

July 1, 2009 Tribal Consultation re: *Carcieri*

Hilton Sacramento Inn, Folsom Room
2200 Harvard Street, Sacramento, CA

U.S. Department of the Interior Panel:

Larry Echo Hawk, Assistant Secretary – Indian Affairs
Hilary Tompkins, Solicitor
George Skibine, Acting Principal Deputy Assistant Secretary – Indian Affairs
Jerry Gidner, Director, Bureau of Indian Affairs
Vicki Forrest, Deputy Director - Trust Services, Bureau of Indian Affairs
Darren Pete, Congressional Liaison – Indian Affairs

Moderator:

Paula Hart, Acting Director, Office of Indian Gaming

Moderator Paula Hart opened the second consultation on *Carcieri* and announced that transcripts of the session will be posted on the Bureau of Indian Affairs Web site.

Assistant Secretary Larry Echo Hawk, Solicitor Hilary Tompkins, Bureau Director Jerry Gidner, and Acting Principal Deputy Assistant Secretary George Skibine each gave brief introductions. (See notes of June 30, 2009, *Carcieri* Tribal Consultation for content).

Assistant Secretary Echo Hawk noted that there was overflow into the hallway, he suggested that Solicitor Tompkins could meet in a separate room with attorneys. A tribal representative responded that he would prefer to have all in the same room because the legal and policy aspects are equally important and should inform each other. Assistant Secretary Echo Hawk then suggested that if there are elders on their feet, it may be fitting to give them a seat. The consensus was to move the chairs forward to allow more standing room. Those in the overflow moved into the room.

Chairman Dale Miller, Elk Valley Rancheria, representative of the California Fee to Trust Consortium (Consortium)

- Today's turnout emphasizes the importance of this issue to California. Please take that into consideration in planning future meetings.
- The Consortium supports a legislative fix that is broad. We have a letter to present to Assistant Secretary Echo Hawk with a history of California tribes and we ask that he take the time to study it and understand California. Land to us is the most important thing. A lot of us here don't have land. The Consortium came into being because it's such a hard journey to get into trust. How do we become self-sufficient without land?
- In the past, tribes have had hard time working with Interior to get land into trust. We see the new administration as the light at the end of the tunnel. We hope to have an easier process. We want the word "trust" put back into "trust responsibility." That's the best thing you can do for us.

Pacific Area Vice President Juana Majel-Dixon, National Congress of American Indians (NCAI)

- I support the work tribes do. Time magazine has an article on FDR's first 100 days as president. During FDR's presidency, Congress reformed tribal government under the IRA.
- Assistant Echo Hawk and Solicitor Tompkins are the voice and face of the President.

- We suggest Solicitor Tompkins move some Solicitors to allow for a better staff. We cannot let ourselves be caught up in the bureaucracy. All federally recognized tribes are clearly under federal jurisdiction. The Narragansett situation should not affect us.
- We come to remind you that you have a trust responsibility and we ask that you defend that on our behalf.

Paula introduced Allison Binney, Senior Counsel, Senate Committee on Indian Affairs.

Chairman Ron Allen, Jamestown S'Klallam Tribe

- The fact that someone is a Supreme Court Justice doesn't mean they can't make mistakes too. We advocate swift, surgical, quick action. The majority of tribes are in favor of quick fix, in a way Congress can handle it.
- A stand-alone bill is a recipe for mischief on part of non-Indian political sector and private interest. State Governors want to make changes to jurisdiction/taxes.
- Interior has been streamlining the fee-to-trust acquisition process, and another criterion – whether the tribe meets the *Carciari* test—should not be included. We already know which tribes are federally recognized entities. This should not be revisited. There is no such thing as “created” tribes. The Solicitors tried to go down that road before, and we stopped it then.
- We ask you to advocate on behalf of the President to Congress that tribes have had 30 years of success in achieving self-sufficiency. There are hundreds of millions of dollars of deals pending that are now called into question. This is essentially a stimulus for attorneys. Ask Congress to fix it and move on. Deal with any other issues in the IRA later. Fix it fast and fix it now.

Quannah Brightman, United Native Americans Inc.

- I humbly ask for support of the only tribal college (DQ University) in the area. Our original walk in 1978 saved treaties. Without this walk, we would not have gaming money today and would not be able to become self-sufficient and sovereign. DQU is a sacred site and should be recognized as such. DQU has not been in compliance with its lease because it hasn't been a recognized educational institution. What are tribal leaders going to do about it?

Chief Gary Harrison, Chickaloon Village, Alaska

- The Supreme Court says that nobody in Alaska can have any more trust land. In the 1930's, Alaska was only a colony, but it still hasn't been colonized properly under international law. We have allotments in Alaska, even though case law says we don't. The Tribal Tax Status Act said that governments aren't supposed to tax each other. The State of Alaska is trying to tax land on which there are tribal buildings.
- If you look at the Congressional record, it shows the United States only bought trading rights from Russia, not the territory of Alaska.
- We need to have government-to-government recognition, then we wouldn't have to worry about taxing the land from under us. The state is administratively trying to take our land.
- This lawsuit does not help the tribe. Alaska corporations were created from the law that took all the lands from indigenous people and gave some of that land to incorporated villages and some to the state. To date this hasn't been rectified. I am the only person from Alaska here. Please understand the real government-to-government relationship and push on states that we're supposed to have government-to-government relationships not just with the Federal Government but also with states.

Hiawatha Brown, Narragansett Indian Tribe

- Much of our issues on the east coast are similar to California tribes' issues. We have been fighting for land. In 1996, we were provided gaming land through an appropriation rider. In 2006, we lost the right to sell cigarettes. According to the state, we're a PL 280 tribe, but that's not true. The smoke shop case was not accepted by the Supreme Court, but the housing case was, and here we are today. My concern is this – there are a lot of people in Indian Country involved. Also outside people – attorneys who have their own agenda and the Federal Government who has its own agenda. Interior used to be in the War Department, but over the years, there have been some positive changes. Indian Country has few friends in Congress, and fewer friends in courts.
- Indian Country is hopeful that this new administration will bring changes. Our greatest concern is with Interior and the agenda they're bringing forth. The last administration was a good old boys network, and some of those holdovers remain. The ultimate decision is to protect tribal rights and sovereignty. If this is left to States and certain entities in Federal system, we'll have nothing. I put my trust in Mr. Echo Hawk and the Solicitors to bring back the role of Interior in protecting rights of Indian Country.
- With regard to *Carcieri*, Governor Carcieri has had two terms. Only two governors in our history have been favorable to Narragansett. It doesn't take rocket science to know what has to happen. Indian Country needs a focus point. In the process of coexisting, how much are we going to lose that we cannot pass on to the next generation. We are looking to Mr. Echo Hawk for assurance that our rights will be upheld. We need to stand strong as tribal leaders, focus on internal issues but look at bigger picture. It's about upholding rights. Maintain a unity throughout Indian Country and make a better life for our people,

Chairperson Barbara Murphy, Redding Rancheria

- We have a small original land base of 30 acres.
- Tribes ended up in a Supreme Court that is not our court, not a court that understands how we own land and why. It's a system that is not our system. Each individual tribe has their own mechanisms. We were a terminated tribe but restored by a court decision.
- One question I had was what about those tribes who chose in 1934 not to organize under the IRA. Our people voted down IRA. They didn't see any need for the Bureau or anyone else to tell them how to run their affairs. People had always existed there and looked after themselves.
- This decision is another approach to termination. In California, we have tribes entitled to be recognized and aren't. What is going to happen to them? These people have a right that has been taken from them.
- We're a self-governance tribe. We realized soon after being restored that there is no benefit to having someone tell us how to run our affairs.
- Under California Land Claims Settlement, we sold our land for 33 cents an acre. Our people looked after the land. Then the Rancheria Act terminated tribes. We were fortunate, our people had deeds, looked after our own water, and our own road. But after our tribe was restored, we had to buy back our land to get land for gaming and were forced to pay \$50k per acre. Now, we're looking at a contiguous parcel that costs for \$4M.
- In order for us to exercise jurisdiction and provide for our members, we need the land. We can't stop tribal members from having babies, and we don't die as soon as we used to. We're asking for land so that we can continue to function and grow as a tribal government. In order to take responsibility and look after our members, we need to have our land. We need to be at

the same level with the various levels of government. I don't know what this case means to us since we rejected the IRA.

- There is an entrenched federal bureaucracy – people there can't change because it makes it hard for them to retire.
- Do a quick fix or whatever you need to do. We have lots of tribes because such a bountiful place. Without restoration and economic development allowed by gaming, I wouldn't be having young people learn our language. It was lost before. Keep us the hell out of the courts, and use some new ideas, try to get away from the entrenchment of system. This is a new era for Indian tribes and the Bureau needs to get on board and help us.

Chairman Matt Franklin, Lone Band of Miwok Indians

- When I participated in other tribal roundtables, they were long processes. This *Carcieri* decision has only been out for so long, but media has already interpreted what it means for Lone. The longer we wait, the more time we allow for others to solidify their opposition.
- If we try to fix it with legislation, individual tribes will add things to the bill that will help them individually. I would like to see all tribes either all get behind legislation or all get behind regulations.
- When I was driving, I saw people with signs against the U.S. occupation of Iraq; in the meantime, there has been occupation of Indian Country.
- Interior has a trust responsibility. This is a country founded on tribes. We need to remind the Supreme Court that they walk on sacred land; this is our country. Tribes are self-sufficient because of land.
- A quick fix may not work, but is the best of the options on how to proceed.
- I want to see something come from our direction.

Chairperson Leanne Walker-Grant, Table Mountain Rancheria

- We support a fix that would include all federally recognized tribes regardless of the date of recognition.

Lisa Perdichizy, Historic Original Miwok and Central Valley Miwok Indians

- We ask BIA for help. The *Carcieri* decision encourages mischaracterization.
- BIA should not allow tribes to obtain identity separate from historic tribes. We ask for protection from peoples misrepresenting themselves as Native Americans and tribal members. Help document the truth. We need identity protection of the historic tribes. Is there access to find out what happened to our lands? We need to regain our enrollment.

Marilyn Delgado, Shingle Springs Band of Miwok Indians

- Our tribe has litigated the issue regarding tribal identity and we are the traditional recognized tribe.

Vice President, Phillip Harjo, Cowlitz Indian Tribe

- We began treaty negotiations in 1855, and finally won acknowledgment in 2002.
- We have a fee-to-trust application pending in Central Office. The application has been pending 7 years.
- We are concerned about Interior's claims that it will act quickly. We still don't have a land base.

- We recommend that Interior should have authority to take land into trust for any federally recognized tribe. We don't have a lot of faith in Congress or in courts, so I'm placing my faith in Interior.
- Speaking on behalf of landless tribes and disadvantaged tribes with small land bases, please process our applications timely. There are other tribes like us, landless. Please act quickly on fee-to-trust applications.
- I am heartened that we have a new Solicitor. If you are working on a legislative fix, please continue working. Inaction from Department of the Interior has grave consequences. Please work on all the fixes in a timely manner.

Chair Nelson Pinola, Manchester Band of Pomo Indians

- Your trust responsibility began when you took our land. Since that time, there have been volumes of regulations, policies, and case law, saying what you expect from tribes, and we've abided. Tribes like mine will be called into question as a result of this *Carciari* decision. Attorneys are looking to make a living. This should have been a settled question a long time ago. Our tribes deserve to move forward. Our tribes continue to grow. We're looking for land so that we can house and bury our people. I don't want the counties and states to step in, when they are doing such a terrible job handling their own budgets.
- I ask that the panel recognize that the inactivity is harmful. Lenders are backing out because they wonder what leverage they have to get money back.
- I urge a quick fix to this. I don't think we should limit ourselves to one option or another. Look into all avenues. We don't have any Congressmen here, and we don't have any tribal member representation on Congress. Interior has become our champion of Indian rights. I hope that you want to be active partners in fixing this as quickly as possible.

Acting Principal Deputy Assistant Secretary Skibine

- Interior is still processing fee-to-trust applications. We are not freezing decision making.
- There are Senators and Representatives that are friends of Indian tribes. We don't believe Congress as a body is opposed to Indians.
- No matter what Interior does administratively, it will be challenged, so Interior's action will not end the need for attorneys.

Vice Chair Rosemary Morillo, Soboba Band of Luiseno Indians

- We are asking that all tribes have the same privileges. We would like a quick legislative fix that ensures that recognized tribes are treated equally under the law. Until then Interior should interpret the IRA to include all recognized tribes as being under federal jurisdiction.
- Interior and the Solicitors should not issue a legal opinion on *Carciari* without allowing tribes the opportunity to consult on the opinion.

[Inaudible – will be cross-referenced with transcript]

- Our tribe was terminated then restored through litigation. We are landless, and in the process of a 9-year fee-to-trust application. There is something wrong with the process for it to take that long.
- We support a quick legislative fix.

Vice President, Tlingit and Haida Indian Tribes of Alaska

- Fee-to-trust issues are of paramount importance to us.

- A misinterpretation of a 1978 SOL opinion imposed a moratorium on taking land into trust in Alaska.
- We don't have places to bury people.

Will Micklen, Ewiiapaayp Band of Kumeyaay Indians

- The Consortium met yesterday and came to same conclusions stated today— that a technical, surgical, legislative fix is preferable to clarify that federal jurisdiction applies both retroactively and prospectively.
- The administrative interpretation of “under federal jurisdiction” in the meantime should be broad.
- We're hoping revisions to 25 CFR 151 aren't necessary, but if so, it should be a light touch to avoid other issues.
- Ten tribes hold almost 90% land in trust. California is a special case with termination issue. Special opinions by career employees in Solicitor Office have threatened California tribes. There's a continuing dialogue that needs to happen because California is different from other tribes in other states.

Leslie Taylor, Delaware Nation of Oklahoma

- Delaware had a treaty with the United States, but there still seems to be confusion in BIA. We had a fee-to-trust application pending for 6-7 years, and it has been put on hold as a result of *Carciari*. Our tribe has 10 acres, but would like to expand. We can't do the 30-day comment period because we're confused about where Interior stands on *Carciari*.
- We support a fast legislative fix.

Bureau Director Gidner

- We will look into your application.

Chairman Janice Mabee, Sauk-Suiattle Indian Tribe

- Tribes remain under federal jurisdiction unless affirmatively terminated. We voted in 1934 on the IRA, and could not have voted had we not be recognized.
- We support a legislative fix.

Art Sam, Bridgeport Paiute Indian Colony

- We have a reservation of 40 acres, established in 1934 by Congress, but we still need space for housing and economic development. We have had a pending fee-to-trust application for 15 years.
- We support legislative fix language.
- We also support Interior taking the broadest possible interpretation of “under federal jurisdiction.” We're concerned that some in Interior may take *Carciari* as opportunity to create different classes of tribes. Please do not allow us to be divided in that way. The legislative fix is the best and ultimately the most efficient, otherwise Interior will have to spend time on each fact pattern and defending each trust acquisition.

Ron Andrade, La Jolla Band of Luiseno Indians

- We support a fix.

- The most hopeful thing that I heard is that Interior will not stop processing fee-to-trust applications. I would like to hear that you will be getting more staff and that you will get rid of staff that has been creating obstacles. We would like to hear that Interior is putting more emphasis on processing applications. They stole our land for 33 cents, now the Supreme Court is saying you have to prove to us that was your land historically.
- We ask Interior to start moving land into trust. There are a lot of pending applications for land that is rightfully the tribes'. Commit money to get people their land. Any other race group would get that land back.

Bureau Director Gidner

- There were questions in the past over whether there was a moratorium on fee-to-trust acquisitions. In the past few years, BIA has cleaned up the process. There are 1,300 cases, only 64 of which are gaming-related. We will brief Assistant Secretary Echo Hawk and Deputy Director Forrest and I will discuss with our RDs where we stand. Processing applications shouldn't take that long, but often when it does it's because there are issues. In 2008, we took 50k acres of land into trust. We are moving, but we'll try to move faster.

Mark Romero, Mesa Grande Band of Diegueno Mission Indians

- Our tribe wants to buy our ancestral lands back.
- I have been to a lot of meetings where, when meeting is over, nothing is done. That is not really consultation. Please don't leave the words on the table today. Go back and do something. Fix this.

Chairman Monty Bengochia, Bishop Paiute Indian Tribe

- There were three settlements in California. The California Land Claims Settlement included Paiute and Shoshone lands. I'm one of the people that refused to take settlement for Paiute lands. Some of us did not receive due process and just compensation for our original homelands. Also, the pending Western Shoshone group has not received a settlement. At the First Indian International Treaty, we made the point that we came as Paiute Nationalists with no intention of selling land. I just want to make clear that we did not settle.

Daniel Decker, Tachi Yokut Tribe (formerly known as Rosa Rancheria)

- We urge a quick legislative fix.
- The California State Association of Counties has laid out a roadmap in testimony before Congress of how they want to tax our land, control how we do tribal enrollment, and get mitigation for loss of jurisdiction.

Chair Ida Riggins, Pit River Nation

- This decision will have a huge impact.
- We have 100 acres, we're a unique tribe. My grandmother's land was taken; she didn't accept the money.
- We will submit written comments.

Michael Derry, CEO, Black Oak Development, representing Guidiville Band of Pomo Indians

- Guidiville supports a quick legislative fix.
- We believe the regional offices have the staff and expertise to handle the fee-to-trust applications. Having them processed by Central Office slows things down.

Deputy Director – Trust Services Forrest

- On April 30, BIA held a tribal leaders dialogue in Albuquerque to discuss the Fee-to-Trust Handbook. The Handbook is the first uniform set of policies and procedures on processing fee-to-trust applications for all regions. At the dialogue, tribal leaders provided comments on what they would like to see changed in the process.
- Under current procedures, the only time an application should come to Central Office is if it's an off-reservation application – in those cases, the Assistant Secretary conducts a technical review and provides comments to the Regional Director, then the Region finishes processing the application. When I became Deputy Director, there were 60 packages pending decision. Central Office reviewed all of those and returned them to regions to start processing. The policy is still in place to have Central Office conduct a technical review of off-reservation acquisitions, but we now have a 7-day turnaround time. In the last two years, we have met that turnaround time.
- Currently, the Handbook only covers on-reservation acquisitions. Once we get comments back on usefulness of Handbook, we'll see what changes we can make in response.
- Staff is still processing applications. Where there is a *Carciari* question, we will follow the four steps outlined in RD letter. We are understaffed in that area, but as we're going forward in deciding what to do about *Carciari*, we are continuing to process applications.

Virgil Moorehead, Chairman, Big Lagoon Rancheria

- We support a legislative fix that addresses both the retroactive and prospective fix. As to what form it should take, we support the NCAI and Native American Rights Foundation (NARF) language. Revising regulations might have worked for Section 20, but the legislative option is the best.
- The acquisition of lands is a fundamental right. We support a broad-based legislative fix. We support use of list of recognized tribes. We do not support development of two classes of tribes for purposes of defining who is eligible – all tribes should be eligible to fee to trust.
- If there is any Solicitor opinion, we would like consultation on it.
- Please get a bigger room in the future.
- We had an application for gaming, but withdrew it, but we still have a 5-acre application for housing. The state and state coastal commission have both said they will fight it. The BIA and Solicitors have reviewed it and recommended it for approval. We would like to request that we move it as fast as possible; it has been a 3-year process. Our problem is we're in northern California, within California Coastal Commission's so-called jurisdiction.
- Need your support of land into trust. If the state can do it to us, they'll do it to the rest of the tribes. As our trustees, please set up.

Les Marston, Chemehuevi Indian Tribe (counsel)

- There was a time when Interior drew a distinction between historic and non-historic tribes, then the Federal Lists Act that put all tribes on equal footing. Now the *Carciari* decision has created a new distinction. That decision doesn't just affect fee-to-trust; it also affects charters, reorganizations, and proclamations. Please take action that will afford the greatest protection for all tribes.
- We need a legislative quick fix. Delete the words "now under federal jurisdiction" and specifically ratify all land taken into trust.
- You must also take action to promulgate regulations because, in the future, there may be people in Interior who are not friends of Indians and if legislation doesn't pass and there are no

regulations, then we're leaving it up to those future people. You need to start acting now. The regulatory change should not be an amendment to part 151, because that would open Pandora's box. Instead, you should promulgate a new rule defining what defines an "Indian Tribe" for purposes of IRA. This is defensible because the definition of "Indian tribe" affects other provisions.

- I urge you to hold more consultations. Propose legislation and propose regulations and hold consultation in each region. Urge that regulations be very broad, you have opportunity to broaden Indian tribe – it doesn't have to be limited to treaty tribes, etc.
- This tribe has been waiting 100 years for reservation. Under the Mission Indian Relief Act, the Secretary was supposed to issue patents for 7 tribes, but a new BIA branch office didn't follow through. Since 1985, we have been the subject of 12 federal court lawsuits challenging the authority of Secretary to create or restore our reservation. In each of those, the Secretary was sued and the U.S. Department of Justice assigned the case to a local U.S. Attorney. I've seen the process– there is no uniform policy on how these are handled by the U.S. Department of Justice. I hope the Solicitor sits down with whoever your counterpart is in Justice, and urge them to send out memo to the U.S. Attorneys saying that they are anticipating lawsuits under this *Carcieri* decision, directing them to make sure they're assigned to senior litigators with experience in defending Indian land, and making them aware the Quiet Title Act is an available defense.

Acting Principal Deputy Assistant Secretary Skibine

- If there is a new regulation, there will be new consultations.

Allison Binney, Staff Director and Chief Counsel for Dorgan

- Senator Dorgan believes that a legislative fix is the best option. If you only have a Solicitor opinion, it will invite litigation for 20 years with uncertainty. We're leaning toward a surgical amendment, but won't decide until Interior finishes its consultations. At that point, we will work with Interior to make sure the legislative fix accomplishes everyone's goals.
- We've had two hearings in past two years on the fee-to-trust process.
- There are unique circumstances in California, with colonies and independent Indian communities – make sure you convey those unique circumstances to Interior and members of Congress. We are concerned about doing a legislative fix that will have tribes fall through the cracks. As California leaders, be engaged in that process.
- This is the first time that Indian Country has had such a voice in Interior – we have two Native Americans in White House, and a Native American Solicitor at Interior. Don't just rely on Interior or Indian Affairs.
- Feinstein is the chair of Appropriations Committee. We need you to communicate with her office.
- When the Supreme Court issued *Carcieri*, a number of Senators had wanted to come out with statements in support of the decision, but our staff educated them on the ramifications of the decision.
- In the last few years, there has been a lot of progress on the fee-to-trust application process. A lot of complaints are from old administration, now we have a new administration. Get engaged. This is time for change.

Vice Chair Shirley Laos, Cher-Ae Heights Indian Community of the Trinidad Rancheria

- We support the most broad definition of “under federal jurisdiction” possible, to cover all federally recognized tribes. It’s your responsibility to pursue that and process applications to take land into trust. Don’t pit tribes against each other. All have the same needs. We encourage you to make it clear and not let it drag on.

Raymond Sloan, Pit River Nation

- All nations have been recognized in fact because each has suffered military action.
- We ask Assistant Secretary Echo Hawk to put his spear deep into the ground and fight for Indian land.

Morris Reid, Picayune Rancheria of Chukchansi Indians

- Get a fix. We must come together as a group, going in same direction.
- *Carcieri* opens the door for what may come down the road. Because of the goodness of our tribal leaders, we have saved some pieces of our culture and language, but it has been a fight. They want to take that traditional culture – land is cultural, land is tradition, our roots. We can’t have that taken away. This should be backed by Interior.
- Land means we can develop economically, encourage diverse businesses on land, and provide jobs for members. All have to stand together. We’re all in this as tribes, to be treated fairly and equally. If even one tribe is denied land, the trust obligation is not being met.

Solicitor Tompkins

- Your comments are moving and compelling. We have a tough job ahead of us.
- A legislative fix would be preferred and would resolve confusion, but I’m concerned that nothing can be assured through the legislative process. The *Carcieri* decision opens up a reevaluation of the land acquisition process. My office is looking at the issue very carefully, and will make it a top priority.
- My Deputy Solicitor is from U.S. Department of Justice and will be valuable. Regardless of what we do, how we define “under federal jurisdiction,” we will be challenged. So it’s important to be prepared for that and coordinate with Justice.

Vicki Macias, Cloverdale Rancheria of Pomo Indians of California

- If you want a good consultation, come to California.
- The Rancheria Act terminated us, then restored us via the Tillie Hardwick litigation.
- Despite the fact that we were restored 20 years ago, we remain a landless tribe. For landless tribes, *Carcieri* represents another hurdle that will delay our efforts to reestablish our land base.
- We support the legislative fix. Take from all of us here the strength to work, and listen to your heart, we are the heart of this nation. We want this to be fair for all Indian people.

Chairperson Joe Kennedy, Timbisha Shoshone Tribe

- The original Shoshone had the largest land base in United States. We know the termination policies, land laws, and forced sterilizations and have seen so many losses. The United States can’t forget contributions of Native Americans to this country. We need to look back on what has transpired over the last 200 to 500 years. The original doctrine stated indigenous people were not entitled to own land because they were non-Christians.
- We look to Interior to do their job, but as Indian people, we need to go out there and push it. We need to look at how international law is structured. Why were rights to property taken from us? Even in international area, the Western Shoshone representative took a stand to allow

prayer at the meeting by staging a walk-out. International forums want to hear indigenous peoples' stories. People need to get involved with Organization of American States.

- On *Carrieri*, need to stand together on a legislative fix.

Chairman Elaine Fink, North Fork Rancheria

- The Consortium has helped get our fee-to-trust applications moving. The process would be a lot longer if it weren't for them.

Alvin Moyal, Shoshone-Paiute Tribe

- The Supreme Court isn't looking at how Indian people were defined in 1700's. When the Indian Claims Commission came to be, its purpose was to identify acres of land where Indians lived. Decisions were made that had nothing to do with Indian people initiating them. The Supreme Court is trying to establish a fight among Indian people. We'll be scheduling an inter-tribal council meeting of Nevada to discuss many of these issues.

Assistant Secretary Echo Hawk (in closing the consultation)

- I will use the power and authority of the Assistant Secretary to solve this problem. I was asked to serve, though there may be better qualified people, I am here to serve. Alison articulately spoke about change, and you will start to see that from this administration. The change will be decision-by-decision. But we only have 42 months guaranteed, and as much as we can unify and move forward, we will do that and succeed on many fronts. I close by asking for your prayers, that I will exercise good judgment and clear thought, wisdom and understanding to make the right decision.