

DARYL FOX: Welcome to the Office for Victims of Crime Consultation on the FY 2022 Tribal Set-Aside from the Crime Victims Fund, hosted by the Office for Victims of Crime. At this time, it's my distinct pleasure to turn the meeting over to our facilitator today, Katherine Darke Schmitt, with the Office for Victims of Crime. Katherine?

KATHERINE DARKE SCHMITT: Thank you very much, Daryl. And thank you to everyone and welcome for your time this afternoon, joining us in this Office for Victims of Crime consultation on the fiscal year 2022 Tribal Set-Aside from the Crime Victims Fund. There are quite a few people signing on to the consultation and we appreciate you taking time to join us. As you're settling in, please take a minute to open the chat feature at the right side of the screen and share your Tribe and a message with the group as we get started. My name is Katherine Darke Schmitt, and I am one of the deputy directors at the Office for Victims of Crime where I have the honor of leading the tribal division. And I will be your meeting facilitator today. During this session, tribal leaders and their designees will offer testimony or statements on the Tribal Set-Aside from the Crime Victims Fund for fiscal year 2022.

Thank you to everyone who pre-registered to give oral testimonies during the consultation either today or tomorrow. Our colleagues who are managing the logistics of this event will be checking in with you to make sure that you are ready to speak at the appropriate time. If you are a tribal leader or the designee of a tribal leader and you did not register ahead of time to give testimony but do wish to speak, please use the chat feature at the right side of your screen to give your name and tribal affiliation and indicate that you wish to speak, and you will be added to the queue of speakers. You can do this at any time during today's consultation. When it is your turn to give testimony your name will be announced. We'll ask you if you want your video feed enabled or not. And your audio feed will be live and unmuted. We will ask you to begin your testimony by restating your name and your tribal affiliation and title. If you are a tribal leader designee, we also ask that you state the name of the tribal chief or chair or other authority on whose behalf you are offering testimony. Thank you for reconfirming this information for us so that we can make it part of the record of this event. We also welcome written testimony from tribal leaders whether or not you are present to give oral testimony. We are going to ask you to submit written testimony no later than February 4 [Correction: In response to testimony received, OVC has extended this deadline to March 15, 2022] to the email address [ovctribalsetaside@ojp.usdoj.gov](mailto:ovctribalsetaside@ojp.usdoj.gov). And my colleagues who are running the event are going to put that email address into the chat for you. It will also be displayed at the end of the consultation on a slide. Again, I want to reiterate that if you have any trouble navigating the consultation and

the features of WebEx today, please let us know in the chat. We have folks who are standing by to help you if that is necessary.

Victor Joseph is a tribal member of the native village of Tanana. We are honored that Chief Victor Joseph has generously offered to present the opening prayer on this first day of our tribal consultation. Mr. Joseph started working for his tribe as their executive director shortly after he was termed out of office as chief chairman for the Tanana Chiefs Conference Region. Tanana Chiefs Conference is a consortium of 42 members, of which 37 are federally recognized tribes that cover an area of approximately 205,000 square miles in the interior of Alaska. Victor was first elected to the position of TCC Chief Chairman in March of 2014, and reelected in 2017, and served until October of 2020. He worked for the TCC for 28 years serving in a variety of positions that include the health director and serving on several national tribal boards and committees. He is an experienced leader, with extensive experience building strong working relationships with tribal leaders, colleagues, staff, funding agencies, and corporate beneficiaries. His entire career has been driven by a strong belief that healthy people will lead to empowered people. He is a proven leader with a track record that backs up his love and his efforts on behalf of his people. Mr. Joseph, thank you for beginning our consultation today in a good way. Please start when you're ready.

VICTOR JOSEPH: Thank you, Katherine. It's so good to be here with everybody. And I just welcome everybody here. And what a great opportunity that we have today to discuss how these funds could help our communities to improve the services for those people that have suffered so much. So let us pray. Dear Father, we come to you in prayer to ask you to be with us today and guide our discussion, as our leaders discuss how these funds can be used to enhance the services that can help and protect our people and communities. We must not forget those that have suffered so much. And remember, they are truly the reasons why we are here today. We also ask that you put your healing hand out and touch those needing peace in their hearts and the strength to continue or begin their healing journey. We just ask you for your guidance today, Father, and your support. We ask these things in Jesus name. Amen. Thank you, Katherine.

KATHERINE DARKE SCHMITT: Thank you very much, Mr. Joseph, for your words and your intentions and beginning our session in a good way. I now have the honor of introducing the Director of the Office for Victims of Crime, Kristina Rose, to make opening remarks. Ms. Rose was appointed to this position by President Joseph Biden and was sworn in on July 12th, 2021. Prior to her appointment, Ms. Rose spent nearly 20 years at the U.S. Department of Justice serving in numerous roles, including

Deputy Director at the Office for Victims of Crime, and as acting director and Deputy Director for the National Institute of Justice, and Chief of Staff for the Office on Violence Against Women. Kris, we are honored to have you with us today to open our consultation. The floor is yours. Thank you.

KRISTINA ROSE: Thank you, Katherine. Thank you very much for that lovely introduction. And I want to start by thanking Mr. Joseph. You honor us by opening our consultation with that prayer. So thank you so much. As the director of OVC, it is an honor to be with you in this government-to-government setting to talk about the future of the Tribal Victim Services Set-Aside from the Crime Victims Fund, or as we refer to it, the Tribal Set-Aside Program. President Biden has instructed the federal government to conduct our relationships with tribes with the intention of building a new era in nation-to-nation engagement. This administration's work is rooted in the President's respect for the unique nation-to-nation relationship, commitment to the country's trust and treaty responsibility, and desire to strengthen tribal sovereignty and advance tribal self-determination. Kimberly Woodard on my staff prepared an excellent framing paper and an FY 2021 Set-Aside Program report in preparation for this consultation. In case you haven't seen these documents, or if you want to refer to them again, the locations of those documents will be put in the chat to the right of the screen in just a few moments. These two documents are thorough resources, so I will only briefly cover the history of the Set-Aside Program to set the stage for our consultation today.

OVC has learned much and consistently acted on engagement with tribes through consultations and listening sessions like these. In FY 2020, for example, OVC implemented several improvements based on feedback from tribal leaders, including establishing a tribal division, which is now led by Katherine Darke Schmitt, with staff dedicated to administering the Tribal Victim Services Set-Aside Formula Grant Program and other tribal grant programs. Also implementing a formula for dispersing Tribal Set-Aside funds. And this was done in response to past tribal consultations, Federal Advisory Committee hearings, and listening sessions where tribal leaders expressed a strong preference that the Tribal Set-Aside funding from the Crime Victims Fund be distributed using a formula rather than a competitive program. Offering Tribal Victim Services Set-Aside Program applicants the flexibility to choose an award period between 12 and 16 months, an option that is unique among OVC's discretionary programs. It's designed to address tribal leaders' concerns that a 36-month award period just did not adequately meet the needs of their communities.

In FY 21, in response to feedback from consultations with tribal leaders, we streamlined the Set-Aside Program application process, eliminating the requirements

for project abstracts, and offering tribal applicant--applicants the choice between developing a project design narrative, or instead having a conversation with an OVC staff person to document their project design plans. This past summer, we realized that not every tribal applicant had indicated that they intended to participate in the Set-Aside Program and was going to -- and that they were also going to compete for-- through an application [Correction: This past summer, we realized that not every tribal applicant had indicated that they intended to participate in the Set-Aside Program and was going to complete their application]. So what we did was we held a consultation seeking input on how the surplus funds should be allocated. And we were able to rerun the formula to divide the remaining funds among the participating tribes, as was proposed by several of our consultation participants. The annual report that we published prior to today's consultation details the history of the set-aside, so I'm not going to get into those details here. But I do want to summarize our fiscal year 2021 program.

In FY 21, the Tribal Set-Aside was authorized at 3 percent of the Crime Victims Fund for a total of \$132,050,000 [Correction: \$100,750,000]. We do not yet have a budget for fiscal year 22. But we are anticipating the amount set aside for this program will be similar to the 2021 total. Under this noncompetitive formula program, federally recognized Indian tribes, their authorized designees, and tribal consortia consisting of two or more federally recognized Indian tribes are eligible to apply for Tribal Set-Aside funding. In FY 21, we made 133 [Correction: 143] Tribal Set-Aside formula awards, totaling \$112,600,000 [Correction: \$90,694,003]. That total represents every dollar that every eligible tribe or tribal designee or consortium requested. These funds will provide critical victim services to over 200 tribes. It's important to note that the Tribal Set-Aside is not a statutory formula program, meaning that Congress did not create the formula program when it was authorized to set aside the tribal funds. Therefore, while OVC chose to administer the funds noncompetitively using a formula, we are still required to adhere to the federal statutes governing the discretionary grant making, notably 200 CFR Part Two. The part--this part of the code outlines how federal agencies must administer discretionary grant programs, including the oversight of budgets, collecting certifications by grantees regarding lobbying and other issues. And as we seek ways to streamline the oversight and the administration of set-aside grants, we are still bound by those federal statutes.

For FY 22, we proposed retaining many of the features of the FY 21 Set-Aside Formula Program, including noncompetitive distribution of set-aside funds based on a population-driven formula, a two-phase process that allows us to calculate grant awards based on the number of tribes that intend to apply, a self-determined project period of 12 to 16 months, a self-certification of tribal population numbers based on the

population the tribe intends to serve under the set-aside grant program, and offering applicants the option to complete a program checklist on their own or participate in an interview with an OVC tribal division program staff in lieu of submitting a traditional 25-page program narrative.

Finally, and most importantly, we want to be sure that everyone understands that all federally recognized tribes are eligible to apply for FY 22 Set-Aside Formula funds regardless of whether you last received funds in FY 21, regardless of the project periods or the remaining balances of those awards.

Here is how the FY 22 Set-Aside Program will work. In phase one, tribes that intend to participate in the FY 22 Set-Aside Program will submit population certifications. The population certification form is already available to you on our website, and can be completed online and submitted to us via email. Population certifications must be submitted by February 15th. Once we have those in hand, and we have a budget from Congress, we will run the formula to allocate the available FY 22 set-aside funds to the participating tribes. Again, we don't know how much the set-aside will be this year because Congress has not yet passed a budget, we are in a continuing resolution at this time. However, we will notify tribes of their allocations and phase two of the process will begin at that time. In phase two, tribes or their designees submit applications into OJP's JustGrants system. Our staff will process those applications and the awards will be made in fall of 2022.

We look forward to receiving your testimony about the two issues identified in the framing paper for this consultation today. Your experiences with applying for the Tribal Set-Aside Program Funds in FY 21 and your recommendations about whether OVC should expand the scope of the--of the Set-Aside Program to permit grantees to construct facilities to provide victim services in future fiscal years. As always, we welcome your comments and your recommendations on any other topics related to OVC's tribal programming. The needs of your communities, any other issues related to crime victimization in Indian country that you believe should be addressed by the department. Katherine, I will now turn it back over to you to cue up our testimony from tribal leaders and tribal leader designees. Thank you so much for your time today.

KATHERINE DARKE SCHMITT: Thank you very much, Director Rose. We are honored to have about a dozen tribal leaders or their designees registered to speak at this consultation today. And we have over 260 registrants to participate. If you are a tribal leader or the designee of a tribal leader and you wish to give testimony, but have not yet registered to do so, we welcome your participation. Just let us know in the chat that you're here and you wish to speak, and we will put you into the queue to give

testimony. Our first speaker today will be Amber Kanazbah Crotty, Council Delegate from the Navajo Nation. Council Delegate Crotty, would you like your video enabled?

AMBER KANAZBAH CROTTY: No. At this time, I think to stabilize my internet, I'll stay and just do a verbal testimony today. Thank you for the consideration. Unless you...

KATHERINE DARKE SCHMITT: You're good.

AMBER KANAZBAH CROTTY: ...could send some more broadband our way to Navajo Nation, we'd appreciate it.

KATHERINE DARKE SCHMITT: Duly noted, the floor is yours. Thank you for your testimony.

AMBER KANAZBAH CROTTY: Thank you. I appreciate OVC providing the opportunity for tribal consultation. At this time, Navajo Nation, in working with our partners, have had a very successful time in not only applying for last year's Tribal Set-Aside, but we were able to successfully partner with some of our surrounding nonprofits and health care facilities to partner. And that has been an amazing achievement in terms of the size and the scope of how Navajo Nation wants to provide victim services. Our land mass being roughly the size of Virginia that covers 3 states, approximately 13 different counties, there's always jurisdiction issues. There's issues in terms of what entities will serve individuals and where their crime is committed. And I think as we partnered with our OVC, and at our state level with the VOCA, we're now able to fill in some of those gaps of service and make sure that we have a dynamic victim services that are--that are meeting the needs of the people.

I do want to mention in terms of some of the challenges with the grant process has--actually not have been the Tribal Set-Aside, but the special fund that was allocated to NCEI, we're still--and we'll provide in our written comments some suggestions in terms of the different nuance that we see with the requirements and that will impact if there's any future discussion to provide those special funds. We would just have some recommendations in the future as we're going to use that money for community assessments and how we move forward, and identifying some of our more rural areas in--that do not have access to let's say broadband, landline, and are in very remote locations where this Set-Aside Formula so far has met the current needs of Navajo Nation as we are just trying to saturate providing enough advocates to meet the needs of our survivors of crime. Getting the--building up our pool of partners and so at this point, in terms of expanding or where funding can be made available, we support the funding to be made available for tribes or entities that want to move forward with

construction. We believe at some point--we're currently still working with our tribal housing designated entity to plan out some of these shelters and emergency housing. And so in the future, we do plan to hopefully use some of this funding to be helpful with what the cost in terms of what our needs are here for our survivors who want to be safe, but not have to leave or have to travel many hours to be in a safe area.

Other areas to consider is how our pets are involved in the healing process and in creating services that will meet the needs of these pets, emotional animals who are designed to help with the traumatic impact. And as we move forward, how do we create services that align with our Navajo men and relatives who identify as gender binary in--when they also experience violence and need to be moved into emergency situation at this time, it is limited. And the impact of COVID has not allowed for some of--the surrounding counties will not allow county--out-of-county transfers.

And so we really do as a Navajo Nation need to continue to build up to provide services. And we have been working with--and putting in advocates using funding to put in our advocates at the prosecutor level in our--with our social workers and now, with our victim services expanding advocacy to more of the rural areas that have not previously been serviced. I think--and looking back at the other question regarding if OVC should separate a competitive solicitation for tribes that are interested in using the construction, I think at this point, it would be--and this is where it's very always hard in terms of Navajo Nation as our position is, we would like to maximize the amount that's provided. And challenge could be, if you separate the solicitation that are interested in construction that may defer our--that may reduce funding for direct services. So we'll always advocate that direct services should be the priority prevention work. And also then that wraparound trauma services in terms of what are the practical barriers for completing construction. I think in terms of this, we'll provide that in our written testimony.

One area for Navajo Nation that is continuous in terms of construction is always the right away process and constructing on federal land. The right away process in--that can take anywhere from 6 months to 3 years. And that is sometimes required when we're doing construction and we need to bring in infrastructure like water or upgrade, or phase electricity lines, or if we want to bring in broadband. So that should be--in terms of the timeline for construction may impact the amount--I'm not sure if a 3-year grant would be sufficient in terms of some of the construction, but I could leave that to the other tribal nations to specifically identify. But I would consider here on Navajo, it's anywhere from 3 to 5 years to be able to construct and that is right now the fast track. And so that would be the realistic timeline. Other areas to consider is if the funding will be used--or be available after construction for operating and maintenance of the

building, as we know that sometimes grants allow for the construction, but limited operating and maintenance and then the facilities have challenges in operating.

I think in terms of the application process, I'm going to defer--we do have Utah Navajo Health Services on the line, Jessica Holiday, and Victim Services of Coconino County, Laurelle Sheppard, who have been coordinating and directing and have been part of the application process. And they will be providing updates in terms of any types of updates or recommendations when it comes to the application process. We will be participating in this next round of funding. We want to not only look at how we can lobby and convince our congressional counterparts to make this a permanent appropriation and we'll continue to work with our Native Nation partners as we move forward. And so I think at this point, we appreciate the help from OVC staff. We know that Navajo Nation had applied back in 2018. We had paused for a year to regroup internally. And we're deeply appreciative for your staffers who helped our Division of Social Services revamp their funding and get that--sorry. And to get that--being able--where we could use those funds now. So the time and the commitment from the OVC staff has been very helpful.

Some things that I would hope that we could have from this consultation is a discussion on our missing and murdered relatives. If we could get some guidance from OVC in terms of how this funding could be used to support wraparound or families who are in crisis. We recognize that mainstream law enforcement does not identify or does not recognize an adult over the age of 18 missing as a crime, but our hope and our viewpoint from our lands as Navajos and relatives that when there is a person missing, there is a duty and an obligation to the community to find them. And unless they have in a--specifically provided some indication that they are okay, that there is a negative imbalance, and that family should be supported while they are trying to search for their missing relative and rather not just depend on law enforcement to determine or to delay if--identifying if there's a criminal act, which then would allow for OVC funds or other funds to be used. If we could get clarification from our federal partners, we'll be deeply grateful and we'll provide our written comments.

And as always, as the rise of COVID and the impact on our communities, our healing prayers are with all of you. And we know that if we slow down and take care of one another and continue to offer our offerings that our Mother Earth will protect us and guide us, and we will create the communities that we want our children and their children to live in. So thank you very much.

KATHERINE DARKE SCHMITT: Delegate Crotty, thank you very much for your remarks. Our next speaker will be Catherine Edwards, First Vice President of the



Central Council Tlingit and Haida Indian Tribes of Alaska. Vice President Edwards, do you want your video feed to be enabled for your testimony?

CATHERINE EDWARDS: Yes, please.

KATHERINE DARKE SCHMITT: Thank you. Daryl, can you have your team attend to that? And as soon as that is working the way it should, the floor is yours and we are ready for your testimony. Thank you very much.

DARYL FOX: Catherine, you should now be able to engage your video at the bottom center of your screen.

CATHERINE EDWARDS: Yeah. On there, right?

DARYL FOX: Yup. And we can hear you. Thank you.

CATHERINE EDWARDS: [SPEAKING IN NATIVE LANGUAGE] Thank you. We appreciate the opportunity to provide comments and welcome this new era of our nation-to-nation relationship. I'm Catherine Edwards, the First Vice President of Central Council Tlingit and Haida Indian Tribes of Alaska. We are the largest tribe in Alaska with 33,438 enrolled citizens residing in 22 villages in southeast Alaska and 3 urban populations in Anchorage, Seattle, and San Francisco. Southeast Alaska is a panhandle of islands not connected by road. And the only way in and out of our communities is by plane or by boat. And mostly small planes, not jets, and the roads don't look like I-5, throughways, or expressways. This makes transportation extremely difficult especially in the winter. We have inclement weather. Southeast Alaska is a rainforest and it rains almost every day. Add to that, that our winters are long and dark. And just this last week, we are seeing major retailers closing because of the accumulation of snowfall that may cause the roof to cave in. In Juneau, we saw two incidents of building collapse from the snow. You can imagine what that would do to transportation, shipping, and just everyday living. So in looking at your--that's just a little bit of background about us and what it's like from Alaska.

And I know you've heard this from us before, but we'll say it again, looking at the framing paper, issue number one, expanding the level of grant-funded activities to include major renovations and construction. First question, "Should OVC allow the cost of new construction of buildings for use as shelters, transitional housing units, or other structures to the extent that would be used to meet the needs of crime victims with future program dollars?" Our answer to that question is yes. Yes. And more importantly, why not? Our villages are already experiencing housing shortages. And more often to not--than not, more often than you can imagine, new construction is the

only option. And just saying housing shortages doesn't paint the proper picture about how much we need new construction in our communities in Southeast Alaska. It doesn't describe the lack of adequate, affordable, or any housing in our communities. So yes, this shouldn't even be a question, this should be allowable.

As to the question about NEPA and if OVC contracts with the firms to ensure federal environmental requirements are being met, the \$25,000 to \$50,000 should be inclusive of all costs associated with the environmental requirement. If this change is approved, the money could be budgetary hold on the formula-based dollar amount awarded to the tribe versus pulling that dollar amount back in advance of making those formula-based awards. The concern here being if OVC pulls the money in advance, there needs to be a plan to reissue to tribes if the money is not spent versus returning the money to the fund as we've seen done in the past. So I think that's a question that probably needs to be addressed.

The second question, "Should OVC issue a separate competitive solicitation for tribes that are interested in obtaining the program funding? And what are the practical barriers to completing the construction of victim service sites that are specific for the facility on trust land?" And I'm emphasizing that on purpose because I'm from Alaska and this is an interesting question. Obviously, this kind of question leaves places like Alaska and a few other tribes out of the equation because we don't have trust land. And any help you want to help with in getting those applications passed would be--I'm sure most appreciated. So maybe the barrier of allowing for us to put land into trust could be something you could assist with.

Secondly, a separate competitive solicitation, as we stated before, these should remain--be and remain noncompetitive and how much would be taken out and set aside for construction projects would be taken off the form--and removed from the formulas and put towards construction projects. We're not interested in having to compete for these dollars and what would that criteria be if a small tribe--but the location makes it impossible for new construction projects to be feasible? Not sure why it would have to be a separate solicitation and why couldn't we just apply for construction projects in our current application like we're trying to do with some of us? And why would we need to apply under a separate program? That just makes more work for us. With that being said, an answer to some of your other questions under, A, one barrier particularly in Alaska is simply getting land into trust like I've already said. So you would be setting up a different category of applications between Lower 48 tribes and Alaska tribes, and as Alaska tribes we're not interested in continuing to be treated differently than the Lower 48 tribes. This is something that we keep saying that we want to be treated on parity with tribes in the Lower 48.

Here are a couple more besides the weather and lack of roads of our barriers. Shipping cost per square foot often increase by at least 20% from an already high urban cost. Road construction also contends with seasonal shipping. Our short construction season in Alaska only lasts for a few months of reliable shipping. In an urban area when a project runs short of materials, a contractor can run to Home Depot and be back in an hour. If you live in Kake and run short of a product, you would have to call a Juneau vendor and hope they have what you need in stock, have it delivered and shipped via float plane at a cost of hundreds in over the course of a project, often thousands of dollars. If a vendor does not have the materials, then the added time and shipping will occur to get it to the hub community, which would be usually Juneau, but you're at--you would add cost because you have to--then you--if you didn't have it locally in Juneau, you would look someplace else like Anchorage or Seattle to get stuff shipped up there. So that's just a small sample of a barrier. Labor force, finding qualified laborers in rural communities during a short construction season is often difficult. As the season is short, projects planned months in advance and companies have already hired qualified local carpenters and tradesmen. If there is more than one project in a small community occurring at once, tradesmen such as electricians, muds and tapers, plumbers, etc. having to be flown in and housed with per diems provided on top of typical cost.

In some cases, village projects will require the majority of the hiring to be local which requires hiring of underqualified labor force, often extending a project. Another barrier, that's just a sample of the labor force barrier. Another barrier, lodging and transportation is an added cost that is not covered by grants from funding agencies. Once a crew arrives in a community, they need reliable transportation and lodging for the duration of a project. And if a project goes over, they have to be there longer. Weather delays in Alaska often make a project fall behind. This is almost guaranteed. Many successful companies have a larger contingency cost to take this into account. Bottom line is construction in rural villages is very costly, almost or probably economically infeasible, added to complex funding requirement which often makes our projects in Alaska uncompetitive, another reason for not wanting a competitive solicitation. Infrastructure often when putting in additional housing or facilities, water, sewer, electricity, phone lines, and fiber for broadband need to be expanded because everything is already at capacity, so, again, it makes our projects uncompetitive. However, we do need them.

So moving on, what is a realistic timeline for completion of a construction project on trust land? Stated earlier, we don't have trust land, so I'm not sure if you're planning on making Alaska an other or an outlier category, and not able to participate in this

program. And the question is probably better posed as what is a realistic timeline for remote communities not attached by a major road system without a Home Depot in our way and inclement weather? You can imagine you heard the lady from Navajo earlier saying 3 to 5 years and that's fast track. I would say that in Alaska it's probably about the same. What challenges might a grantee who uses the program funds to construct a facility encounter with long-term maintenance to the facility? We--Tlingit and Haida we are able to provide some maintenance and--of our offices, clinics, airports, but maybe we can use some of our program funds for maintenance after we build these projects.

Moving onto issue number two, enhancing the application process, Tlingit and Haida we've applied for both phase one and phase two. However, I'll say here like I've said in the past and reiterate, if you want to address this in a meaningful way, then the NCAI suggested it--to establish a working group of tribal experts to help guide the development of the program and provide real-time input on programmatic decisions on an ongoing basis. If there's a standard working group, there would be regular meetings of our tribal subject matter experts could help provide input regarding the challenge that they've encountered and maybe why they aren't doing phase two of their--of their projects. For a lot of us right now COVID-19 has devastated--it has devastated the globe. Our victims have been hit hard and many of us have not able to expand our funding as originally intended. We need DOJ to be flexible in approving no-cost extensions to tribal nations. States are given automatic no-cost extensions, tribes should receive the same. Tribes are continually made to go above and beyond what is expected from our state counterparts.

We have repeatedly reported during our testimony that OVC has placed a higher administrative burden on us than it does on state programs. We're not only asking to be treated on parity with our state counterparts, but to remind you that they have staff time, revenue streams to accommodate the burden of--burdensome administrative tasks while tribes do not. Sometimes in the tribe, you know, the person in the office is taking the calls, emptying the garbage, and writing grants at the same time. We--this has to--this has to change in this new era. We need to be--we need to quit looking at tribes like we're going to commit fraud or waste. The added burdens that are put on us are arbitrary and not necessary. I said before, again, that you all and your staff need to come to Alaska and not at one of our urban hubs, but travel out to one of our village communities and experience it for yourself. When flights get cancelled, snow falls nonstop, and there's no way in or out. What do our victims do? Where do they go? We don't have law enforcement in most of our communities and it can take up to 16 hours or more just to make it to investigate a crime. It's time to change the perspective and DOJ doesn't know what works best for us, and the usual metrics used for feasibility

won't work for Alaska. I said before, we live in our--we live and work in our communities and we know what works best for us.

Maybe--and I don't know, because we applied for phase two, maybe you aren't seeing the applications in phase two because the project is economically infeasible by your standards. Maybe it's time to think more expansively and get more creative in allowing us to use our tribal set-aside from the Crime Victims Fund, the--we know how to make our communities whole. We should be able to provide the holistic services to crime victims that would include dealing with historical trauma, mental--and mental illness brought on by centuries of crime perpetuated against our indigenous communities. [Speaking in Native language] for the time and space provided for this--to be able to provide this testimony on one of this--our most impactful programs to assist our communities, and village, and homes as we work to bring health and wellness to our people. We do support expanding the program to include construction and this will conclude my comments for today. [SPEAKING IN NATIVE LANGUAGE] stay safe and healthy.

KATHERINE DARKE SCHMITT: President Edwards, thank you very much for your remarks. Our next speaker in the queue is Denise Peterson. Ms. Peterson, would you please repeat your name and your tribal affiliation and the title--tribal leader on whose behalf you are giving testimony. Thank you. And let us know please if you would like us to enable your video feed or not for your testimony.

DENISE PETERSON: No, our internet is very bad, so I think the audio will be fine.

DARYL FOX: Okay. You can begin when you're ready. Thank you.

DENISE PETERSON: Hi. This is Denise Peterson at Mountain Village on the Lower Yukon. I'm with the Asa'carsarmiut Tribal Council. Our First Chief is James Landlord. First of all, hello from Mountain Village, Alaska. We work with the Asa'carsarmiut Tribal Council, and myself, the Tribal Justice Coordinator. Nita Stevens, OVC coordinator. Nisi Poti, our OVC assistant. We have grown as the years passed even though we have had many turnovers during this COVID. We could have not gotten this far without all your help and support. We are standing strong and willing to move only forward even without a step back. One of our challenges right now is that we don't have a safe home or a temporary shelter and this was always a problem. Due to COVID, it's harder to find someone that is willing to take in victims even if they are family members. But with the help of our nearby shelters, Emmonak Women's Shelter and TWC in Bethel, we have made it possible to house a few clients when needed. This is just temporary while our renovation is taking place. We got a shelter started in September of 21 that is

still in process and is coming along. We are excited and very hopeful this will be a huge outcome for our community. We--the DOJ--got together and came up with the name [SPEAKING IN NATIVE LANGUAGE] meaning, "A place to stay."

One of our success stories we did was planting potatoes with our clients last spring. It was actually--that was safe to do since it was outside and it also got them out and play in the dirt which was a big outcome. We also got to give two presentations while we held the planting. One was on Kake talking about use about marijuana. And there is a lot of drugs moving around in the world and on the [INDISTINCT] rural area. The other one was tobacco use and pregnancy. In the fall, the potatoes were harvested and distributed to all those that were involved. We are looking forward to the spring to do more planting and it was a good therapy for us all. We would like to thank the community members that donated the seeds to make all this possible. We got to have a community awareness where we distributed couple pamphlets called Asa'carsarmiut Tribal Council Wetaviq--this explains the shelter and how we would be able to help. And the other one was called Asa'carsarmiut Tribal Council Wetaviq Elder and Adult Protection along with a pen with our information.

The biggest hurdle right now is this COVID. With our numbers keep fluctuating, it's been a challenge to be more active with our clients during this time. But we do keep in touch with them. We got a few donations and one of them is material. We plan to host a healing circle and a few sewing knife as long as our numbers are on the low side. Like any other place, our freight and travel cost is high and it does take months to years to plan anything like a shelter or to move any kinds or to get some help. But we make it possible and work around our walls that we run into. We'd like to thank everyone for all your help throughout these years. And for all of you that host these events and training meetings, they're a big help on us to give us some support and keep us going through this program. May God bless you all and keep you safe. Thank you again.

KATHERINE DARKE SCHMITT: Ms. Peterson, thank you very much for your testimony. Our next speaker will be Sorhna Li, the Chief Financial Officer of the Scotts Valley Band of Pomo Indians. Ms. Li, do you wish to have your video enabled during your testimony?

SORHNA LI: No, thank you. I appreciate the opportunity. At this particular location, I don't have video to add.

KATHERINE DARKE SCHMITT: Thank you. The floor is yours.

SORHNA LI: Thank you very much. Actually, we will be very quick. Our primary understanding of the two questions are, what were our challenges in FY 21? And frankly our biggest challenge had more to do with the technological side of things and negotiating through JustGrants. So I just wanted to bring that back up on the table, the methodology in doing that, we struggled significantly with that platform. And I'm sure we are not the only one. As for the question regarding the ability to issue construction, we support OVC funding be used for construction. We would, however, request that that internal word of construction be applied liberally to also include participate existing facilities that would allow us to accomplish the same goal. And that actually ends my comments for the day. And did you need me...

KATHERINE DARKE SCHMITT: Thank you very much for your testimony, Ms. Li. Our next speaker is Nita Stevens, from the Asa'carsarmiut Tribal Council. Ms. Stevens, would you like to have your video enabled during your testimony?

NITA STEVENS: Hi. This is Nita. Me and Ms. Denise Peterson said our testimony and we came up with it together. Did you hear me?

KATHERINE DARKE SCHMITT: Yes. Thank you, Ms. Stevens. Does that mean no further comments from you at this time?

NITA STEVENS: No.

KATHERINE DARKE SCHMITT: Thank you. I appreciate both Ms. Peterson's remarks and your work on those as well. Thank you, Ms. Peter--Ms. Stevens. We have next, Ms. Samantha--Samantha Christenson. Ms. Christenson, would you like to have your video enabled during your testimony?

SAMANTHA CHRISTENSON: I wasn't expecting to be speaking. I just submitted a line of suggestion just for awareness in where you're allocating your funds.

KATHERINE DARKE SCHMITT: Understood. Thank you. And I did receive the written remarks that you submitted and we are happy to have those. Thank you for submitting them.

SAMANTHA CHRISTENSON: You're welcome. Have a good day.

KATHERINE DARKE SCHMITT: Thank you. All right, we're going to pause for just a moment. It was our intention that we would have a break at some point during these 3 hours of testimony so people could stretch their legs and get a drink and take care of

themselves. I think what I would like to do now is do that in this interval. So for 15 minutes, we're going to pause. During that time, if there is anyone who wishes to give testimony today, could you please let us know through the chat and we will reconstruct a list of people to speak after the break. So if you would like to speak, please put that in the chat now so we can work on constructing that list. If you're ready for a break, please go ahead. We will be silent until 3:15 Eastern Time. 3:15 Eastern Time, I will come back on and let you know if we have speaker--speakers waiting in the queue. If we do not have speakers waiting in the queue, then we will prepare to have our formal closing for today. And, of course, we'll have closing remarks from the director. And I'll make some reminders about processes we spoke about today and reminder for how to join the second day of the consultation, which begins tomorrow morning or afternoon depending on where you are. So I will see you all back at 3:15 Eastern. Thank you for translating that to your own time zone.

Welcome back everyone. I want to thank you again for the time that you took today to be part of this consultation. We do not at this time have any further people in the queue to give testimony this afternoon. Our consultation is going to resume tomorrow at 2 p.m. Eastern Time in order to have a second day of testimony for tribal leaders and designees for who today was not convenient. We welcome written testimony whether or not oral testimony has been presented. My colleague has posted the directions for submitting written testimonies by February 4th [Correction: In response to testimony received, OVC has extended this deadline to March 15, 2022] to our OVC Tribal Set-Aside mailbox, and I thank you ahead of time for that. There will be a slide that you are seeing now available to you after the very end of the consultation, after our formal closing just to remind you about some important contact points for us, where to submit your written testimony. And then particularly for those of you who are involved in administering your tribe's Tribal Victim Services Set-Aside awards, the information about how and where to submit your population certification in order to participate in 2022. That population certification submission period is open now. The form is available to you. And we look forward to receiving those and building our list of participating tribes.

The period to submit your population certification closes on February 15th. And after that point, it is closed because we then run the formula to distribute the funds. So thank you very much for your attention to that. Finally, any questions you have about the consultation or about the program or about OVC's work in the tribal area can be directed to me. That is the email box that I manage down there at the bottom of this slide, OVC Tribal Set Aside. My name is Katherine and I am happy to correspond with you about any questions you have about how our programming works either in general because you're curious about applying for the formula funds for the first time or for



those of you who are old hands at this. If you have other ideas or questions that you want to discuss, we always appreciate hearing from you in the field about how these dollars work. At this point, if she is available, I would like to welcome Director Rose back to make some closing remarks, after which we will have a formal closing to our consultation. Director Rose, are you available to join us on camera?

SASHA RUTIZER: Katherine, I think she's having difficulties with her equipment. I can either close for us or you can.

KATHERINE DARKE SCHMITT: Thank you Sasha. Could you deliver Kris' remarks on her behalf?

SASHA RUTIZER: It's my pleasure to do that. And I'm happy to go on camera or not.

KATHERINE DARKE SCHMITT: We're ready when you are. Thank you, Sasha.

SASHA RUTIZER: Great. Hello, everybody. My name is Sasha Rutizer. I'm Chief of Staff here at Office for Victims of Crime. And it's my pleasure to be with you and to have listened to everything that was said today. And I want to thank you all for your time today and for being part of this consultation. Thank you for your testimony, and for your candid remarks about how we can all best work together. Most of all, on behalf of Director Rose, we want to thank you for the work that you do to support victims and survivors. And thank you for helping to make your communities safer, and healthier, and stronger. Our consultation continues tomorrow afternoon starting again at 2 p.m. Eastern Time. If you wish to participate tomorrow, please make sure you've registered separately for that day, so you have the link to join. There are two distinct links. The website for registration is being entered into the comment field at this time and will be displayed on the slide that will be up shortly.

We hope we will be safe to hold the Indian Nations Conference as an in-person event in December of 22 and that we can all be together then. You've honored us by sharing stories of need and resiliency in your families and communities and we recognize your steadfast dedication as leaders committed to the dignity, safety, and wellbeing of your communities. We are proud to be partners with you and making sure that victims of crime and American Indian and Alaska Native communities have access to the services they need and deserve. Finally, before we close today's consultation, I want to thank on behalf of Director Rose, OVC's Tribal Division staff, our contractors from Leidos and Saxon One who helped us carry out this consultation. We're very grateful for your expertise. So thank you again. I wish everyone good health. I understand that

we have an official closing this afternoon, which Katherine will introduce now. Thank you.

KATHERINE DARKE SCHMITT: Thank you very much, Sasha. We will now have the official closing for this afternoon's consultation from Angel Cruz. Angel Cruz is from the Hopi and Bear Clan (Kii'kya) located in Northeastern Arizona. They are clan mothers and leaders for their village. Angel is also a technical assistance provider for the National Criminal Justice Training Center of Fox Valley Technical College. We are so thankful that she has offered to provide a closing prayer on this first day of the consultation. Following her prayer, we are honored to introduce Talasvuyawma or Justin Secakuku, who comes to us from the Hopi Nation Shugopavi Village. He is of the Bear Strap Clan and owns JC Weavingz Apparel Traditional Wear, and is as well the leader of the Antelope Track Dance group. The Talasvuyawma serves--strives to bring the positivity of Hopi through song to his audiences as well as sharing cultural insights of modern times through various social media and academic platforms, bringing together the power of positivity and culture and indigenous insight. Both of you, thank you. Ms. Cruz, proceed when you are ready and [SPEAKING IN NATIVE LANGUAGE].

ANGEL CRUZ: Thank you. [SPEAKING IN NATIVE LANGUAGE] Good afternoon, relatives. It has been great hearing all the testimony. Thank you all for the work and advocacy you all put out for your people and the much-needed services. It has been a long year of challenges due to the COVID-19 pandemic. I pray for healing, strength, prosperity, and longevity of life. With that, I will hand the time over to my clan son Mr. Justin Secakuku to close us out in a good way with a Hopi song.

JUSTIN SECAKUKU: Test, test. Just making sure everybody can hear me. I'm in presenter mode right now. Can you all see me? Can someone--oh, there I am. Okay. All right. [SPEAKING IN NATIVE LANGUAGE] One of the son relatives--I'm her son in-law our--in our clanship ways out on Hopi with Ms. Angel and I want to thank her for her kind words and [SPEAKING IN NATIVE LANGUAGE]. I'm going to share a song, Hopi song, with you all. And sitting in on the panel today and listening to some of the remarks and some of the testimonies, I want to thank you all. [SPEAKING IN NATIVE LANGUAGE] You guys are doing work for your--direct work for your people and for indigenous nations across the county. So I'm going to share a song, a Hopi song, it's an eagle song in encouragement for your work. And to make sure to keep you guys going strong because I know within our challenging times within 2020, we've all been doing, I guess, our own forms of prayer. And that's kind of the ways that we've been getting through these challenging times and coming up with what I heard through some of the testimonies was becoming more creative in how we go out and help our people.

So this song is an encouragement for you all in your work to not only, you know, have that--to have that unrelenting faith in your prayer, but also have the strength in your actions to handle some of those challenges that we face whether they'd be--whether they'd be local challenges or, you know, some of the--some of the comments that struck up to me and the testimonies was some of the challenges they face doing contract work in Alaska, you know, we don't think about some of these things sometimes. But in order to do good things for the people, we can overcome those.

So the eagle song that I'm going to share it says the eagle is here dancing so happily pray to him, pray to him and may you live a--live a good--a strong life, a life and--life and health. And so I brought my eagle here with me to help me out. And so with that I would like to render these blessings and again strength in the actions that you all will take from here on out to do the good work that you do for indigenous country. [Singing in native language] All right. [SPEAKING IN NATIVE LANGUAGE]. Thank you everybody for your time and I wish you very well and the work that you all will come to do within the year. And just remember, whenever you need any guidance, ask them. The eagles, the hawks, the sun, these forces are out there to help us all in these times. So there's always hope and never give up and be strong in your work. [SPEAKING IN NATIVE LANGUAGE].

KATHERINE DARKE SCHMITT: [SPEAKING IN NATIVE LANGUAGE] Angel and Justin, thank you so very much for offering that to us as we close our consultation in a good way. This is the end of this afternoon's session. As we transition back into the slide presentation mode, we'll put that information about how to find the population certification form and where to submit written testimony up one more time. If you are joining us tomorrow, please make sure you registered separately. There's an individual link for the session that begins at 2 p.m. Eastern Time, tomorrow, January 14th. And I wish for you all to be healthy and well. Thank you for your time today.