? Okay. Not
13 hearing any comments, I want to remind you that the
14 transcripts will be available on the BIA website, and
15 that's www.bia.gov, so you can look at those and any
16 comments that you want to emphasize or just for your
17 information. You can also continue to submit comments
18 prior to the deadline. I think --

19 So the secretary's plan is going to be
20 submitted on September 9, but go to the BIA website
21 for information on how to submit your written
22 comments, and there's information in the federal
23 register also.

24 So I want to thank you all very much for
25 taking time out of your schedules. I'm sure you're

1 very busy and have many places that you need to be,
2 but I'm glad that you found it important enough to
3 spend your time here this morning in putting your
4 comments on the record. Thank you very much for
5 welcoming us here and for being here yourself, and
6 with that I think we'll close this comment session.

7 Comments are due on July 15, and they can
8 be submitted at consultation@bia.gov,
9 consultation@bia.gov by Saturday July 15, 2017.

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11 (Proceedings concluded at 10:02 a.m.)
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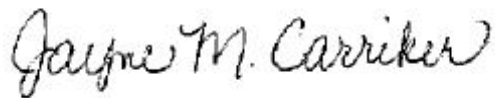
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CERTIFICATE OF REPORTER

I, Jayne M. Carriker, Registered Professional Reporter, do hereby certify that the foregoing proceedings were taken in the above matter on June 6, 2017, that said proceedings were reported by myself, translated and proofread using computer-aided transcription, and the above transcript is a true and accurate transcript of my notes as taken at the time the proceedings occurred.

I further certify that I am neither attorney nor counsel for nor related nor employed by any of the parties to the action in which this record was made; further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto or financially interested in this action.

Dated this 9th day of June, 2017.



Jayne M. Carriker, RPR, CCP
Notary Public, Wright County, Minnesota
My commission expires January 31, 2021