

**TRANSCRIPT**  
**U.S. Department of the Interior**  
**Tribal Consultation: Presidential Memorandum on Tribal Consultation and**  
**Strengthening Nation-to-Nation Relationships**  
**March 12, 2021**  
**2:00 pm ET**

Coordinator: All participants will be in a listen-only mode during today's call until the question-and-answer sessions. During that time, if you would like to ask a question, please press Star 1, and clearly record your first and last name for your question to be introduced. I'd now like to inform all parties that today's call will be recorded. If you have any objections, you may disconnect at this time.

At this time, I'd like to turn the call over to your host, Ms. Ann Marie Bledsoe Downes. Thank you. You may begin whenever you're ready.

Ann Marie Bledsoe Downes: Thank you so much, Operator. Good afternoon, everyone. My name is Ann Marie Bledsoe Downes, and I'm the Tribal Governance Officer for Interior. And the TGO position is established for our departmental manual, as a position that oversees consultation for Interior.

This is a formal tribal consultation on President Biden's memorandum on tribal consultation and strengthening the nation-to-nation relationships. The

focus of the consultation today is how Interior and its bureaus and offices, can improve consultation from this point forward.

Given that this is a formal tribal consultation, only officially designated tribal government representatives, followed by Alaska Native Corporation CEOs, or their designees, are invited to speak. This session is being transcribed, and the transcript will be made available on the DOI website at [DOI.gov/tribes/tribal-consultation](https://www.doi.gov/tribes/tribal-consultation). This session is not open to the press, and if you are a member of the press, we respectfully ask that you disconnect at this time.

We know that three hours is not a lot of enough time to address this important topic, but we're under a tight timetable, given the presidential memorandum. Please be assured that this is not the only opportunity you will have to make your voice heard on how Interior can improve consultation.

We see this consultation as the beginning of an ongoing dialogue. And in just a minute, we're going to introduce the federal representatives, and provide an overview of today's subject of consultation as quickly as we possibly can, so that we leave as much time as possible for the true purpose of why we're here, and that's to hear from all of you.

Before we start, we want to make sure that we do this in the right way, and we've invited a leader to do an opening prayer for us. So, I would like to ask Vivian to press Star 0. Vivian Korthuis is currently the Chief Executive Officer for the Association of Village Council Presidents in Bethel, Alaska. She is Yup'ik and an enrolled member of the Emmonak Tribe. Vivian, I'd like to turn it over to you for a prayer.

Vivian Korthuis: Good morning. Can you hear me?

Ann Marie Bledsoe Downes: We sure can.

Vivian Korthuis: Thank you. Good morning, everyone. My name is Vivian Korthuis. I'm calling in from Bethel, Alaska, and I'd like to thank you for the opportunity to open the meeting today. So, let us pray. Lord, through your mercy and grace, we have come together today, assembled to address issues challenging our country and our homeland. Like our ancestors who have paved our way, we asked you to shower your blessings upon us as we come forward today to participate in this tribal consultation. As we meet, touch our minds with your Holy Spirit. As we speak, bring out the knowledge, confidence, and determination to help our people. As we listen to each other's testimonies, allow us to hear the needs of all of our people. We seek a pathway to move forward with an open mind and a caring heart. As we go through today, we asked you to fill your peace and the peace amongst us through your guidance and wisdom. Touch our minds and our hearts with your blessing. Watch over our families and communities, and we pray for your continued blessing for those who have gone before us. In Jesus' name, we pray. Amen.

Ann Marie Bledsoe Downes: Thank you so much, Ms. Korthuis. We really appreciate you joining us here today and doing that for us. It's now my honor to introduce our Chief Of Staff to the Department of Interior, Jennifer Van der Heide. Jennifer has worked as the Chief Of Staff for Representative Deb Haaland, our Secretary nominee, and has been integral to making sure that this consultation is a true agency-wide effort. Jennifer?

Jennifer Van der Heide: Thank you so much, Ann Marie, and good afternoon to everybody. It's truly an honor to be here with you today. And I should note, given this particular audience, I've also had the privilege of serving as an attorney with California Indian Legal Services, and previously with the Hoopa Valley Tribe. So it's a particular honor to be on this call.

On behalf of all of Interior, I welcome everyone today to this consultation about how Interior, including its bureaus and offices, can improve consultation. We are so grateful for the time you are spending with us today to help us improve our work.

We know how busy each of you are as elected leaders. And in addition, we know there's extreme demands on your time as you respond to this pandemic, and do everything you can to keep your tribal citizens and tribal communities safe. All of us have suffered immeasurable losses. And for that, I also send to each of you, our condolences.

We also want today - want to make note of the excitement around the signing of the American Rescue Plan and President Biden's leadership. We're very pleased that it will be bringing substantial relief to Indian country in the days and months to come. So, thank you again for your leadership.

I also want to share today greetings and well-wishes from Congresswoman, Deb Haaland. She's extremely grateful to have Indian country support, as she navigates her historic confirmation. From the letters, the calls, texts, prayer circles, and creative social media, she's been lifted by your support every step of the way.

We are expecting her confirmation vote on Monday afternoon. Had a great vote yesterday on co-chair bipartisan vote. And so, if so, she would - if confirmed Monday evening, she would resign from Congress on Tuesday, and on Wednesday the 17th, would be sworn in as the nation's first Native American cabinet secretary. So, she sends her greetings.

As one of his first actions since taking office, President Biden has committed

to fulfilling federal trust and treaty responsibilities to tribes, and declared that regular, meaningful, and robust consultations with tribal nations, is a priority of his administration.

Meaningful consultation is an expression of respect for tribal sovereignty and self-governance, and its importance cannot be understated. Interior wants to take this opportunity to open a new chapter in consultation, where meaningful consultation becomes second nature in federal decision-making processes.

I looked forward to hearing today what you have to say, and hope that today is just the start of an ongoing fruitful dialogue in which we can strengthen and evolve our relationships with you. Thank you so very much.

Ann Marie Bledsoe Downes: Thank you, Jennifer. And thank you all again for being with us here today. One quick housekeeping message that I will share. If you do get in the queue and when I open up for comment, if you would make sure to restate your name and title for the record, that would be extremely helpful.

Next, I'm going to introduce our incoming principal Deputy Assistant Secretary for Indian Affairs, Bryan Newland. While Bryan will serve as the lead for this consultation, I want to emphasize that this is indeed a consultation that's not just about Indian Affairs, but all of the Department of Interior. And you will soon see that from the number of introductions we're able to provide today.

Bryan is a former tribal chairperson for his tribe, Bay Mills Indian Community, and is already familiar with Interior, having served as a Counselor to the Assistant Secretary for Indian Affairs during the Obama administration. And now it's my honor to turn it over to Bryan. Bryan?

Bryan Newland: Thank you, Ann. Thank you everybody for joining us this afternoon. We are really excited to be here. And as Ann Marie and Jennifer noted, we understand how busy each of you is, serving your tribal communities where you are. I want to emphasize, again, that while Indian Affairs, you're hearing a lot of the voices of people who worked in Indian Affairs within the Department of the Interior, we have the entire political leadership team from the Department of the Interior on the line, who listen to you today and they hear directly from you on how we can improve the consultation process.

And so, before we open the floor to comments from tribal leaders and representatives, we want to take some time to introduce our political leadership team and Bureau leaders from across the department. Since we are doing this by telephone conference and not in person, where you can't see us, we want to make sure that you hear who is on the line and you know that we're all here listening.

So with that, I'm going to turn it back over to our Chief Of Staff, Jennifer Van der Heide, to introduce folks from the Secretary's office. Jennifer?

Jennifer Van der Heide: Thank you so much, Bryan. And yes, we're very excited about our team of amazing public servants who are so committed to tribal consultation and tribal affairs. So, in the Secretary's office, we have our principal Deputy Solicitor, Bob Anderson, and our Deputy Solicitor for Land, Natalie Landreth.

In the Secretary's Indian Water Rights Office, we today have Pam Williams, the Director, and Tracy Goodluck, our Deputy Director. We have Shantha Ready Alonso, the Director of Our Office of Intergovernmental and External Affairs; Howard Hills, Advisor to the Assistant Secretary for Insular Affairs; Joseph McDermott, Marshall Islands and American Samoa Desk Officer; and

finally, Stanton Enomoto, The Senior Program Director For Our Office Of Native Hawaiian Relations. Thank you, Bryan.

Bryan Newland: Thanks, Jennifer. And I want to take a moment now to recognize and acknowledge folks we have on the line from Indian Affairs. First, within the Office of the Assistant Secretary for Indian Affairs, we have Morgan Rodman on the line. Morgan is the Director of the Office of Indian Energy and Economic Development.

Liz Appel is also on the line. She is the Director of the Office of Regulatory Affairs and Collaborative Action. We have David Conrad, who is the Director of Our Office of Public Affairs, and Sharee Freeman, the director Of the Office of Self-Governance.

From the BIA or Bureau of Indian Affairs, we have Director Darryl LaCounte on the line with us today. We also have the Alaska Regional Director, Eugene Peltola. We have the Regional Director for the Northwest Region, Bryan Mercier. And we have our BIA Pacific Regional Director, Amy Dutschke.

From the Bureau of Indian Education, we have Director Tony Dearman. And from the Bureau Of Trust Funds Administration, we have Director Jerry Gidner; Deputy Director, Doug Lords; Regional Trust Director, Deb DuMontier; and Tribal Liaison Officer, Lee Frazier.

So that is our Indian Affairs team on the line. We also have other folks I was not able to mention. And I want to pass it off now to our Principal Deputy Assistant Secretary for Water and Science, Tanya Trujillo.

Tanya Trujillo: Thank you, Bryan. Hello, everybody. This is Tanya Trujillo, the incoming Principal Deputy for Water and Science, which represents the Bureau of

Reclamation and the USGS. I'm happy to be here today with you all. With me from our subject area, is David Applegate, who is the Acting Director for the US Geological Survey, and Jeff Morris, who is the Tribal Liaison Officer for the Bureau of Reclamation.

In addition, we have other individuals from USGS and the Bureau of Reclamation who have joined the call and are listening into the discussion. Thank you very much for your participation. I will next introduce Shannon Estenoz.

And if Shannon isn't available on the call, perhaps there's another representative from the Fish and Wildlife Parks area that can make introductions for that Bureau.

Scott Aikin: This is Scott Aikin, the Tribal Liaison Officer for the US Fish and Wildlife Service.

Martha Williams: And this is Martha Williams, Principal Deputy Director for the Fish and Wildlife Service.

Tanya Trujillo: Thank you all. After Shannon, there may be additional introductions from Interior that Bryan or Ann Marie have in mind.

Laura Daniel Davis: Tanya, this is Laura Davis. I can jump in here. This is Laura Davis. I'm the Principal Deputy Assistant Secretary for Land and Minerals Management. Really honored and grateful to be here with all of you today. Wanted to introduce some individuals from our part of the department. Bryan (Luso), the Division Chief For National Conservation Lands For The Bureau Of Land Management; Mychal Yellowman, The Indian Programs Branch Chief For The Office Of Surface Mining And Reclamation; Hilary Renick, the Tribal

Liaison Officer For The Bureau Of Ocean Energy Management; and Jack Lorrigan, The Tribal Liaison Officer For The Bureau Of Safety And Environmental Enforcement.

I did want to note, there are several additional officials from BLM, OSM, BOEM, and BSEE, that are joining to listen in to your input and guidance today. And I'm going to pass to Rachel Taylor.

Rachel Taylor: Thanks, Laura. Hi. My name is Rachel Taylor, and I'm the Principal Deputy Assistant Secretary for Policy Management and Budget at the Department. Like my peers, I just want to reiterate how grateful and humbled we are to be part of this conversation, and are looking forward to listening and learning.

Want to just take a moment and also thank a couple of members of my team who are joining me. Emily Joseph, the Assistant Director of Operations for the Office of Restoration and Damage Assessment; and Susan King, who is our Regional Environmental Officer For The Office Of Environmental Policy And Compliance. Thanks again. Look forward to the conversation, and I will turn it back over to Bryan Newland.

Bryan Newland: Great. Thanks, Rachel. And thank you all again. As you can hear, we have quite a contingent on the line from Department of the Interior, along with several other federal agencies listening in today. Finally, before we open the floor up to comments from tribal leaders, I just want to set the stage for our discussion today, by recapping some of the questions that the department has put forward in their consultation letter to you all.

After President Biden issued his executive memorandum, the department sent you a framing letter for this discussion that posed four questions. The first

question asks, does the input received in 2009, still reflect tribal views about consultation today? Are there any additional comments or suggestions?

Question two asks, should Interior include the actions recommended by the January 2017 report, and its plan to improve consultation? Question three asks, are there additional suggested steps Interior could take to improve tribal consultation and make it more meaningful?

And finally, question four asks, what actions to improve tribal consultation should be made the top priorities in Interior's plans? So, with these questions out there now setting the stage for this discussion, I want to turn the floor over to all of you, to share with us your thoughts and ideas on how to improve our consultation process and move forward. Thank you. Operator?

Coordinator: At this time, if you would like to ask a question or make a comment, please press Star 1 and clearly record your first and last name for your question or comment to be introduced. Again, that is Star 1 at this time. One moment, please to see our first question. Our first question comes from Dorothy FireCloud. Your line is now open.

Dorothy FireCloud: Hi. It's not a question. I just wanted to make sure that the National Park Service was represented, and I'm the National Tribal Liaison. Thank you.

Coordinator: Your next question or comment comes from Glen Gobin. Your line is now open.

Glen Gobin: Oh, good afternoon. Hey, my name is Glen Gobin, and I'm the Vice Chairman of Tulalip Tribes. And thank you for the opportunity to share some concerns or some issues regarding the BIA. My tribe is in Washington State

in Puget Sound region, and our office that we deal with predominantly is the Puget Sound Agency.

And I guess to start out in answer to some of the questions that are out there, to answer number one, I would say yes. To answer number two, I would say yes. But to answer number three and four, none of that is reality if you don't follow the consultation process.

And so, what I'm getting at is currently, we have a agency that is understaffed, has been in constant change of a superintendent, and basically nothing is happening, or that's what it feels like. We get resolutions that are returned. We miss dates for when things should have been processed, and there's not enough staffing there, and it's been taken away, and we keep hearing that we're going to get more staffing coming in, but yet that doesn't happen.

And it's really causing our tribe a huge hindrance, and it's causing our members a huge hindrance in not being able to get probate issues dealt with, to not be able to get land into trust issues dealt with, and causing people to just absolutely start all over again because the deadlines are passed or the information is old.

And there has to be a priority for these agencies to be well-staffed with well-trained people that want to assist in processes, rather than become the hindrance or the stumbling block to processes. The BIA should be there to help all of our membership, and be there to assist, but yet in all reality, it has becomes the holder.

And so, when we talk about these processes and these plans in place, they all sound good, but if there's no holding people accountable to it, our enforcement of what's in place, they don't mean anything. And we're looking

for honest, true effort to revitalize the functions of the BIA. And I thank you for this time to make these comments.

Bryan Newland: Thank you, Vice Chairman.

Coordinator: Your next question comes from Ron Allen. Your line is now open.

Ron Allen: Well, thank you, and greetings, Bryan, and congratulations, and as well as Ann Marie and all the rest who have been our new appointee within the Biden administration. So I will underscore our collective excitement about the new opportunities we have over the course of the next four years.

I would throw out some suggestions. Having been on the Tribal Interior Budget Advisory Committee for - well, since 1996, and have listened to, and discussed many issues of concern for not just the BIA, but all Interior agencies.

And I really do believe that we need to get a advisory council for all of Interior, so that we can engage in conversations about the collaboration and nexus between the tribal agendas on BIA versus Fish and Wildlife versus Reclamation and Land Management, et cetera.

Not everybody is - has overlapping areas of interest and concerns, but many do. And so, those issues need to be brought before the Secretary, you know, with the leadership of those that are on the line now, but the senior leadership, starting with the secretary herself.

And that has not - that has fallen on deaf ears. We tried to make a run back in the Obama administration. We - it fell on deaf ears without a doubt in the Trump administration. So we have a greater hope and confidence that it will

happen here in Interior, that we can make that happen to improve the government-to-government consultation.

It's not - it doesn't - it's not in lieu of their consultation responsibilities to all 574 tribes, but it is a really valued sounding board to talk about these issues and how we can tackle these issues that crisscross each of these agencies that affect our interests.

So, I would throw that out. And then there really has to be a nexus between it and the budget advisory, even though the budget advisory only deals with the BIA programs. We need to have greater engagement with regard to the other budgets and the other programs, whether it's Parks, Fish, And Wildlife, et cetera, in terms of what the - what are they doing to help advance their trust responsibilities to tribes.

So historically, it's just been, that's a BIA problem, and it's not just a BIA problem. And so, I think that we need to try to improve that relationship to make it more effective. So, I will leave it at that. And as you well know, Bryan, the budget advisory committee breaks out into different areas of special interest such as education, such as roads issues, and public safety issues, et cetera. So I think that that's going to be critically important.

And I will - my final comment is the importance of Interior, not just in a consultation process, but to be a champion to cross-pollinate, if I can put it that way, with other departments. And one of the big ones, quite - or two of them are, one is in education because of the education and BIE issues.

But the other big one is with regard to DOJ and all the programs over in justice with regard to the Tribal Law and Order Act, with regard to VOCA activities, or the VAWA activities, et cetera. So, all those domestic violence

programs over in DOJ, and to improve the collaboration with those different departments and agencies, and start thinking outside the circle of what can be done to improve the efficiency of these limited federal dollars that get out to Indian country. Thank you. I appreciate the opportunity this morning - afternoon.

Bryan Newland: Thank you, Chairman Allen, and I appreciate your kind words of support for all the team here.

Coordinator: Your next question comes from Curt Holmes. Your line is now open.

Curt Holmes: Good morning. Thank you for the opportunity. My name is Curt Holmes. I'm Vice Chairman of the Kalispel Tribe. So, I'm just going to go down each question. The answer to question one I would say is yes. However, those suggestions were never fully implemented.

So, the tribe would like to see a concerted effort to address those views, specifically the timing of consultation. A lot of times, the tribe has given extremely short notice for consultation, and then we have to scramble to research the policy and then draft our comments.

We feel more time should be provided upfront prior to the consultation, and the notice should provide supplemental information to help educate the tribe on the proposed policy change and how it affects the tribes in our region.

Question number two, I would say that the recommendations in the January 2017 report, should be included to improve consultation. And additionally, the tribe would like to see more good faith efforts in consistency with consultation. In 2018, when the DOI was consulting with the tribes regarding

DOI reorganization, the Pacific Northwest was specifically omitted from consultation.

And it was only after the tribes complained that a last minute consultation was planned. During the meeting, no questions were answered. Tribal leaders were kind of just given an opportunity to comment on the record, and I don't feel like that type of consultation is meaningful.

Question number three, Interior needs to have more actual dialogue with the tribes. Allowing the tribes to make a public comment on a proposed policy, doesn't seem meaningful. The comment concerns should be discussed at consultation to ensure the tribes' voice is being heard and understood, rather than just put on the record. Additionally, Interior must recognize that different regions have different priorities.

Question four, I would say that providing ample notice and supplemental material to the tribes regarding the proposed federal action, providing notice in multiple forms as well, posting online, emails, even snail mail. Many reservations are rural, and by the time the dear tribal letter arrives, there's a time crunch to prepare for consultation.

Also, allowing sufficient opportunities for comments, receive them in writing and by calling, and then in person. And lastly, respond to the comments and suggestions from the tribes. And that's our feedback, I guess, on those questions that you posed. So, we really appreciate the time and I hope that these things get heard and looked at. So, thank you very much.

Bryan Newland: Thank you, Vice Chairman. I really appreciate your comments.

Curt Holmes: Thank you.

Coordinator: Next question or comment comes from Chief Gary Harrison. Your line is now open.

Chief Gary Harrison: Thank you. I'm thankful that you guys all have - want to have our input. I have a couple of things. I didn't see the questions you guys all posed, but I see that you have many people there, including Mr. Anderson, the Solicitor. And my comment is that we at Chickaloon have tried to get the solicitor's help on many different issues, from land to other things, and we've never been able to get the representation that we're supposed to get from the regional solicitor, not only on allotment, but other things. And I'm wondering how that will come about, because there's basically been no accountability with that program.

I'm also wondering about the land into trust, and trying to make that work. That's a big problem. And I hear we also have a bunch of fisheries there, and somehow I think that there should be set asides for the indigenous people here for fishing and hunting so that we don't have to compete with all the sports hunters and sports fisher people.

And knowing that when we do subsistence, it's a fraction of what other people do with not only the commercial, but also the sports. And I'd like to figure out how we can talk together and work out these problems, rather than just have them sit there and fester for years.

And somehow I also think that the consultation process needs to be put into law, so that every time a different president comes in, it doesn't languish like it did under the last president. Someone said it was put in under President Obama. It was actually originated during President Clinton's tenure.

So, I probably have more things to go on. Like for instance, we need to also figure out how to streamline the energy process so that we can get renewable energy in many of our places, rather than depend on outside sources. And with the storm in Texas, it might bring out that we need to do this sooner than later. Thank you very much for letting me comment.

Bryan Newland: Chief Harrison, before you disconnect, I appreciate your comments. You had mentioned a comment about set asides for tribal subsistence hunters and fishers. Are you referring to budget set asides or allocation of fishing game?

Chief Gary Harrison: Allocation. In many other countries, because I do a lot of international work and traveling, they ask me whether we have these set asides. And most of them are appalled that we don't, and that we have to compete with all of the other users, being mostly commercial and sports.

We were always taught not to play with our food. So, having to compete with people that play with their food or go out for the biggest set of horns or the largest fish in the ocean or in the lakes, is kind of off-putting for a lot of us to have to do that.

Bryan Newland: Okay. Thank you very much.

Chief Gary Harrison: Thank you.

Coordinator: As a reminder, if you would like to ask a question or make a comment at this time, please press Star 1 and clearly record your first and last name for your question or comment to be introduced. Again, that is Star 1. Our next question comes from the Majel-Dixon. Your line is now open. You may ask your question.

Juana Majel-Dixon: Hello, can you hear me okay? I think so, or they would have told me already. Good afternoon or morning. This is one Juana Majel-Dixon, Traditional Council for Pauma Tribe in Southern California. Good to hear all of you. I was able to have an opportunity to listen to all the other sessions.

And it's come to mind, and I'm grateful for all the leaders who had a chance to speak that in our work with you and looking at the Bureau of Indian Affairs, BIE, land management, as well our ocean energy management, as you know being coastal, and looking at the national park and rec and all of those, that we have a consultation coming up. I believe it's going to be with part of the gang that spoke earlier, and it might be with intent to have a conversation later.

But what I wanted to share with you are a couple of things. One, and chief, you said some good things on the consistence in reclamation. It's important. One of the things we noticed is that with the fire hazards that we have, and or wind, when the terrain gets taken, the food gets impacted.

But one of the things, I looked at all the bureaus, and I realized the enormity of what the Interior is, has a lot of tribal participation in those various bureaus. And being on the Mexican border and then on the Pacific rim in the south, and knowing the military, and Amy, you know what I'm talking about in terms of our region, we're impacted from so many things, but I don't see really a clear relationship between DOI, DOJ, Department of Homeland Security. And the things we've had to do to protect our people, have involved all of that.

And it's important for me to understand that the best give - answer to your framing questions and to best serve our leadership, I would recommend something you did in the past. Your former secretaries of Interior and assistant secretaries as well, did an extraordinary job in terms of looking at

what was done with - I would say the word - you know, the Department of Interior back then with Reno - Janet Reno and Bruce Babitt. Matter of fact, his document is still a reference document to a lot of the work that you do.

But they had consultation when the 289 tribes showed up for that consultation and which they brought us all together. Then Eric Holder did it again back in the day. We were there three days, and some of you may remember this. And that was everybody. Everybody showed up and they did a pretty cool thing, which was breakout sessions, which began to be replicated under Eric's example as a listening session, but we also know that listening sessions aren't consultations.

So we had to get that definition corrected. But in that listening session, Ron, you probably remember this, is that so many of the leadership went into those breakout sessions with all our partners that are attending this phone call right now, and we had robust discussions.

And if they weren't a part of that as a tribe, they went to the one that they were so that when the people chosen by AG Holder were their own subject matter experts within your fields, as well as all the roles you play, the way it is, you kind of capture that, you know.

And then at the end of the third day to resume, they had a robust discussion in the dais, with all us in the room. And some of you might remember that. It was pretty extraordinary, but the end result, because it was a listening session, you have done the right thing, Bryan, and with respect to you, I use your first name, Bryan Newland, that the same with all of you, that you have done good work to set this up, but we also have watched - we're eight days into this, right? We've got five more weeks to go.

And what the president set out to do is a good thing, but you know as well as I do, when we get down towards the end, this is going to be hard, and you're starting to see leadership look at this as, this isn't going where we need it to go.

I am recommending to you that you consider with your predecessors and the fact that we have done it ourselves with DOI, DHS, DOJ, Homeland Security, EPA, USDA, all these folks are doing what they're doing, that they have - that the - interdepartmental is one thing, but from department, department, department, department, that they do that.

Now, it was set up to do so. Now, Rob is hitting it when he's saying that we need that higher level advisory group within the Interior. Absolutely. That's part of our partnership. And then when I look at the bureaus that are internally involved in all of this work, we're a part of all of them, you know? Well, okay, maybe not every single one, but it's rare not to find us in there.

When you're looking at the treaty tribes we have down there in (jolly wood), the mining issues and stuff like that, but what people aren't talking about is the fact that a nuclear waste dump is occurring on the Tijuana River. That's going to impact all the tribes, you know. Can you hear me? I was checking in.

Bryan Newland: Yes.

Juana Majel-Dixon: Okay. You know, when you got your cellphone, someone tries to you call you, your voice may be getting knocked up or not. So what I can say is I recommend a large virtual session. Consider that, only because you have subject matter experts, since you have a brain trust of leadership who have

done an enormous amount of work that has been given to them from their aunties and uncles from generational, working this together.

And then you have the house and the driving forces behind that, along with tax and land and justice and public safety, are examples that we were going to talk about, but we've brought it back down to, how are we going to construct? How are we going to best do consultation?

I'm here to tell you right now, this is - this will work if we come to it. I'm concerned because not every tribal leader who got on the calls with you these past eight days, have really understood the fact that something is actually done in consultation with you, not realizing that it was intended to guide the principle of consultation.

And that's not a bad thing, but what are you going to do with it? What are you going to do that negative consultation you've done in the intermix of what we're doing? When I look at every member that's on the board that turned over for travel leaders and tracking that, that's important because what they've done, they've left something unfinished, they get to follow.

When I think about the work of what is treaty tribes and what is non-treaty tribes, whether it's land based, self-sufficient, and self-governance and direct services, all of those things, they become battlegrounds, and they don't need to be battlegrounds.

And Ron, you, again, and other leaders of the home, stated to that, that in this trust responsibility is a sovereign relationship that says, this is protected. We don't want to breach the trust, but - and you have reached out, Bryan, in a very good way with the leadership in your departments, and talking about this,

because your subject matter experts will need to meet with our subject matter experts and our tribal leadership.

Many of our tribal leaders are subject matter experts. And when we come together in a large main group, that rollout report, we did it under Babel. We did it under Troy Ian when we did the tribal on order act. Two years of consultation, and we're looking at four weeks, and then another five weeks on all the other departments.

But when you look at those reports, or you look at the other one that was done under DOJ, DOJ has rolled out what it wants to do. We've had DHS rolling out what it wants to do. And everybody is juxtapose one another. USDA was so important in what it has to do.

It was at the same time you were doing what you were doing. It is like everybody's jumping on board to follow what the president has asked, but what they're not really doing what you have done. And I'm grateful for this is just, how is this going to work?

And I honestly believe that when you bring us together under each of those departments that are doing their version of the request of the president, we need to revisit it. We need to have those sessions. I don't believe you're going to have a successful turnout for the next five weeks, if we don't.

Is it all right to ask the president? And we can ask Libby, because she's done an extraordinary amount of work, to ask the president to redefine this, where you all suit up and show up together interdepartmentally, as well as players. Like, if we have under our public safety and the TLC to the AG, we have an agreement between Department of Interior, department Of Justice and Department Of Health, is that being carried out?

We just agreed from what we've done, we just sent 3.9 million over to OTJ. Is that working out? And then when you look at what's internally inside your system, when I look at that, I have a consultation that I have to do with the ocean and the islands, and what's going on with the offshore drilling, as well as the impact of the nuclear waste to the river - Tijuana River that's sitting in the Southern corridor of our world.

And I look at that and I think about what I have to do with the Bureau when I think about the other bureaus inside of our system, is public safety inside the Bureau really clear on what it's supposed to do for us, you know, in tying it to grants?

((Crosstalk))

Bryan Newland: Councilwoman, are you still there?

Juana Majel-Dixon: I'm still there, but I wasn't sure if that's - one of your people is speaking. I was trying to be thoughtful, or is that respectful? But I mean, are you getting you the gist of what I'm saying, is just a nod I'm hoping, you know, because I remember all of us together on this advisory council for the Interior, need to be at a level that we'll see living in the intertribal intergovernmental part, as well as what you do, Bryan, because when your partners are DOJ, DHS, EPA, on down the line, Homeland Security, suit up and show up with one another and have this ongoing dialogue, because we're the single point of interest as tribes. Yes.

We're - you know, whose statistics you look at, we're almost 1 million people, you know, but we're close to 600 tribes. So, when we're looking at this, we

have to do it in a better way that where we weigh in on those things that are ours for the tribes that you get that subject matter expertise.

I also would ask Mr. Bryan, that the new one that I would ask that anybody who has a report that was done, please read those reports, because one of the chairmen spoke to Clinton's report. His white paper was extraordinary. When you read Nixon's white paper, it's extraordinary.

So when you look at what you have, where they laid out this journey, even the initial setup of this under Bush's administration, it was a young man Bush, that it begun to hit at the right target of things. You're on the edge of changes. It's in a very good way. I am requesting that you go back to our president and asked him to consider opening this up in a more robust manner so that we can have all our players in there together.

And if it takes us two days of Zoom, and a final day of - not all day, you know, those two, three-hour windows, where leadership gets to weigh in on the third day, we get a combination of what that is, I think you will achieve a heck of a lot more than just a regional consultations.

The same thing with the protections that Ron was speaking to. It is required by law. Right now, we're battling the gun issue on the floor. I mean, so while this is going on, we're working and working with our leadership on the floor. Same with TAPs.

You know, it's crazy how there's a thieving going on from the outside sources who went to suppliers because we have to go to them for the supply, and no matter what State you're from, you're getting taxed, which is unacceptable, you know.

But I don't want to get so far in the minutia of it. I think I've made my point and I left - you know my number. I think you all know how to find me pretty well. And you're welcome to come visit me anytime and have this conversation. You know, Ron and the gang that's on this call, the leadership, I respect them so much because in this corridor, we're a large group of folks that have relationships with you that are international, because our international waterline is 100 miles out.

I'm in the international landline 100 miles up. So I have both in me. So - and when we do what we do, we get tied up and we shouldn't be. I'm only good at that. You know I can talk for a minute. So, I'm going to leave it alone. I thank you so much for letting me have this opportunity.

Bryan Newland: Thank you. Operator, do we have anyone else in our queue?

Coordinator: We do. Our next question or comment comes from Reginald M. Atkinson. Your line is now open.

Reginald M. Atkinson: Good morning. All my name is Reginald M. Atkinson. I'm the Mayor of the Metlakatla Indian Community, Metlakatla Alaska, which is located on the Annette Island Reserve. And as we all know, the great State of Alaska is one fifth the size of the continental United States. And at times we are - we lose connection and we are remote, rural. As all smaller communities up here in Alaska are, at times we get disconnected.

And I'd just like to thank you all for inviting us to take part in this. This is mostly - most important needed. And I'd like to emphasize the importance of the re-establishment of communication and dialogue between us all tribes and

the federal government, which as we all know, has eroded and gotten weak in the past decade - decades, plural, decades.

We'd like to re-establish dialogue. By dialoguing to mean real dialogue. For instance, not just simply checking the boxes and we'll get back to you later. I'm emphasizing real communication and dialogue, the importance of, which is what we need, and improve the accountability, I believe, on both sides, tribal side and the government side.

And also this communication and dialogue, as we all know, would support the survival and the prosperity of a tribe. Again, we are - a lot of us tribes are very remote and almost disconnected here in this great State of Alaska. And most importantly, I'd like to say to the Department of Interior, federal government, the importance of each historical context and location of each tribe, speaking also Metlakatla and the interests of each tribe all across the nation.

Again, the importance of communication, documentation, and dialogue. We like to see this beefed up, re-established, and move on. And again, I'd like to thank all on the federal side, and especially right now on top of my mind, is the Bureau of Indian Education.

I'd like to thank the BIE, because of the fact I have three children who have graduated from the Chemawa Indian School, who are now grown up, have children, and they're prospering on their own. And by the way, they all married their Chemawa sweethearts.

Again, this dialogue needs to be real between us and the federal government. And with that, I'd like to thank you again for putting this consultation on, and it's very, very important. Thank you. Thank you very much.

Bryan Newland: Thank you, Mayor Atkinson.

Coordinator: Okay. At this time, I'd like to inform all parties that we have about 11 participants in queue to ask a question and make a comment. If you would like to get into the queue, please press Star 1, and clearly record your first and last name. Again, that is Star 1 if you would like to enter the queue at this time. Our next question comes from Lawrence Solomon. Your line is now open.

Lawrence Solomon: Hey, good afternoon and good morning. This is Lawrence Solomon, Chairman, Lummi Nation. Thank you for the opportunity to share comments of Lummi Nation on the Department of Interior's consultation process. We are thankful for the leadership of President Biden to issue this executive order to re-examine the consultation process.

Congratulations to the new DOI leadership team. We look forward to working with you, and hopefully Secretary Deb Haaland in the future. You ask our opinion on the 2009, 2017 DOI consultation process. We generally support those efforts.

Our main concerns today focus on three points. First, we ask that you consult with our tribal government in any situation in which you're making material changes in DOI regulation and policy. Second, we ask that you make sure as administrative matter, that we receive adequate advance notice. This notice should be - should also be sent to our nation's DC representatives.

Third and most importantly, we ask that you improve consultation by requiring our consent on federal actions that affect us. This is consistent with

the requirements of Article 19 of the United Nations Declaration on the Rights of Indigenous People.

Why does this make sense? For 50 years, the federal government has modified its role in Indian country, from acting like colonial governor to being a governmental partner. We appreciate the self-determination policy and self-governance policies. Lummi led the effort to pursue that change in federal policy, and it works.

Now we need to have the federal government obtain our consent on an X to effect our interests. This is no different than self-governance compact or a trust asset management plan. Please modify the Department of Interior consultation plan and the president's executive order to the - to incorporation free, prior informed consent of the tribal government. We plan to elaborate on these concerns in our written comments. I thank you for this time.

Bryan Newland: Thank you, chairman.

Coordinator: Our next question comes from Buster Attebery. Your line is now open.

Russell Buster Attebery: (Foreign Language Spoken). Hello. Can you hear me?

Coordinator: Yes.

Russell Buster Attebery: Thank you. So real quick, I would like to tailgate on Chairman Ron Allen's comments about thanking everybody, and look forward to meeting the federal partners that we work with, and the new partners that we have on board. So, thank you, Chairman Allen, for addressing that and ditto.

Again, Buster Attebery, Karuk Tribe. And I - the answer to the first two

questions should be yes. Anytime we've done some studies, research, then those should be included as we move forward. And how can we improve on the consultation process? We want to make sure we consider sovereignty and the best way to recognize sovereignty is to let the tribes manage their Aboriginal territories.

For the Karuk Tribe, we live in very forested areas. For thousands of years, the tribes along the Klamath River have managed those forests, and we didn't have the catastrophic and devastating fires that we have today. I have been working since I became chairman over 10 years ago, to try to implement tribal ecological knowledge into the forested areas.

Tribal ecological knowledge, we used fire to reduce the fuels 100 years ago. Those practices were outlawed. And as we know, the rest is history. We have the results today of catastrophic fires and the town of Happy Camp, Northern California, where the Karuk Tribe is located, we lost half the town this year to fires.

And we had been in what obviously turned out to be non-meaningful consultation with the US Forest Service out here for over 10 years, and we recommended that we combine the sciences, modern science with tribal ecological knowledge, and we introduced many solutions to the problem. And we have a climate adaption plan that we've developed. We would love to introduce that during consultation.

Taking it one step further for us and other tribes, probably in the Northwest, there's some economic stability for the tribe to tap into. And these were - the economy was closed probably 30, 35 years ago due to environmental restraints and PSA reasons.

The - we agreed, but the tribe also were never on board with the type of practices that were going on for the economies here. It was very corporate, and we have a plan to bring back that economy. We'd like to bring that up in these consultation sessions. We believe there's a way to rebuild the forest, a reforestation process that will help the forest, and provide a sustainable economy for community members in - all up and down the Klamath River.

So, again, I appreciate this opportunity, but in order for this to be meaningful consultation, we need to figure out a way to include the tribe's ecological knowledge, this knowledge that lasts for thousands of years and should be considered best practices, a process that will bring back an economy to distressed areas.

And if we can make our county stronger, it can make our State stronger and make our country stronger. But we need to start here, do our part. The tribe is ready and willing. We just need to be listened to, and we need to have that seat at the table. So, thank you again. (Foreign Language Spoken). Thank you.

Bryan Newland: Thank you, Chairman.

Coordinator: Your next question or comment comes from Fawn Sharp. Your line is now open.

Fawn Sharp: (Foreign Language Spoken). Good afternoon, everyone. First of all, I want to thank our relative from Alaska for that prayer. We know in Indian country, that's the only way we can come together is in humility, to understand that many of the challenges that we're facing, far exceed our brain trust and

knowledge, but we must always seek our creator's wisdom and guidance. So, thank you.

I too want to congratulate everyone on this leadership team on the call. This is an exciting time. This is a sacred time, and we are just so looking forward to the next four years and beyond. I'd also like to do a shout out to our tribal leaders. Anytime I'm engaged in consultation, I'm just always impressed with the place that our leaders are coming from in serving our nation. So, (Foreign Language Spoken). Thank you.

I want to just briefly touch on each of these questions. With regard to the first question, we too agree and believe that we do need to include the 2009 recommendations, and that still reflects our view. Are there any additional comments or suggestions? I would like to underscore what Chairman Solomon indicated in his remarks with regard to FPIC, and we too are going to be providing additional comment in writing that really details our perspective on FPIC and its relevance.

But I just want to make this simple point about FPIC, that any policy that falls short of implementing a government-to-government relationship that recognizes our equal voice to consent or not to actions that affect our land, resources, and people, is simply not meaningful consultation, no matter how exhaustive all the other processes or policies.

If we do not have an equal voice at that table, if the United States can continue to take unilateral action over our objections, whether those are scientific objections, policy objections, legal objections, to our detriment and overarching interests that's not meaningful consultation, no way, shape or form, and will further elaborate on that.

The other thing that I think would be an important consideration is creating a dispute resolution mechanism or framework short of achieving consent. I had the honor and privilege of serving with Bob Anderson on Secretary Salazar's Trust Reform Commission. And one of the things that we quickly identified was, there's an inherent conflict of interest in the United States defending our interests.

There's a solicitor and someone from the Justice Department. And we - every contour of our relationship with the United States is born out of conflict, controversy, wars, and we need to have a dispute resolution mechanism that is based on international rules of diplomacy and standards. So, we would strongly recommend that as an improvement.

The next question, question number two, yes, we agree that those actions should also be included. On question number three, other suggestions to improve consultation, we would suggest that creating a clearinghouse, apart from the federal register, where tribal nations could locate federal policies that require tribal consultation.

At the National Congress of American Indians, we've taken an extra step of creating a resource center that outlines and provides sort of one place for tribal nations to go. And we know we're going to be undertaking a lot of consultation in the coming days.

And so, I think if we ensure to create a clearinghouse, that would really help and benefit us. I - so just briefly want to touch on uniform consultation policy. I'd like to echo that. It's been said throughout the comments this morning, and then what actions to improve (unintelligible) should be made in our top priorities.

Out of the - Secretary Salazar's Trust Commission, with the definition of trust, there's no common ground within our federal partner on the definition of trust. Some on the front line think it means one thing. Those in the upper levels of management see it as another. Even the US Supreme Court has a different view of what the trust responsibility means.

And I think if we're going to have an effective relationship and effective consultation, there must be a common ground of the basic definition of trust responsibility. And so, to that end, we would recommend that this new administration go back and take a look at that report. We spent two years studying the effectiveness of the BIE. There's a lot of recommendations. Our consultation on the end work product was very minimal.

And then finally, I would like to touch on the responsibility that we think Interior should exercise in consulting with tribal nations. And that is, the opportunity we have right now to recover from COVID and build our economies.

Long before COVID hit, we had been talking about the failure of the United States to fulfill its trust responsibility. All the recommendations that are detailed in the broken promises report, should be directly incorporated into everything that Interior does, and everything that Interior advocates with the other agencies.

And to the extent the United States Congress continues to fail to fund our trust services that were secured by treaty, I believe the Department of Interior should step up as our trustee, engage with us on our vision for closing that gap, whether it's enhancing tax policies, like the Indian trader statutes, whether it's international policy, but one way or another, we have to seize this

moment when the entire world is witnessing the disproportionate impacts of COVID, because it's not only the failure to fund the trust responsibility, it's standing directly in the way of tribal nations from exercising the full spectrum of our sovereign powers, including taxation, including economic policies.

And I just want to leave this one final note that it's going to be our vision and our direction and agenda to seek tax policy on two fronts. One, tax immunity. Right now, there's a finite pie of economic activity within every reservation. Tribal nations pay taxes, and we should not be paying taxes. And so, that's one side of our tax agenda.

The other is past exclusivity. When you look at what's happened here in the Pacific Northwest, and I'll point to Quinalt as an example, in building an entire federally chartered city, and the State of Washington can effectively hijack their tax revenues, or the Chehalis Tribe in building the Great Wolf Lodge, and the Thurston County comes in to effectively hijack our tax revenues.

It's expensive. There's a lot of litigation. And if there is ever a time for the United States to step up to support us, it's now with this president, with this Secretary of Interior, with this Senate, and with this house. And I believe that we have that opportunity right in front of us over the next four years.

I would strongly encourage Interior to consult with us on our vision for not only building an economic recovery plan, but one that is based on our sovereign interests in advancing Tribal sovereignty to the place that it properly should get there. Thank you.

Bryan Newland: Thank you, President Sharp. I appreciate your comments. I also want to add as well, if you are not speaking, to please keep your phone on mute.

Coordinator: Our next question comes from Shelly Fyant. Your line is now open.

Shelly Fyant: Good afternoon, everyone. My name is Shelly Fyant. I serve as the current Chair of the Confederated Salish & Kootenai Tribes since January of 2020. The Flathead Indian Reservation is a beautiful 1.2 million acres in Western Montana.

CSKT has compacted or contracted most programs. So, we have the opportunity to work with many of the programs represented on the call today. Recently, I have been inundated with dear tribal leader letters, notices of consultation, listening sessions, et cetera.

I don't know if it's because I'm a relatively new chair smack dab in the middle of a pandemic, or if we're lacking an internal policy and process on responding to these, but to give quality, well thought out input to these consultations, we will provide written comments in more detail.

Our professional and technical staff that deal with the day-to-day operations, are unable to spend a lot of time on giving in. So we will take advantage of that opportunity to provide written comments as well. So, thank you for that. Yesterday, I sat in on a USDA consultation for six hours waiting to provide testimony to the forestry section, only to be bumped and rescheduled for another session that may take place in two to three weeks.

I just wanted to echo some of those previous comments, especially in regards to our understaffed Bureau of Indian Affairs. Although we have compacted or contracted most programs, we still depend on the superintendent for signatures and approvals.

We have gone years with acting superintendents, and we've been waiting on action on some items for years. Also, we have a Flathead Indian irrigation project acting project engineer with several vacancies, which isn't in the best interest of the Indian people it was set up to serve.

We, because of climate change, have experienced devastating wildland fires in the west as a result of decades of previous fire suppression practices. And while it does provide seasonal employment for many tribal members, which depend on that income, our tribal member fire equipment contractors for the past few years have not been paid in a timely manner.

This year, some of those contractors came to the tribes five to six months after those fire events, and the tribe had to intervene to mitigate the situation, which still didn't allow for some of the interests that those contractors had to take out private loans to pay their employees.

I think keeping in mind this shift that has taken place on our planet, it's time to incorporate traditional ecological knowledge, biocultural diversity, regenerative aid, bringing back the buffalo, the salmon. Some of these agency policies need to be revised to allow for us to return to those caregiving reciprocal processes of living with the land.

We did have a few comments from our tribal lands natural resources department and forestry, but I will submit those in a written form later. So, thank you for the opportunity today.

Bryan Newland: Thank you, chairwoman. This is Bryan Newland from Department of the Interior. And I just want to pause for a moment to recap a few things that we've heard this afternoon in our first hour and 20 minutes here. And I also

want to note that much of what we've heard is consistent with what we've been hearing throughout the week, particularly with making sure that the consultation process across the federal government is accessible for tribes.

We understand that with President Biden's administration coming in, that there are a lot of consultations going on at the moment under executive orders and executive memoranda, and that in different agencies, both inside the department and across the federal governments, consultations are occurring at all times at regional and local levels.

And we've heard a number of people comment about the need to address that so that consultation can be more accessible to tribes. I've heard President Sharp and others address the notion of consent and that consultation should ultimately lead to an opportunity for tribes to provide or deny their consent on federal actions.

This has been something that's been raised by a number of commentators. And also have heard comments about the need to identify a consistent definition for consultation and when it applies, as well as the trust responsibility. So, these are themes that we've heard today. We've been hearing them all week.

I also want to take a moment to add, before we have other speakers take the floor, that the tribal leaders and representatives have the opportunity to submit written comments as well. And would encourage those of you who have spoken at these sessions on issues like definitions of consultation or trust responsibility, or consent, to take a moment in your written comments, to try to clarify what you mean by - when you raise those points.

So with that, we'll continue the meeting. I know we have other speakers in the queue. So, operator?

Coordinator: Our next question comes from Leonard Forsman. Your line is now open.

Leonard Forsman: Hello. Leonard Forsman, Chairman, Suquamish Tribe. Also, President of Affiliated Tribes of Northwest Indians. Thank you for the opportunity to respond, and a lot of great comments have already been made by many great leaders that are on this call, and appreciate their statements.

I just wanted to discuss - state that I think a lot of our needs have been stated and made clear to past administrations, although we know there's more to be done. But checking in with us on - since the Obama-Biden administration ended and things changed, and then now we're back into a new administration. And it's great to have these great tribal citizens and their experiences, and also viewpoints and understanding of our relationship in Interior now, and looking forward to the new Secretary of Interior.

I just want to emphasize the importance of treaty rights protection here in the Northwest, especially regarding our salmon and shellfish, and the importance of that and how Interior can help us in that effort. I know there's other agencies that affect that as well.

And having a American Indian woman as a leader here shortly, I'm hoping that - and know - actually, I know that she's going to represent us in a good way and hope that Interior, of course, takes the lead in cabinet on Indian issues and making sure the other agencies are aware of our concerns that, of course, are vast.

I wanted to say a little bit about public safety. We are engaged, of course, in a lot of public safety issues and appreciate - would appreciate more investment in police and courts, as we look to protect our communities. Here, for my own tribe, Squamish, for the Checkerboard Reservation, as many are aware, had jurisdictional issues going on for decades. Some of those have been addressed through local agreements, but, you know, all the support we can get in there is helpful.

It was mentioned earlier by Vice Chair Gobin regarding realty and deed of trust and the administrative role that Interior plays on a daily basis with our tribes. And just want to emphasize the importance of investment of time and creativity into addressing the bureaucracy that seems to sometimes, I would just frankly say, cripples our ability to, you know, make progress.

I think the land buyback program that was initiated was a good one. And maybe we could work on implementing that and maybe making a few changes to it, to make it something where we can reverse the impacts to the allotment act and the fractionalization that's occurred, because oftentimes, tribes are - we are using our own funds to right that wrong and providing out these small fractional interests around our reservations.

And this, of course, is difficult because we oftentimes have initiatives that we want to implement that require more land. For example, we want to expand one of our wastewater treatment facilities to allow for more housing to be built, especially with the new investment that's coming in through the rescue plan.

And that's an obstacle to us because we've got to have 100% ownership sometimes to get work done, and you just have a few outliers. So, it'd just be

helpful if we can get a discussion on how tribes will be able to, you know, free up these properties sometimes that are crucial to our development, but have these legal and regulatory obstacles. And of course, deed of trust, of course, is super important, and will continue to be super important to our economic and cultural well-being.

And finally, I appreciate a reminder of the importance of The National Park Service, and being a former - I don't know if you're ever a former archeologist, but know the importance of The National Park Service and the national historic places, and implementation of section 106 in protecting archeological resources and sacred places. And look forward to, you know, the strengthening of that role within Interior.

So just, you know, want to also emphasize that there's a lot of varied needs. You guys are very familiar with that. We have small tribes like ours out here that have reservations that we're trying to manage within a growing - becoming more and more urban environment.

And then we have large land-based tribes that have been heard from earlier that have huge responsibilities and need support to address those issues of managing a large land base, which includes law enforcement, which includes wildfire management and other regulatory needs that we have in trust reform. So, with that, thank you for this opportunity and look forward to more discussions with Interior in the future.

Bryan Newland: Thanks, Chairman Forsman.

Coordinator: Thank you. Our next comment is from Byron Nelson. Byron, your line is open. Please check your mute feature. We're not able to hear you. And I'm just getting no response from Byron. We can move on to the next comment.

Byron Nelson: Hello.

Coordinator: There's still a few. Oh, go ahead, Byron. Your line is open.

Byron Nelson: Hey. I'm calling from Hoopa Valley Indian Reservation, way up in Northern California. We are the largest land-based tribe in California. We have 3,500 members here. We're very fortunate to be living in our homeland. Back in the 1860s, it took us five years of battling the US military to stay here. And we won with a peace and treaty friend - peace and friendship treaty.

And we've - over the years, we've battled different concerns to remain here, lawsuits and all kinds of things, that we're still here. We've been here for thousands of years, and we're going to stay here for thousands of years. Anyway, we're - we have over 60 departments. So, we're kind of like a microcosm of the larger world.

We have just a lot of concerns. I think the main one would be to - how long it takes in dealing with the Bureau of Indian Affairs as far as the red tape, bureaucracy. It's always been a problem and it's a real killer, you know. It slows things down, and it just kind of strangles tribes when you have to wait really years for things to happen through the Bureau of Indian Affairs.

We - I want to kind of reconfirm all the issues that are being discussed here. Every one of those issues that are being brought up also are concerns. We have a beautiful river that runs through the valley here, the Trinity River. We have fish issues. We have timber issues. We have water issues. We have law enforcement and court issues, health issues, wildfire threats. We have many, many things that we work on every day.

And so, it's - we're really excited about the confirmation coming up here of Debra Haaland. That's really, I think, an exciting time for tribes. Finally we have one of our own kind of running the show. That's a beautiful thing. And I expect a lot, a lot of progress, positive progress being made in the future here.

So, really just wanted to kind of get on here to be - put us on the record as far as getting on here. So, we'll be responding in writing. I think the deadline is March 19th to respond by. So, we'll be responding with that. And I thank you. I thank you for allowing us the time.

Bryan Newland: Thank you.

Coordinator: And our next comment comes from Earl Evans.

Earl Evans: Good afternoon, everyone. Mr. Principal Deputy Assistant Secretary, thank you so much for the time today. As she said, my name is Earl Evans, and I'm here today speaking on behalf of the Chickahominy Indian Tribe, the Rappahannock tribe, as well as the Monacan Indian Nations, all in the State of Virginia.

And thank you so much for pulling together all of the department today to consult so much to some of the expressions that have already occurred. We certainly believe that some of the recommendations made in the 2009 and 2017 documents that you state, certainly remain relevant today.

I do want to go a step further on a couple of those things briefly, but will expound upon those in the written comments from the tribes later of course. One of those is, we certainly feel that the department should integrate as much

as possible, the principles in the United Nations Declaration on the Rights of Indigenous Peoples.

With the United States being - having committed to that during the Obama administration, we feel that it's imperative for tribal nations, and especially those who have the responsibility to protect the rights of tribal nations, to integrate that within and throughout all that occurs in terms of maintaining the trust relationship the United States has with all Indian tribes.

Also, we certainly agree with some of the prior comments that we've heard that being - Interior being to other departments in terms of how they enact their consultation, how they carry out their consultations, and taking lessons learned not only from within the department, but from those other agencies, have occurred. One of - Mayor Atkinson and several others have stated previously.

One of the things that comes to mind too is in terms of working with other federal agencies about consultation. I think it would be helpful if a part of the department's consultation efforts would specifically seek comment on those areas that occur in other agencies to which the Interior as the primary principle department designated to look out for the trusted responsibilities to spotlight, is as it relates to the UNESCO agreements.

And the UNESCO agreements, as you know, the United States is required to repatriate cultural items to other countries that enter the United States illegally. I think there needs to be an assertive effort to make sure that tribal rights are likewise protected, because currently we don't have those protections and responsibility for those foreign nations who are part of these UNESCO agreements to return those items to Indian tribes when they find those things have gone outside of the borders of the United States.

Also, one of the things that was suggested in a prior consultation I listened in on, was the idea of the department traveling around to various tribal nations. I think that's a good idea to, on a quarterly or some other basis, have the regional folks to visit different tribal locations for the purposes of knowing the tribes that are in their regions, being more aware of the things that they contend with, and certainly gaining some of that education and training that some of the prior consultations have spoken about that are needed for departmental officials.

Also, in terms of the results in consultation, want to take things a little bit further than just adding in the principles of the hundred, but also in terms of what the product of the consultations comes out with. We certainly believe that in any regulations or departmental policies that are developed, we respectfully recommend that you consider deferring to tribal laws, rules and policies for those program components that tribes have to implement themselves, especially things that are done under compact (unintelligible) contracts.

What we see a lot of times in a lot of institutes, that the policies that are developed post-consultation, they sometimes take their lead from similar documents that are developed in instances where there are related or twin duplicate State programs. They will often take similar forms that require different types of reports that take from the way they're done with States.

And understanding that the relationship with tribes is different from States, with States being subordinate to the United States, and tribes supposedly being co-equal governments with the United States, we think it will behoove the department to instead look to defer to tribal law, rules or policies in how they implement those programs, and then have a set of rules in place for how

those things should be done in the absence of a tribal law, rule or regulation. So that's a suggestion that we have relative to the products of your consultation efforts and how you roll out programs in response to the comments during the consultations.

And finally, one of the additional recommendations I'd like to respectfully provide on behalf of the tribes is, there are matters that Interior, as in all federal agencies, that impact all tribal nations, not just those on the federally recognized tribes list.

Even though presidential executive orders and memorandums specifically direct the department to consult with federally recognized tribes, those mandates do not prohibit your department from consulting with Indian tribal nations that are not on the department's list of federally recognized Indian tribes.

As you know, the tribal nations in Virginia being recently recognized in the last five years, all the Virginia tribes are still very familiar with the struggles faced when departments like Interior and others, exclude Indian tribes from consultations and actions that do affect these tribes, based solely on the focus of the tribes on the federally recognized tribes list.

Further, as in the past from a quality decision, lack of the tribes listing on the federally recognized tribes list, does not negate the trust responsibility that the United States has to that Indian tribe. So, and if all of our thoughts and actions are premised solely on the basis of a list maintained by the United States, then we as tribes unintentionally dilute the inherent sovereignty (defended) by the creator to all tribal nations.

And then therefore, even if unknowingly, limit ourselves only to those rights

that are permitted or allowed by the United States, instead of those that we have by right of who we are by the creation of our creator.

So, thank you again so much for the opportunity to speak today. Looking forward to great things from the administration. It's certainly a fantastic start to bring all of the agencies within the department together like this. And thank you to all the tribal leaders that are taking the time out to speak today. We appreciate your wisdom and guidance.

Bryan Newland: Thank you, Mr. Evans, and glad that you were able to join us this afternoon.

Coordinator: I would like to inform our parties that we currently have six participants in queue as of now to ask questions or make a comment. If you would like to ask a question or make a comment, please press Star 1 and clearly record your first and last name for your question to be introduced.

Coordinator: Our next question comes from Shannon Romero. Your line is now open.

Shannon Romero: (Foreign Language Spoken). Shannon Romero, Big Pine Paiute Tribe of the Owens Valley. I'm just here to give verbal comments, and will also follow up with some written comments. On question one, I think we would like to - yes, include the recommendations too - also to include the actions.

Some concerns we have is, as far as consultation being meaningful, there needs to be acknowledgement of cultural knowledge, not just noted, but being taken more heft. Cultural knowledge is of the utmost important to tribes and should be acknowledged as such.

I don't know if that means, you know, cultural competence training to understand where tribes are coming from, but that's what needs to happen, if

that's not being understood. Sorry, I'm kind of driving right now, but I pulled over.

Support of Ron Allen and Juanita's call for the higher level of the Interior, we need an advisory council in place to really give tribes the voice and support we need. And then last week, the question for resources to meet the challenge of consultation.

Like many tribes are saying, we have to scramble to respond to ensure our voice is heard, and that comes at a cost to tribes. And I think some resources in that area would be helpful. But thank you all for - and congratulations to the new appointees, and thank you for this opportunity, and we will follow up. I'm looking forward to working with you all.

Bryan Newland: Thank you very much, Ms. Romero.

Coordinator: Our next question comes from Dorothy Shockley. Your line is now open.

Dorothy Shockley: Excuse me. Good afternoon. Thank you for this opportunity. I am calling from Fairbanks, Alaska. I am the CEO of Bean Ridge Corporation, a very small village corporation from Manley Hot Springs. I first wanted to say that I'm so excited to finally have an indigenous woman as secretary soon. So, congratulations to everyone and to all the new appointees.

My comment is in regards to the Alaska Native Claims Settlement Act. And as a village corporation, I would like to see better understanding throughout the department on what ANCs are, Alaska Native Corporations. We are a product of Congress that was mandated to care for the cultural, economic, and social wellbeing of the Alaska native people forever into perpetuity.

Just like tribes are mandated, we are the land owners. Most Alaska native tribes do not have land. So - and we represent more Alaska natives than tribes. Our members, shareholders are throughout Alaska and throughout the other 49 States of the US, but we're not given the designation of tribes.

So, I think possibly renaming consultation with tribes, should be renamed as Alaska - or consultation with native or indigenous entities, because we're not considered a tribe, and therefore not represented or advocated for as entity that represents tribal members. So, those are my comments, and I thank you and appreciate this time.

Bryan Newland: Thank you, Ms. Shockley.

Coordinator: Next question comes from Chief Gary Harrison. Your line is now open.

Chief Gary Harrison: Thank you. This is a follow-up and I forgot to introduce myself last time.  
(Foreign Language Spoken) Gary Harrison (Foreign Language Spoken)  
Nay'dini'aa, Alaska. Good day. I'm traditional Chief Gary Harrison of  
(water) clan. And I come from Chickaloon Village.

There was a couple of things that I wanted to follow up on, and that's veterans land and the trust. And this one is for Bob Anderson, and I would like to figure out how to get follow up from him. And by the way, hello, Bob. How can we get changed, some of the adverse outcomes that we've had in some of the decisions due to lack of representation from the regional solicitor? And we've been denied that several times.

And the other thing, I'm sorry to disagree with the lady before, but the corporations, the village corporations at least, are there to protect the lands for

the tribes, and they need to actually work together, because the corporations were never meant to be tribes, never meant to have the same status as tribes.

And if you listen to the congressional intent, that's part of the - what it says in there. And it was actually there to destroy the tribes, which if anybody knows, that's a plank of genocide. And when the same people try and destroy the tribes, that's called filicide.

So these are things that have been brought upon us, and have made some of our people not understand what's going on. And the tribes do represent more than the corporations, because all of our people were not included in the corporation.

As a matter of fact, the children were left out, and that's another plank of genocide. Our tribes don't kick out our children, and only do some of the tribes that use the blood quantum, generally their tribes are going to go away. So, to me, that's a plank of filicide as well.

And how many other people have to be a certain percentage to be part of a country? I don't know if you have to be all Greek or just part Greek to be a Greek. So, that's just one of my comments. And I was also wondering if we're going to get written outcomes of our consultation here so that we can understand what - not only what the questions that were asked, but also the answers that were given a little more, because many times when we do talk about it, we don't get to an understanding.

And I think that's also part of consultation is, you need to come to an understanding. And I know that people have already talked about the tree fire prior and informed consent. I actually know a little bit about that as well,

because I was actually in Geneva during that time, when we were working on drafting a declaration for indigenous people's rights.

I did not write it. I helped with the (framing of forest) though. So did many other indigenous people. And the other thing is, this might be for different body, but there used to be a Justice Department TJ, and I was on that TJ. And I think we need to start that up again as well, because from my understanding, it helped a lot of things that also have something to do with the Department of Interior, like the Violence Against Women Act and some of the other things that the Department of Interior also helps manage.

And that's the BIA programs is which - why I bring that out. And also, I would like to say hello to Ron Allen, and also to (Juana). I have worked with them over the years on different committees and things. And I really appreciate the depth of conversation that they bring into this.

And many of the other speakers today also have brought in a big depth of conversation. And by the way, I don't mind the corporations having their own stuff, but taking tribal stuff is wrong. And that's basically my comment there. I don't. And thank you again for listening to me. (Foreign Language Spoken).

Bryan Newland: Thank you.

Coordinator: Our next question comes from Ms. Vivian. Your line is now open.

Vivian Korthuis: Good morning. Can you hear me?

Coordinator: Yes, we can.

Vivian Korthuis: Thank you. There might be some background noise here. There's a bulldozer outside my house moving snow. So, if it gets too loud, I will excuse myself. So, good morning. My name is Vivian Korthuis. I am the Chief Executive Officer For The Association Of Village Council Presidents.

I am Yup'ik and a member of the Emmonak tribe. AVCP is the largest tribal consortium in the nation, with 56 federally recognized tribes as our members. We are located on the Yukon Kuskokwim Delta, which is extreme rural America, with no roads connecting us to the rest of the state.

Our region's number one priority is public safety. We will continue to work on this issue in rural Alaska, and specifically the AVCP region, with a new leadership in the Department of Interior. The prior administration's leadership came out to the region, our region, and consulted directly with the 56 tribes on public safety.

I want to invite the new administration to meet us in our own region to continue that dialogue. I'd like to congratulate the new team online here. We know that you will all do a very good job. I also want to thank and recognize any of our consortium tribes who are online for this consultation, either to listen or provide comments.

Thank you for holding this consultation as part of implementing executive order 13175. In the past year, there has been many large consultations with - sorry. Let me read that again. In the past year, there has been a large increase in the number of tribal consultations as the whole country, including tribes in our region, navigated the COVID pandemic.

Through these experiences, we have learned about what works and what can be improved in consulting with tribal governments. I'm going to share some

of these observations with you today. Regarding the trust responsibility, it is important for government agencies, including the Department of Interior, to remember why they are consulting with tribes.

It is because the United States government has a trust responsibility to operate in the best interests of tribes. The main purpose of each consultation should be to ensure the end result is in the tribe's best interests. Regarding accessible and meaningful consultation, agencies should make consultations accessible to as many tribes as possible.

In 2020, we learned that teleconferences, Zoom meetings, and other platforms can be used even when travel is not possible. As we came through the other side of the pandemic, we continue to request to make consultation accessible to tribes who cannot travel because of obstacles such as costs, distance, or the pandemic.

In our region, we have access challenges to the internet. Therefore, it is hard and difficult for all tribes to participate, even in this consultation. For consultations to be meaningful, both the agency and tribes need to be prepared. Department staff should know the relevant laws and policies. Tribes should be given the citations or access to the information before the consultations, to prepare this themselves also.

Regarding helping tribes identify solutions, you are the experts in your programs, divisions, and departments. You know the rules better than anyone else, which means you can help solve problems and remove barriers for tribes. Take the feedback you receive during tribal consultations, and ask the question, how can we make this work?

Regarding follow-up. Many times, tribes prepare for and attend consultations

or submit written comments. We then wonder what happened. Many times, we never know what's happened. Agencies should follow up with the tribes. Give a timeline for next steps. We understand things could change and deadlines shifts, but follow-up is important.

Regarding educating other agencies within the government. The Department of Interior is the most knowledgeable department in the federal government on tribal affairs. Share methods with other agencies that have proven successful. The common thread is the tribe. Tribes see across the agencies, even if the government can't or won't.

Agencies should work together to live up to the trust responsibility with the tribes. We know that self-governance works. Compacting works. We know that tribes need to set priorities for what our communities need. Pass that information along, and encourage other agencies not to reinvent the wheel. Tribes are more than willing to share best practices and strategies we have become experts in.

Working together. Tribes love to partner with the Department of Interior and with other federal agencies. We want you to be successful in helping our children, our families, and our communities. Tribes want consultation to work. We want to be positive and effective. And most importantly, we want to make sure it makes sense within our own communities.

Don't be afraid to listen to tribes and work with tribes. Don't let your job stop you from being and doing the right thing to make the quality of life better for all of our people. We look forward to the work in the next several years here, and we look forward to partnering with all of you on the phone today. Thank you.

Bryan Newland: Thank you very much for those comments.

Coordinator: Our next comment comes from Susan Morry. Your line is now open.

Susan Morry: Hello, and good afternoon from Anaktuvuk Pass. I am Susan Morry. I'm - we're from a remote village within the State of Alaska. We are above the Arctic Circle. Our people consist about - of about 340 tribal members and our population is about 380.

We settled here in 1949, and our forefathers carefully selected this place, chosen in the heart of the migrating caribou, to sustain the survival of our people through subsistence, relying on the caribou and what they have to offer like food, clothing, shelter, and tools, all utilized from the caribou.

When they settled here in 1949, they instilled within our people, Nunamiut traditional laws. And that was to always refrain from the first herds of the caribou coming through our pass, and then to hunt the second batch of the herd.

We were always in competition with sports hunting and other residents within the State or non-residents. They are allotted subsistence hunts north of our valley. And with that being said, there is no regard to our Nunamiut traditional law. We are the only ones to have regard to that. And it's sad to say, we are the only ones hurting from it.

We sure need the support and action from the federal side to assist and enforce our sovereign right. We need all hunting regulators within our State to have respect to our tradition, and this would sustain our survival, ensuring our harvest and the caribou, allowing us to capture and store meat throughout our winter.

And to mention, winter in Alaska, nine months out of the year, it's dark and cold. And within the last maybe 15, 20 years, it's been a hardship because our freezers are empty. And I just want to say that we need to open up that dialogue and have better communication from the federal side to support our sovereign rights and let everybody know that they should have regard to our Nunamiut tradition and the law from our forefathers.

I just want to thank you for your time and this opportunity to hear us out. Like I mentioned, we are a community of 380 people, and then about 340 of us are tribal enrolled. And that's the Nunamiut tribe within Anaktuvuk Pass, Alaska. Thank you. I think that's all I have to say.

Bryan Newland: Thank you.

Coordinator: Our next question comes from Sarah Obed. Your line is now open.

Sarah Obed: Thank you. This is Sarah Obed. I'm the Senior Vice President of External Affairs for Doyon Limited, also an Alaska Native Corporation. I don't have a question. I have comment. Doyon's mission is to continually enhance our position as a financially strong native corporation, in order to promote the economic and social well-being of our shareholders and our future shareholders, and to strengthen our native way of life, and to protect and enhance our lands and resources.

The Department of Interior is required to consult with ANCSA corporations on any action that would affect ANCSA corporations, land, water, or resources, or have substantial direct effect to the ANCSA corporations. And I really appreciate my friend and colleague, Dorothy Shockley, for calling in.

I echo her comments about Secretary Nominee, Deb Haaland. I signed a support letter supporting her appointment, and I'm really excited about this historic nomination, and the team that the Department of Interior is putting together for the next years ahead.

I will say, as an ANC, the experience today, people commenting in on Dorothy's comment and saying, we wish more people in the federal government would understand ANCSA, because that's - understanding ANCSA is critical to good federal decision-making processes.

Instead, it's often our experience that we will request consultation and we'll say, you're not eligible because you're not a tribe, or not eligible because we're a tribal eligible as ANCSA corporations. And that was extended to us under federal law.

That extension of consultation is critical in engaging with the federal government. Doyon owns 12 and a half million acres of land. We interface regularly with the US Fish and Wildlife Service, with the National Park Service, and with the Bureau of Land Management.

We're surrounded by refuges, parks, and federally managed lands. And the decisions that are made by the federal government and by the State of Alaska, have a great impact on how we manage our lands. So, consultation is critical to engaging with the federal government, and early engagement in the consultation process, is really important.

And it's really hard to have a dialogue with the federal government when they're telling you, you're not eligible to do consultation. And the first entity that did that when I requested a consultation was the BIA. And I actually sent

the ANCSA consultation guidelines to the bureaucrats who we were engaging in consultation with.

And so, I really appreciate this opportunity, an opportunity for improvement and consultation. I really appreciate the consideration for improvement. I think one of the things that we can see is that this deliberative process is aimed at creating an effective collaboration, and really an informed decision-making opportunity, or even land management planning opportunities.

We believe that the obligation lies at the Department of Interior to initiate consultation, and to ensure that consultation is deliberative, effective and meaningful. And we believe that it's important for Doyon as a stakeholder, to have a seat at the table for discussions and decisions that affect our region, our environment, our business investments, and our subsistence lifestyle.

This relationship process - building process, includes an exchange of information, and promotes enhanced communication that emphasizes, not deemphasizes, trust, respect, and shared responsibility. I would like to say that a postcard on consultation is not enough, that a 30-day notice to ANCSA corporations is great.

If you can make a phone call, that is even greater. I think that it's helpful if the DOI and Doyon could come to an agreement on the - how consultation process and the framework that will be used throughout the rule-making process, is laid out in the initial planning stage.

So at the beginning of consultation, there's an agreement on what consultation will look like throughout the decision-making process. And I think that throughout the decision-making process, the DOI should periodically repeat

efforts to engage with ANCSA corporations, and meaningfully incorporate ANCSA input.

I also believe that an after-action review, after consultation has taken place, after the record of decision is signed, should be conducted between the federal government and Doyon Limited, to assess how well consultation took place, and to see where ANCSA corporation input or even tribal input too, was incorporated into the final rulemaking. And that would be an evaluation for agencies to improve accountability processes and identify recommendations for future processes.

I also would like to note that the BIA, instead of saying ANCSA corporations should not be consulted with, instead could play a key role in cross-agency or cross-department advocacy on consultation. So, instead of just getting better at the DOI, I expect the Bureau of Indian Affairs to play a key advocacy role to other agencies.

We've engaged with consultation with The Small Business Administration, The Armed Services. I really think that the BIA could help advocate on behalf of tribes and Alaska Native Corporations, to improve their consultation processes. I did hear that comment earlier today, and I fully support it.

I noticed when the OMB issued the recommendation to engage in a consultation plan, ANCSA corporations were not included. And I would ask the Bureau of Indian Affairs to ensure that all other agencies are taking into consideration the inclusion of ANCSA corporations.

I also really like the practice of reporting the consultation and final decision documents, but not including the content of that consultation, because that

allows for meaningful dialogue. It allows opportunities for me to ask questions about how the decision will be implemented.

And Doyon will always follow up on consultation with written comments. And just a note on comments, public comment processes. It's always painful to have a comment deadline of say March 11th or March 12th, and for agencies provide an extension of the comment process on March 11th or March 12th.

If that's something that the federal government could improve at, is providing extensions on public comments well in advance, I would be impressed. That concludes my comments. We did submit a letter to consultation email, encouraging continued consultation with Alaska Native Corporations. Thank you.

Bryan Newland: Thank you very much for your comments.

Coordinator: And there are no further questions at this time.

((Crosstalk))

Bryan Newland: Can I ask folks on the federal team to mute your phones, please? Hey, Sarah ...

Ann Marie Bledsoe Downes: And if you could repeat perhaps the instructions for how to get in the queue?

Coordinator: If you would like to make a comment or have a question, please press Star 1 and clearly record your first and last name for your question or comment to be

introduced. Again, that is Star 1 if you have a question or comment at this time,

Bryan Newland: And this is Bryan. While we wait, I just want to, again, thank everybody who's joined us today. And then recap, once again, some of the big themes that we've heard today. Heard a lot about the United Nations Declaration. Several speakers raised the issue of consultation with ANCs under ANCSA on a department-wide basis.

Several other speakers have raised the issue of making consultations more accessible. On that, I will note, that is an issue that we are looking at very closely on how to make consultations more accessible to tribes, knowing that tribes have a broad range of resources.

Some tribes are very adept at participating in consultations in different parts of the country, and other tribes have very limited staff and money to do that. And we would be very interested in written comments on the possibility of supplementing in-person consultation with virtual formats and your thoughts on that.

Coordinator: Our first comment comes from Susan Morry. Your line is now open.

Esther Hugo: Yes, this is Susan Morry. This is Esther Hugo. I'm the Naqragmiut tribal President. And I just wanted to make a couple of comments. And I thank you all who are participating in this opportunity from all tribes. And of course, to Washington DC, thank you so much. This rarely happens, and hope we have some people there that can hear us.

I was born and raised in Anaktuvuk Pass. And I was recently appointed as the president in October. And I just wanted to point two things out really quickly

as to our problems way up here in our hometown, our village. For years, since the Dalton Highway, we have been fighting, or we have been having this issue with our sport hunters.

And it's up to this day that we're still on this issue, meetings after meetings with different entities, but we survive and that is our main diet in here - up in Anaktuvuk Pass We have trouble with sport hunters. They still follow migration that's been diverted, which comes through our home in the pass, and the big herds - there's four big herds that we are looking at.

That's the Teshekpuk Herd, the Western Arctic Herd, the Central Herd, and the one herd that haven't come by since the pipeline days, is the Porcupine Herd. But we have so much issues with our sport hunters. We have worked with North Slope Board, who is giving them permits, because just 35 miles of which is the State lands and BRE.

And we live in the gates of the Arctic National Park Service, and we're just having a heck of a time since pipeline days on our hunting subsistence, our way of life, food to put on the table. And we had submitted two proposals for the board again, and both of our proposals within the five years have been denied, rejected.

And I don't understand that because Noatak in their preserve over there, they did the same proposal. And I can't recall what the proposal, but it was done because we felt that the sport hunters are catching their catch even while we're waiting here at home like we have done for hundreds and hundreds of years. And they hardly come anymore because they've been diverted. They've been going through the other passage and this is our issue. This is real life.

I've seen our people year after year, and we're still facing the same issue.

And I'm glad you guys are listening to me. I've been trying to see who I can reach out there. And another issue is with the BLM. My mother had 160 acres about 45 miles north of west - south of us down the trees. Now it appears that the national park - we cannot reach my mom's allotment only in winter time.

And if we were to go to my mom's allotment, in summer, we have to fill out this application and we have - if that is approved and done, we have to be escorted by the National Park Service person in the summer to reach her allotment.

And that's heartbreaking because my mother never, ever went there summertime to spend summer maybe pick berries or just maybe build a cabin there, but she never had that chance. Now, I inherited that allotment, and I refuse to apply and do what's necessary paperwork to be done just to get to my mother's allotment.

Those are the very two concerns that we're hurting, and I hope to work with you all, and I appreciate for you all to listen to me. Thank you so much.

Bryan Newland: Thank you. Ma'am for your comments. I really appreciate it.

Coordinator: My next comment comes from Chief Gary Harrison. Your line is now open.

Chief Gary Harrison: Hello. Chief Gary Harrison. Thank you once again. I wanted to make a comment on the BIA policing program. I think that it needs to be a little more flexible so that it can be used, like maybe to augment what the cops program doesn't bring in, and maybe be able to have it do some of the matching things that it comes in.

And thank you. I got cut off last time right after I spoke. So, I don't know if there was any answers to anything I brought up then. And by the way, I just want to make mention that if I have insulted anybody, I don't mean to. And I apologize if I have. Thank you.

Bryan Newland: Thank you.

Coordinator: Next comment comes from Robert Porter. Your line is now open.

Robert Porter: Good afternoon and thank you for the opportunity to participate, and congratulations to Bryan and the leadership team at DOI. We're looking forward to having the opportunity to work with you. I'm a representative of a number of different Indian nations in the United States.

And particularly the Kootenai Tribe of Idaho wants to share comments related to the consultation session. One of the things that when you live long enough and work for your own nation, as I have at the Seneca Nation is that you do see policy evolution.

And I think it's important for context to acknowledge how much better federal consultation has become over the years. It has largely been a sort of top-down model for too many decades. But over the last 50 years, I think you could absolutely see progress in terms of federal tribal interaction, but I think that context is terribly important to acknowledge.

One of the things that continues to evolve, however, is the need for improvements, and that's what this consultation is about. And so, there are a couple of different elements that I've observed in my own work and on behalf of the native people I represent, is that number one, as it relates to deadlines

and timeframes, many of the leaders, of course, have spoken about the need for getting sufficient notice, and that is important, but it's also true that we've seen that closure of the consultation also needs to have defined boundaries.

On many occasions, consultations will be extended, ostensibly because not enough tribal governments have made comments during the allotted periods. And I think that that creates an endless potential loop of both consultation ad nauseam, but also inaction on the part of the federal government as it relates to the topic of consultation.

And so, I think if the deadlines are tightened, as long as we're given adequate notice, we think that that will improve consultation over time, that leaders will - and their staff will know they must respond within the timeframes or miss up on the opportunity. And vice versa, that on the back end, we could expect that a certain timeframe action will start to occur with respect to the matters under consultation.

Secondly, there really is, I think, a lot of improvement to be made in this area of free prior informed consent. To me, at times the consultation process is the equivalent to, you know, be notified and having discussions regarding to that white light coming at the end of the tunnel, but no real action taken to let us know that that's a train and it's going to hit us.

And I think that we need to have an opportunity on many, many levels to have consent with respect to federal actions that affect tribal nations, whether it ranges from issues such as the Keystone Pipeline, or the way in which a sister agency, Treasury, handles care dollars. A lot of time, effort, litigation, and expense could be saved if the agency would ensure consent, substantial consent as it relates to actions that affect particularly tribal nations.

And then lastly, a related point is, in terms of engaging in that consent process, I'd like to just draw your attention to existing law and policy. And that's really been the foundation for improvement over the decades, is the consent function, self-determination, self-governance, Indian Trust Asset Reform Act, increasingly are already accepting the notion that no action should be taken regarding tribal nations without the consent of those nations.

And so, I don't think it's much of a leap, even though the declaration of the rights of indigenous peoples is very aspirational and has strong language. I actually think much of federal policy has evolved close to that point already. We've just got to get it across the goal line, and have it structured within the consultation process.

And so, with that, I want to thank you all again for the opportunity, and thank the leaders who preceded me for their strong words. And again, hopeful that in this coming year, we can all do better on behalf of our people that we represent, and working together to make that happen. (Foreign Language Spoken).

Bryan Newland: Thanks, Mr. Porter, and I appreciate your kind words for the team. (Foreign Language Spoken) and appreciate your comments as well.

Coordinator: And there are no further comments at this time.

Bryan Newland: I will take this opportunity to put out a final call for comments from tribal leaders and representatives and representatives of the ANCs who are on the line as well. Okay. If there are no other comments, or nobody else wishes to speak, I'll provide a reminder that you're welcome and encouraged to submit

written comments on this process as well. The deadline is midnight on March 19th.

And I appreciate the time you all took to share your thoughts today with our team. We know how busy you are, how many challenges you're facing at home, both with the pandemic and other issues. And I want to offer that we are going to do our best to show you, not just with our words, but with our actions, that this consultation process is meaningful, and that we have heard what tribal leaders and representatives have had to say throughout this week and in the written comments, and we'll show our work coming out of this process and as we move forward.

So with that, I want to wish you all very well, wish you and your families good health and safety, and I look forward to working with you. I know the department leadership looks forward to working with you all in the years to come, and I wish you all a very good and safe weekend. (Foreign Language Spoken). Thank you. That will conclude our consultation today.

Coordinator: Thank you for your participation. That concludes today's call. You may disconnect at this time.

END