

November 18, 2020

>> We are honored to welcome Juana Majel-Dixon, Traditional Legislator and Councilwoman from the Pauma Band of Mission Indians to open our consultation today with an invocation. Traditional Legislator and Councilwoman, Juana Majel-Dixon, please begin when you are ready.

>> Hello everyone. [speaks in Native language] That's like a short version of, hey, hi. I'm so glad to be here, a part of your world, and talk to our partners on the federal side, as well as all our tribal folks. Yesterday was a big day for us and a beginning of a very straightforward conversation. So, I'm going to ask Creator, [speaks in Native language]. Come be with us. [speaks in Native language] All of you, come on, sit, let us speak and let us listen to the words we have to share. Some of us will speak from that strong sense of purpose. This is good. Some of us will speak from the things they have learned and shared through time from those who've done this work as boots on the ground, those who deal with our people who have been harmed. We put all of you in a blessing way and a sacred road you walk, but we know that in our world, when we do this work, Creator knows that it's because of Creator's will and our strength, our breath we give to lay hands, to hold, to protect, to stand our ground. We do it together. I ask each of you to think about what you will say or what you need most and let that be heard. Let it be recorded. Let it be a part of who we are. I celebrate life with Creator's will, from the four directions we come. We also know [speaks in Native language], that from that heart, that good heart inside, [speaks in Native language]. To live in a world where your language has no words like hate, no words like that are meant to harm. And love is another word that we don't have, so [speaks in Native language] is that heart, from the heart I speak, which is all the compassion and everything we hold. Sometimes when I listen to you speak, you take my breath away. It's powerful. Your gifts are that. On the federal side to the tribal side, we will come together in a good way. [speaks in Native language] We love Creator. This we bestow upon ourselves with [speaks in Native language]. Within this house, we sit together and speak. [speaks in Native language] This is a good thing. [speaks in Native language] All my relations. That's an Indian amen. [speaks in Native language] Thank you.

>> [speaks in Native language] Thank you for Traditional Legislator and Councilwoman, Juana Majel, for opening our session. We thank you for sharing those words with us and sharing those intentions and opening us up in a good way. Next, we will have Hunter Genia. Hunter is an Anishinabe and Ojibwa and Odawa who will share with us a song today. Hunter, please begin when you are ready.

>> [speaks in Native language] Good afternoon, and good morning everyone. Thank you for being here. Thank you to the Office for Victims of Crime for asking me to help us open up in a good way. And I really want to give a special acknowledgement to all of those in Indian country that are giving voice to our people that need someone to lean on and carry forward their pain and grief. As I sing a song, my hope and wish is that those on the federal end listen with an open heart and take positive action on behalf of our people in Indian country. [speaks in Native language] [Native music] [singing in Native language] [speaks in Native language]

>> [speaks in Native language] Hunter. Thank you. Katherine, we are now ready to begin the consultation.

>> Thank you, Jaymee. And thank you so much, Juana and Hunter, for opening our consultation today with wisdom and with heart. I would like to introduce Jessica E. Hart, Director of the Office for Victims of Crime at the U.S. Department of Justice, where she oversees programs and services that help victims in the aftermath of crime as they rebuild their lives. Ms. Hart was appointed to this position by President Donald J. Trump and officially sworn into office on March 31st, 2020. As the Director for the Office for Victims of Crime, she oversees the administration of nearly \$9 billion of grants and other projects that are vital to victims of human trafficking, mass violence, elder abuse, sexual assault, domestic violence, and child abuse, across the country and in tribal communities. Director Hart, we're ready for you.

>> Thanks, Katherine. Welcome, everyone, to the 2020 Office for Victims of Crime Consultation on the Tribal Victim Set-Aside program for fiscal year 2021. I want to also thank Juana and Hunter for starting us off right today in a really good way and setting a good intention for today's consultation. I know a lot of us would like to have met in person, but I'm so grateful that at least we got to get together yesterday and today, and still carry on these important conversations, even during this time. As the Director of the Office for Victims of Crime, it's my honor to be with you today and to host this government-to-government setting, to talk about the future of the Office for Victims of Crime funding. Attorney General Barr and Principal Deputy Assistant Attorney General, Katie Sullivan, who many of you heard from at the beginning of our tribal consultation yesterday and the Department of Justice have a long-standing commitment to improve services for victims of crime in American Indian and Alaska Native communities. General Barr and PDAAG Katie Sullivan, have both traveled into Indian country numerous times. Attorney General Barr just recently announced in September when visiting Cherokee Nation, about \$300 million in Department of Justice funding to improve public safety, serve victims of crime, and support youth programs and tribal communities. During my time at the Department of Justice, I spent time with tribal leaders to learn how the federal government can best support your communities as you work to reduce violence and really serve victims in your communities. The Office for Victims of Crime has consistently taken action on the testimony and comments that we've received during these consultations and listening sessions. For example, our Tribal Victim Services Set-Aside Formula Grants that we did for the first time this year actually came out of some of these consultations and tribal listening sessions. Also, another thing that came out of those was the, this last June I created the Tribal Grants Division and this division is really solely dedicated to tribal issues and staff that's completely dedicated to these issues well. The salaries of these staff in the OVC Tribal Division are paid from the same management and administration operating fund that pays for all the federal salaries at OJP. I want to let you know that those staff in the Tribal Division, no Tribal Set-Aside funds are used for the OVC staff salaries or other administrative costs. And so, we're excited to launch this new division, really dedicated to focusing on our tribal funds. We've also heard from tribal leaders and stakeholders to these regular consultations and listening sessions are really integral to the trust relationship between the federal government and tribal governments. And, you know, I think we really learn from each other and we as federal employees really help draft our functions, put our funding together in a better way for you using these consultations and listening to you. So, we're so thankful that you came here today and yesterday, and we're really excited to hear, we had some great ideas come out of yesterday. I'm excited to hear some more ideas today that we can really work hand in hand together. As many of you guys know in 2020, or this year, the Office for Victims of Crime implemented an interim formula for distributing Tribal Set-Aside funds. Largely this was, as I said, in response to past tribal consultations and listening

sessions where tribal leaders expressed a strong preference that the Tribal Set-Aside money from the CVF would be distributed through formula rather than a competitive program. So, our consultation framing paper detailed really that history of the Tribal Set-Aside, we don't want to get into too many specifics, but I do want to talk about this year's funding. So, this year the Tribal Set-Aside was authorized at 3 percent of the Crime Victim's Fund and that was for a total of approximately \$132 million. We don't yet have the budget for fiscal year 2021 yet. So, for fiscal year 2020, under this noncompetitive formula program, federally recognized Indian tribes, tribal designees, and tribal consortia consisting of two or more federally recognized Indian tribes were eligible to apply for that set-aside funding. We made 133 Tribal Set-Aside Formula awards, which total approximately \$113 million and provided funds to services, sorry, provided funds and victim services to over 200 tribes. This represents every dollar and every eligible tribe or tribal designee that requested money from the set-aside. One thing I think is important to remember is the Tribal Set-Aside is not a statutory formula program, but is actually a discretionary program, but we're using a formula method to distribute the funds. So, Congress did not create a formula program when it authorized those set-aside funds and therefore OVC, even though we've chosen to administer it non-competitively in a formula way, we still are required to adhere to federal statutes that govern discretionary grant making authority. And so, some of those federal statutes, they really detail how we must administer discretionary programs, including oversight of budgets, collecting certifications by the grantees that require lobbying and other specifics. And so, I know this is always a question of why does OVC require a lot of these, you know, budgetary requirements and that's really something that we're required to do by law. However, we'd really like to work with you guys in streamlining the oversight and administration of the set-aside grant, as much as we can within that legal setting. And so, I think, you know, that's why today is so important that we can talk and we would love to, at OVC hear about the way you think we could streamline that process. It would still kind of fit inside that federal statute, but we definitely would like to streamline it as much as we can to better support you. Another example of a way that we've tried to streamline the process for this coming year, fiscal year 2021, we're going to not require an abstract or written project narrative with your application. So that's something new, but instead, we're going to give you the option of either completing a checklist describing your project activities, or holding a meeting with the Tribal Division staff to talk through your project plan, so they can then put them on paper. And so that's really a decision up to the applicant, which method they would like to do. But we think that that will be a lot simpler and a lot more streamlined and much easier for everyone to apply. We've also increased resources to our Tribal Financial Management Center. This is one of our technical assistance providers who's dedicated to helping tribes and grantees work on their budget clearances and the other administrative issues that you, you know, you really need support on to try to get your access to your funds, so I hope all of you will take advantage of that. And that's another thing that we'd like to look at. We heard some information yesterday, but I'd love to hear more about how you think the technical assistance is working or in other cases is not working and maybe ways that we could really improve upon that. You know, that is a resource that we've created for you. And we'd love to hear if you think that that's useful or if you don't, because we want to make sure that the funds are getting used in the best way possible. Also, in response to testimony and comments, we've received at some of the consultation and listening sessions. In 2020 OVC made the project period for Tribal Victim Services Set-Aside formula program up to 60 months. That's potentially two years longer than most of our other OVC grants. And that's just adding more flexibility. You can still do 12 months if you like, but you have up to 60 months. So

that's something that we're hoping gives everyone a lot more flexibility. For 2021, we're proposing to retain a lot of the same features we did in last year's set-aside formula program. So still keeping it a formula, non-competitive distribution of this set-aside fund based on that population-driven formula. And we'd like to keep a two-phased process that allows us to calculate the grant awards based on the number of tribes that intend to apply. And then also for you all to self-determine the project period of 12 to 60 months and to self-certify the tribal population numbers based on the population the tribes intend to serve under the set-aside program. Those are some of the things that we think worked really well this year that we'd like to continue. But again, we would love to hear more from you today, you know, criticisms, praises. We would just love to hear how you think that works and how we can improve upon it. Finally, and most importantly, we want to make sure everyone here knows that you're eligible, all the federally recognized tribes are eligible to apply for Fiscal Year 2021 Set-Aside Formula funding, regardless of when they last received set-aside funds. So, if you didn't apply last year, you can still apply this year. Or if you did apply last year, you can still apply this year. So, I really encourage you all to apply for our set-aside funds this year. And with that, I'm going to turn it back over to Katherine. Like I said, we're here with open ears today and ready to hear suggestions. And I think this is a great setting for us to work together, to really try to best use OVC's funds. And I'm excited to hear from everyone. Thanks.

>> Thank you very much, Director Hart. I'm Katherine Darke Schmitt from the Office for Victims of Crime Tribal Division, and my co-moderator today is Marcia Good, the Executive Director of the Presidential Task Force on Missing and Murdered American Indians and Alaska Natives at the Department of Justice. I am grateful for her wisdom and support. Our first speaker today will be Juana Majel-Dixon. Juana, you have the testimony floor.

>> I think I did it. It's quite extraordinary to be able to do this. I am Juana Majel-Dixon. I am a traditional legislative councilwoman from Pauma, P-A-U-M-A. And it's something that I was kind of like drawn into as a very young woman, I was 19 at the time, not knowing that it would bring me to this point with you. And as also this work I do, I want to acknowledge all the leadership in the room who have come and all of you who are not, but are by tradition and custom, leaders in your world, I acknowledge you, especially those who are the practitioners. I want to speak to you on a couple of things. Gosh, it's one thing to listen to everybody speak yesterday, and what was on our minds coming to this gathering and looking at your framing questions and I appreciate that. And you've changed your station some, I don't know what you did with your framing questions. They were there. But I wanted to tell you that in this journey that we do as working with you coming to understand the fight we had, just getting there with Congress, and we felt that we were being set up to fail. And in some ways, you've worked for, Katie, you've done a sterling amount of work, stepping into this position, and Jessica as well, and many of the others that are there. And those before you, when we talked about this with the others through the years, coming to this, where we attended the OVC gatherings every other year, which we miss dearly, it was a way to come together. And I hope that comes back. But in our journey that we've had with you, we've had a tough lesson of being those who applied for the grants, going to Alaska to meet with consultation with you, and talk to the Alaskan folks and get them to understand what was being asked of them and their extraordinary testimonies that they gave and that they gave us, from the lower 48, a moment to speak and good old Indian ways, you know, said, "And why are these folks up here from the lower 48? Don't they know this is Alaska?" I loved it. It's the way we do things in Indian country. Well, how come you're over here

at the Plains, aren't you from the coast? You know, it's just part of our tribal step. And once we realized we were in this journey together and protecting one another across all these plains of geography is important. Katie, in your work that you've done, you know, coming forward and committing to acknowledging when we were up in Wisconsin, how a breach of trust was happening and how the trust responsibilities of the federal government, you know, and you representing our president in this gathering and having us as sovereigns to speak to the sovereign of America, the president in its group. And you, you're that representative, you carry our voice. Working at the formula, you know, you've had some good feedback on that and you've worked with subject matter experts. And I want us to continue because we're so close to getting this right. There's still work to be done in integrating victim services. When you think about that, Indian country is all of that and Alaska. We look at wanting to go forward and succinctly with your help, Katie and Jessica, and the gang, that's on the grants side, that we need your help to make certain, your support, really, make certain that all that hard work we did to get Savanna's Act passed, and look at having an expectation as a government, to sovereign, to meet, to have a consultation in the new administration, to have that consultation in the new year on a government-to-government basis. Also, on the Not Invisible Act, these are things that are going forward. When they're going forward, it's one thing what you say, getting it, now that it's happened, going forward we have to meet, we have to talk, because we have learned from our subject matter experts and our people who do this work and the work we do as leadership that we have to have that conversation. So, I urge you as our representatives to encourage with our career people that are there. I urge you to follow through in terms of help setting up this consultation, you know, and we know flexibility and stuff is important, but on this stuff, no, because it's going to hit on the ground, they're doing appropriations now. When I look at what's going on with state and local law and enforcement activities, tribes have this relationship. It's why we had these gatherings with OVC, so that what was happening in VAWA, in terms of the third offender offense and that it trips federal, has to be resolved. When we look at what is CTAS and VOCA and the money, that has to be worked out. As you know, when we were trying to do services, we come to you because America's government had a law passed in the '50s that got modified in the '60s and then tried to make it rule in a 280 world. That is not our world. As a tribal sovereign, on my sovereign land, our laws are sovereign laws amongst our sovereign citizens and those who come into my country where I'm at, agree to be governed by our laws. Just as is expected of America and the US. As you come into my country and you're representing whoever you're representing, I would expect that you would respect those laws, as you would with France or Mexico. Knowing that, when you do the work we do, working with Office of Victims Services, when we include things around domestic violence, dating violence, and other services in sexual assault and other services, that is a tribal member. We have full faith and created relationships with other villages where our members might have married and moved to. They're still under our protection if we have this understanding with another sovereign. How that doesn't get transferred sometimes with our federal partners can be very dangerous. Revictimizing, not only the victim, but everyone else connected to it. To realize that we had to search for a way to look at the way we look at, I guess you would say the relationships. If there are a way to realize that Mexico is just below us, we're in the 100-mile marker of the international line, which means above my village where I am, it ends up there, it ends up there. I'm here, it's up there, which means I'm like at the 50, 60-mile marker, maybe 70 marker, and then it goes up another. And then when you look at the coast, the marker there that comes in, we have 27 military installations here. And the fact that we have cartels here, the level of trafficking that's occurring is unprecedented in this

corner of the world. But what's crazy about this corner of the world. It hooks right up to Minneapolis, Minnesota, that area up into Wisconsin. It's like this vein of trafficking that's going on. And our children, our young folks are being cyberstalked, especially now under COVID, it's the measure of what we consider victim services is changing as we go. And then you go to what we are, where we have to tell our staff the expectation that the bandwidth of where we're at to do services that COVID has taken away. The flexibility to move inside of our societies. We have 144 square miles. And when we respond to a victim, it's not just the telework. We keep a very strong team and keep them pristine and protected, especially as much as we can. But if we have to go into a situation with a victim, what is currently going on, there was no expectation for that expense. There was no expectation to revise this. There's no way to get a no cost extension to include that in our, can we modify what are services within your perspective that you gave initially requires a needs assessment that has changed radically because of what's going on. Are you thinking of these things? I will think about them with you. And I will persuade you to keep moving forward as we do this progressive thinking, because we did not expect this and funding and services. Can you move away that paper that's on this screen? I think it's blocking some of the things that are being said, I'm not sure. But I don't need to look at your words no more. They would rather see what's going on with our conversation. I don't blame them. As a tribal leader in doing this work in here as a practitioner, you must understand that we're going to, we have done this without you. Now we're doing it with you. Let us improve upon it. Let us take what your strengths were to move forward in the next administration of whatever that becomes. When I think about what OVC, I don't think, Katie, it was the intent under OVC to be so built into such a box that the tribes who are receiving funding, many are going to fail in your eyes because what is in our world, and getting the money out to the recipients of these awards, they got their letters. Well, a third of all the recipients for more than six months did not receive their funding. And if you do no cost extension which logically, you know, it would start at six months ago or a year ago, that's funding that now has to be done in two years of three-year funding. That can be almost impossible to do. In some cases, it will be. And the last thing you want to give the politicians is this tool, oh, not all connecting all the dots of what impacted that. There was a learning curve for everyone, but the tribes should not have to pay the price for that. And I will fight that. You know this about me. I will stand up and fight that no cost extension. It's unreasonable. You and I both know this. In terms of working out issues, in terms of concerns with the reporting process, we were required at our OVC gatherings that we had to meet with our tribal and state counterparts on victim services and kinds of funding. And we learned from them. My state alone, you have heard me say this to you. \$264 million came to California based on the number of Indians. Yes, we have over 600,000 Indians in California, of which half is federally based on lands. The other are throughout the rural areas and urban areas, but what they've said, five people, whoops, hold on. Five people, apply, of which two were passed through. The third one was a small, like \$150,000 grant. The other ones were designees, you know, and who actually did it on behalf of the tribe, but were not tribal. And out of that \$264 million that came, and that one percent administration thing, I guess maybe, I don't know, two point million came used. So, when we asked them, what do you have to give them money back? Because it was grieving us, you know, that this happened. And it was a great conversation at that gathering, but they said no. I said, "Well, what did you do with the money?" They said, "We spent it on behalf of you." And so, when you go to some of those gatherings, my relatives, you see all that swag that's out there that's coming from them. It was created with our funding to educate us on these crimes and these victims services. That's a good thing that they did that, but it makes no sense

that it was done with the money that was set-aside to work with our state partners. But we had to learn, which is circling back to what I started, is that sovereign tribes' greatest fear, because there is such a misunderstanding of Public Law 280 in a 280 state. There's no such thing as a 280 tribe, that it will grandfather state law into the tribe on its sovereign land if they get money from the state. So, there's this invisible barrier that they don't even want to get the money. Tribes will say no, we don't want to lose more of our sovereignty. And that often is lost inside of this, as we do the services for our victims as we provide what they need, anything to educate and prevent this victimization that's going on. It does not allow us to do preventive services. It allows us to educate. And that's the crazy part when you talk about Office of Victims Services. It's almost like an oxymoron in some ways, but the state and local enforcement activities also are about prevention and prosecution programs. When we finally get to a place where we know, you know the prosecutors are going to be able to prosecute because you have everything lined up. It's when kind of like how it begins to drift away from the federal assistance. We have a Tribal Advisory Board. If they were a part of OVC, it would help you understand them, and help you see the various ways which this done. When we look at what is available to us on the Tribal Set-Aside to achieve, under COVID, because we have no cost extension, we have to modify the grant to spend it, and we're getting push back to do that. I don't understand that. When you come up with a way to replenish, dealing with PPEs, dealing with a COVID response to victim service, during the telecourt, telemed, even transporting with helicopters, and you look across Indian country, what that would look like. And knowing that we didn't put that in as part of the cost, what are you going to do? You need a separate sheet that this group that we're speaking with today and yesterday need to come together and draw this up so you know, straight up, I'm telling you as a tribal leader you know, on a list of those things we had to do that were outside the parameters of the narrative, under the solicitation of what could be done. I looked inside the law and I was checking out some of the things that could be done and I began to notice that when we made the changes and, Katie, I'll never forget when we stood up and said that we will recapture that money back, and you did. And we really worked with the tribes to do the 2019 funding, moving to where we are now. The fact that we could do that in a conversation with sovereigns affects change. Either grants assistance from prevention and prosecution violence are authorized by omnibus crime. I'm trying to think about that. Try to think about that because I know under [speaks in Native language] and their TAP program, the Tribal Access Program or action plan. I get confused with those two TAPs. Marcia, you can help me on that, that it provides services, not only for the victim, but also for the perpetrator and the children. Then we got hit with something that's called the Endangered Child Act. The state decided it was going to implement it. Any child that's endangered, suddenly circumvented almost everybody's authority. And that child was protected. Now I have no problem with protecting the child. That's not the issue. You have to have the honest conversation from sovereign to government that says, do not jump into tribal sovereign authority and use the children to do that. We're going to protect our children, we have ICWA. That diminished the relationship, potentially, of ICWA with our children, with this Endangered Child Act in California. Be thoughtful of what the state does. There isn't a great conversation sometimes. And maybe that's the difference. Maybe that's the thing we're going to add to this as well. Where we actually have our state partners being proactively involved, with the tribes who get, the state who gets federal money to do that. And they put that and design it where we have a Tribal Advisory Board locally. State of California is big, but our corridor, our relatives, we go California, Arizona, New Mexico, and when we have and have it with our relatives and possible [speaks in Native language] because we do what we do, you know? So,

when I look at this stuff and I look at what needs to be done, I also know that in enforcing these laws and when I think about law enforcement and the fact that it hasn't implemented what we needed. We can't get law enforcement from the BIA, from Bureau of Indian Affairs, because we're in a 280 state. So why do we go to DOJ? Because you can provide it. Which is why your definitions and your methodology of working with tribes need to improve, because the eye of Indian country is on you to help those measures of protecting our people under Office for Victims of Crime in a way that OVW is beginning to do, the way that COPS is doing, the way that the, when you look at the LVA program or LAV, when you look at the programs inside and how they're supposed to work with one another, we're so close to the edge of right. But, again. When I look at the leadership and the no cost extension not provided, I don't think that was your intent, so why is that being treated so locked down, that's the way it's going to be? Katie, you have the power to change this. You and your team have the power to change it so the tribes are benefiting from the very thing we fought for once we came into this together. It's like somebody put up a wall that just doesn't exist as long as they're not supposed to be there anymore. And there it is, you know, and when you look at transferring the funds, now that we're under this COVID, getting the money to the tribes and the time that we had to spend it, there's this crazy vortex kind of thing happening. Like you have the tribes going to put the money forward so that we can get reimbursed or is the money, you know, there's a mixed messiness here of how to make this fluid and streamlined. When you look at the needs assessments being done in order to achieve the other objectives when you're a year behind because of the way the funding came out, are they going to be penalized? They shouldn't be. Timelines that get changed, carry with them, responsibilities and flexibility, reasonable flexibility, because I know they don't want to give up too much flexibility. That's for sure. But the fact that when I look at prosecuting remedies and what VOW has done, and when I look at the survivor child of a rape, you know, when I look at these older laws, Endangered Child Act, I looked at Abolishing Human Trafficking Act. And in this stuff, when you're looking at CJS Bill, you know, you have \$513 million going towards that, based on those old acts. You look at those old acts, they're no different in many ways, in what they're attempting to do under OVC for tribes. It's like the reporting process is streamlined. We did this and other ways, same with the application process through the Bureau. And in terms of trust responsibilities, we had to streamline it. This needs to be streamlined. And the state partners when they shared with us, their response to OVC, ours was so extensive. We're not bad guys. And you're not bad guys. So, we need to do this better. It's not a bad guy thing, not a bad thing. It just needs to be done better. And we have the ability to do it better and we don't do it. That's the problem where we know, and we don't affect the change. Why is that? There is no reason for that. All of us are partners. Those who are into this grant process, we're ready, we'll work with you. We'll make that happen. We'll have the conversation, which is why the value of a Tribal Advisory Board would have been fortuitous at this point but we're okay. We've been there. This is a world we don't want to be in, but we have the experience in, let us do it better. Let's make this happen. When I think of tribal leadership, trying to respond to OVC when it really is a gift to us that all our people are in it, that we have our folks who are doing this work, we knew that the formula base would not meet the needs of smaller tribes. And that's a fearful thing, you know, and our people are going to work with whatever they have, but we know we can do that differently. I know the tribes who are large will have large land bases suffer greatly when they get hit with cycle storms that poison all their water. When access to bring in food, let alone dealing with COVID. This was before COVID. When you're looking at a hundred miles or more to get from victim to victim, you know, and when you have issues of tribal leadership not being

supportive, that's why the women do this. That's why they come in with their gifts and stand their ground. You don't want to piss off the aunties because they will do this. Every tribal leader knows that. Every tribal leader knows that when they have pushed the women too far, they will take care of business. That's our business, and it's not about the money, but now it is because you gave us hope with this grant process. It gave us the possibilities to move beyond what we had, and it seems to be taken away because there's going to be many who are not going to succeed. And that's not based on what you and I have done, it's the language that's been there needs to be changed. When I look at the language too, right now, I look at the CJS Bill and it scared me because you changed the language of transferring of funds from OVC to DOJ to DOI, even, to other places without including us. That frightened me when I read that. That's a new appropriations bill, which means somebody inside the fed system, because you don't also have a gathering and, Katie, you can do this as well. When you don't have your career people who all service tribes, don't meet and talk how to best make this work, we're aware of the impact there because our tribal people talk amongst each other, you know, and let us do this more creatively, more thoughtfully, because you have people who are guided by you to advise you on what they do and their work under their department system. When I speak with OTJ, it's talking about the impact of all of these things on the tribes with the attorney general. When I look at the ENRD unit, Environmental Natural Resource Department, it's impacted because everything that's down at DOI can come towards them if they have to sign off on something, working with a solicitor, because the attorney general is the attorney for the president. So, when we're sovereigns working with you and we have all these connections, let us do it together to make a difference, where the money is there for them to use, the shift that has to occur, which they've done here in America in terms of COVID response, but they're not doing it with tribes. How we got put off to the side to not be taken care of. You know, our people are being harmed greatly. When I think about the reporting processes, just sickens me to know that, but full-time advocates are needed right now because 43 percent increase in violent crimes. We also need to have wellness courts that help in this telecourt step. But we're limited because right now, we're dealing with protection orders. We're dealing with closing our reservations because people are encroaching. Surviving with no subsistence because it got cut off, yet they open it up to do hunting on animals who are calving or birthing babies. That affects everything that is tribal and our victims get harmed when they have no shelter, no food, no clothing, no place to go, because they've been cut off from their family because of COVID. That's a whole other set of victim services that's not built into this system. And I respect the fact that we're all boots on the ground with that right now, but let's be creative and do that tribal task force. I'll do everything I can to help, and I'll speak up and I'll stand up, you know who I am. I don't run away from what I say and do with you, but I will stand for everything that everyone is on this line is doing, because we're going to do it without you. Don't want to. Because we [Indistinct] to get the money to effectively make a difference and you need to make that happen. And I want to follow up on Savanna's Act and the Not Invisible Act. It's going to happen anyway. When I look at the money and that's inside the Interior, the fact that they have money set aside for tribes in a 280 state that are doing tribal courts. After a three-year study, you get to be considered for funding and tribal courts. We don't get it. You know, we don't have the system. We go to a traditional system. Banishment happens in my world. Partial, temporary, and permanent. We move our perpetrators away from us. They don't get to live in the village anymore. So, it's not about prisons. It's about what we have to do and what you will accept and understand. I also need to ask for services that for victims who didn't get it, who didn't get the services because on the approval, this needs assessment tribes apply and they

expect to have an extension because of this and the turnaround time, because you're also doing a COVID response. In other words, you're outside. And I know they closed DOJ down for a little while because of COVID. When your people are away from here doing what we're doing, you understand how hard it is. So, we can't get what steps we have to achieve recognized, followed through, to go to the next step and work out a reasonable spending process under this COVID window where tribes can expend their money, knowing you're not giving them extra time, even though the time was taken away. I don't know who's stopping you, but I will find out. I will do everything I can to find out. If it's Congressional, they will hear from us. The leadership is paying attention. Because, Katie, you've done a good job and I don't think we need politics to play a role in this. What got set out to do was a good thing, and I think that needs to finish that way and continue. That means consider reducing the reporting time, the no cost extension, as well as being able to modify it in a reasonable amount of time to spend the money if that's the case. I worry about what needs to be done. And when I think about what our people are going through and what provisions they need and the relationships they have. Shelters are limited. They're getting full, you know, services are becoming harder to do and coming to the res and closing our world off to the rest of the world. We're working harder now with other tribes on issues. They have so much to tell you, so much to say. If you think about what we do, I urge you with your leadership, Katie, I urge you to make certain, and Marcia, I am asking and encourage you to make certain that tribes get involved in the next go around dealing with missing and murdered, dealing with sexual assault, stalking and trafficking, human and sexual. Because that is really happening in our world. Not once, but twice. Two sets of my nieces have been exposed to this. It didn't have to hit home to hurt me because it was already hurting me from what I heard from all the other peoples. But when we hurt and you do nothing, how do we affect that change? How do we let a law strangle us in such a way our women become cattle on a freight train off to some other country? How do we stop not being able to take care of this when Department of Homeland Security is different at the port than it is at the border? How do we synchronize all the players? You've done the trilateral work. I've done that too, but I don't get to be a part of you, but we do it from our tribal side. That has to change. We are invisible to this world. So, they harm us more. You saw that. You saw it happen. I grieve for these children who are in this state of placelessness now, who are being stalked by perpetrators, who casually go out to say hello and visit, do what they do, and they get taken. But I tell you, Indian country responded to our requests. I reached out to our relatives across the state who weren't in a 280 state and we did what we had to do. And we're still going to do that. I am not going to leave until we resolve this. It has to be resolved. And I've got these tribal peoples' back. I'm not going to change that position, but I will work with you, I consider it an honorable thing to be straightforward and work with one another. I stand my ground. You know this. I'm a good woman. I won't put you down. That's not my way, but I strongly feel the way I feel. And while I can still give breath to these words, I've given them to you now. [speaking in Native language] All my relations. I am finished.

>> Juana, as always, we just so much appreciate your words and the depth of the feeling that you give to us and the thoughts, you know, the good thoughts that come from behind them. And we are taking these notes very carefully of what you've said, the issues that need to be looked at and the issues that need to be resolved. And we will definitely take that all into consideration.

>> Thank you, Marcia.

>> Yeah, I'm hoping that you will also write maybe some written comments that we can consider as well. We'd be happy to see those.

>> Yeah, I think it's a good idea. You know I don't like to write.

>> But you're very good at it. So, we'd love to love to see them.

>> Okay.

>> Thank you so much.

>> All right.

>> If we could put back up our slide of who we have listed for tribal leaders who had signed up to be able today to present testimony, we'll see if any of them are on the call. Juana was our first one. We're not finding any of the tribal leaders when we look through the records of who has been listed here as being able to speak or wanting to speak. What we'd like to do now is be able to make sure if there are any of our tribal leaders that are on this list are present, if you could let us know so we can move you into a speaker role and be able to hear what you have to say. We'll give a few minutes for that to occur. We've had at least one additional person who's indicated -- not a tribal leader but a tribal citizen who wishes to speak. We'll recognize any tribal leaders from this list first to speak and then if there are any other tribal leaders that are on the call. We have about 130 participants today so we're hoping that there are some additional tribal leaders who may be on and willing to share their thoughts today. Of this list here, it doesn't appear that any of our other tribal leaders who had signed up to speak are on. We know there's been, especially in Alaska and some of our other areas, they've been so hard hit by COVID that there are a number of emergency council meetings that have been taking place and we've heard from tribal leaders that they're planning to submit written testimony which is absolutely perfect. We have instructions for you on how to do that at the end of the consultation today. Hearing from no other tribal leaders, we have another person who has indicated that they wish to speak today, and I believe we have that person already moved into a speaker role.

>> Hello. My name is Cheryl Bowie and I am a member of the [indistinct] corporation and NANA regional corporation which is an ANCSA Inupiat organization under federal law. Anyhow, thank you for the opportunity to speak. My Eskimo name, my Inupiat name is [speaks Native language] and my parents are -- my mother's maiden name is Norton, her name is Rose Norton. My father is Carl Bowie. One is from the Arctic and the other one has roots in the southern United States, and I'm currently living in Colorado. I would like the opportunity to speak on the chance of identifying opportunities outside of traditional avenues to increase our capacity in life sciences and forensic technology that could help us mitigate some of the issues that we're experiencing with the criminal stuff. I have almost every single male of my immediate family has died an unnatural death and it's very painful for me on a regular basis. So, it is not without heart that some of these comments come because some of them are critical and I think that we need to be open to critical thinking and critical feedback in order to help us improve our services nationwide. I'm from the Arctic but I no longer live in Alaska. We don't really have a voice in Alaska anymore outside of the environmental and political groups, and unless you fall in line with what they want on a political level or want to be on Medicaid, you're not really

included in anything. I'm a former research fellow and I also finished my degree at the University of Alaska Anchorage and at the Alaska Native Medical Center under Augusta Reimer in the Patient Education Department, and I also worked in the Viral Hepatitis Program at the Alaska Native Medical Center when it was run by the Centers for Disease Control and Prevention through Brian McMahon. And I'm a former research fellow for them also I carry ambassadors [indistinct]. We all worked together starting back in 2014 and '15 after some of the hepatitis treatments came out. I'm going to try and daisy chain some of this together. In my review what I noticed was a massive disconnect between what we're at least in Alaska capable of doing with forensic science on a medical level. We have a number of labs and substantive foundation which has the only U.S. health public service contract for some of the lab work that they do. They have been participating in molecular surveillance of our genetic data along with a number of Alaska Native corporations that do not seek our consent. So, while we are struggling in this area to mitigate crime and public safety and help advance some of our economic well-being which leads to better health outcomes, we have this really robust medical system. So, my only urge is that we really need -- urging is that we really need to try and marry up some of these efforts that we have that are more advanced. In some places they may be different than others. I think that we have a lot to offer if we can do this, but it has to make its way to the private sector to the public where we live and work every day and we don't all have access to the programs through Indian health service or the BIA like the other lady was saying. Some of the changes that are happening right now are very specific to the Department of Justice and the State Department, especially in areas where they're making changes and [indistinct] changes to the Controlled Substances Act and the schedule. So, I think this is an opportunity for us to advance science. Some of the work that has to be done through the harmonization and updating of some of our drug laws that are happening in the state requires creating standards in organizations like NIST, the National Institute of Science and Technology, have been doing a lot of work in plant biotech. I think that it will help -- it just kind of fits with our tribal culture and some of the forensic science. Once you really kind of look at it. It's who we are. We are people who love the earth. We love metabolites. We love minerals. We love to measure and study things. These are the people that I represent that I'm from. We're very smart and pretty quick on the uptake for a lot of things. Alaska has the highest neutral compound in their soil than any other place in North America. I'm really here to try and kind of advance our level of being able to do research in this area so we can help identify and create standards. At least participate in those processes because along with that will come money for funding for labs. And for science and for public safety and for education and it would match up to different efforts that are going on with the [indistinct], with the Department of Juvenile Justice, with other programs like 4H and some of the different things that people are trying to do. Just in a few years we're going to start pumping out a different type of scientist and doctor in the country than we've ever seen before, especially with the push of domestic manufacturing which I believe is really going to kind of come out. I think it's really -- it would behoove the Department of Justice and our tribal organizations to start participating in some of the free webinars that they have through the FDA for regulatory science initiatives and the National Institute of Science and Technology. They have some amazing technical assistance that's going to be coming out of there and I honestly would really recommend some people trying to work in the life sciences area in the labs to get -- and perform the lab work that has to be done for some of these new drug initiatives that are happening on state level. When you do that, then you actually are getting paid to have a lab and you can use it to help fund some of the public safety needs that we have currently. The other part of it, too, is

that we need uniformity of law. Some of our laws are really outdated and with precision medicine and all of the new legalization efforts, it's just going to pave the way for us because then at that point, when you do some of this advanced lab work in precision medicine and agricultural testing and monitoring of these different substances that are coming out, it just goes hand-in-hand with forensic science and it's stuff that law enforcement depends on a regular basis. This would do a lot to help us kind of mitigate some of the economic issues that we are dealing with in the more rural areas and it would also help supply funding to do upgrades for essential services like electricity and different infrastructure. Along with some of these labs and some of these programs, the first thing that happens is they have to upgrade to three-phase electric. And, one you upgrade to three-phase electric then you're that much closer to being able to deploy 5G technology. This all kind of comes in a pretty little package of legal drug distribution on a community level, and I think with the issues that we're experiencing with fentanyl and some of the international issues that we have with the different metabolites that are out there that gets redesigned on a regular basis, I think it would be in our best interest to kind of do more home grown talent where we can control, manage and mitigate the issues that may come up through that. I personally love science. Where I'm from, there is not a lot of opportunity for people like me, especially with a major disability. And this is a medical error. Honestly. I was infected with two strains of Hepatitis B from the Tribal Health Compact. I got an icky part in my neck from a couple of places that depend on Tribal Compacts for medical devices. So, I really think that it doesn't really matter who we are, if you're going to provide a service, if you're a tribal member or not, then you need to be accountable for it. You need to be participating in the community along with the other businesses. The GAO just came out with a report. GAO 2120. I urge all of you to read it. What it does in there is it discusses the differences that they have in oversight and the only oversight system that was really built up through all of this was the construction.

So, we don't really have a lot of oversight when it comes to some of this. So, I think with all of these efforts happening at the same time, I believe that it's a really great time to kind of step in and start trying to herd some of the cats in this game because we're going to miss out if we don't. It's a real big issue, especially with precision medicine, if we get left behind in this area. It's going to take decades to get caught up and we're going to have people who have more advanced expertise and license to do what they want with our medical data and our biological material. That can also be in a crime lab. I think it's time that we need to revamp some of this and start participating in a more realistic and -- realistic way with what's happening with the rest of the world. Where I'm from in the Northwest Arctic, we don't have a lot of roads and law enforcement needs roads in order to patrol and mitigate crime. We need to look at our role in that. We can't just starve our communities and our cultures under the name of preserving culture by killing us and keeping us away from grocery stores, law enforcement, roads. Being able to get away from an attacker is just as important in surviving one. You can't guarantee necessarily when you're going to be forced with a violent confrontation, but if you don't have the systems in place to fight it, then you are just a sitting duck and that's not what I am. That's why I live in Colorado. I think that we need to look at that. I think that we need to become better at what we do and we need to turn to some of the ANCSA and Inupiat organizations in Alaska and get them to start putting up some of the money for crime determinants. And we have---

>> Thank you so much for your comments. We really appreciate your comments in this area. We'll ask you to just kind of wrap up a little bit. We have a five-minute time limit for non-tribal leaders. If you could give us some final remarks, we'd really appreciate it.

>> Thank you very much for your time. If you want to contact me, you can. Thank you very much.

>> Thank you so much for your comments today. We'll make sure comments are noted and we have your contact information. Thank you. Let's go back quickly to our list of tribal leaders. If there are any of our tribal leaders who have now dialed in who wish to offer their testimony. You could just let Lauren, who is our host, know by commenting in the chat box that you wish to offer testimony. Either tribal leaders who have actually signed up or tribal leaders who are here today who didn't sign up but wish to offer testimony. And, then if you are not a tribal leader but someone who does wish to provide testimony. We're available for that at this moment now because we do not have any other tribal leaders at this time. So, just hit us up with the chat of testimony requested and we'd be happy to do that for you. While we're waiting for that, the other way which folks have joined our call today is by phone and so what we're going to do now for those specific sections is we're going to unmute. I believe there's between seven and ten phone lines of people who just called in via phone to see if any of them would like to present testimony. Obviously, they can't engage in the chat box but we're going to unmute all those lines and then if you wish to offer testimony what you'll need to do is unmute your own phone as well and then begin speaking. So, Jaymee if you could lead us into that.

>> Thank you, Jaymee, for arranging the open phone lines for us. Thank you, Lauren, for making that happen. Hearing no request to testify via phone, I think we are drawing to a conclusion for today's event. We want to thank all of our participants over both days and remind you one more time that we do welcome written testimony, whether or not you gave oral testimony over these two days. There will be a final screen shown at the end of this meeting that reminds you where the written testimony is to be sent. And the deadline for submitting that testimony is December 10th. I'd like to welcome back Director Hart to make some closing remarks.

>> Thanks, Katherine. Thank you again for everyone being here today. A special thank you to Juana and Cheryl for sharing with us today. And I know there were many others on the phone and on the computer that were listening and, you know, agreed with your comments. And I hope many of you that weren't able to speak today will write some written comments for us to consider. I think, again, these are so helpful, and I know I was jotting notes the whole time. I'm sure Katherine and Marcia were as well. And we've all already been discussing some of the comments from yesterday. So please again, share some of your written comments with us. We would love, the more information, you know, the better for us looking at next year's funding. And we are definitely already kind of talking about yesterday, then we'll start talking about some today's comments and trying to incorporate and really make the funding as good as it can be. And I think Juana had said it best, just keep on tweaking the formula and we're going to continue doing that. And I hope you'll see that when we put out next year's solicitation and see some of the tweaks. I also want to thank Susan Frate from Saxman One who ran our registration site. Also, Jaymee Bird, who you all saw yesterday and today from Tribal Tech, who was our onscreen facilitator, did a great job. And Lauren Smiley from Booz Allen Hamilton who really made everything work smoothly behind the scenes. So, thank all three of you for really making this consultation a success and also thank Katherine Darke Schmitt and Marcia Good for facilitating today. Again, thank you all for being here. It's just so great that we're still able to

work together during these times. And I really appreciate the time that everyone gave today to be here. Thank you.

>> [speaks in Native language] thank you, Director Hart.

>> Juana gave us a lot of her time and energy over the past couple of days, and we are very appreciative of her openings on both days, and I hope that everyone who participated feels like we did move ahead with a good heart and an open heart for this discussion. Thank you, Director Hart, for closing us. Thank you to all of the participants who made themselves available today. Thank you to the speakers who opened their hearts and their words to us to talk about what is most important in the community. We are going to remind you one more time by putting up a screen that we are looking forward eagerly to any written testimony that anyone cares to provide. And Jaymee, am I okay to close the event at this point?

>> Thank you, Katherine. And thank you for everyone participating. I think culturally, I'll go ahead and put, take a healthy risk and end our day. As we heard from quite a bit of different people for the consultation. Again, [speaks in Native language]. My name is Jaymee. I'm from Ohkay Owingeh. One of the things we heard was aunties and how aunties really help them teach our young people and, you know, are really there to, again, bring that protection and making sure that we do things in a good way to honor our people. So, I will be happy to share a song that I learned from my auntie as a kid from Ohkay Owingeh to close us out in a good way. So. [singing in Native language] And thank you for letting me able to share that with you today. And I hope you go about your days in a good way, that you continue to bring the love and everything you need, too, to your communities. And we just really appreciate you taking the time because we know you're out in the trenches doing the work that you're doing for your communities to ensure safety, protection, and those are your relatives and from one relative to another, [speaks in Native language], and, Katherine, you can now close today's consultation.

>> Jaymee, we're honored to have had you share your auntie's song with us. Thank you so much for being willing to do that. All participants, this brings our consultation on the Tribal Victim Services Set-Aside to a close. We will display after this Zoom meeting ends a display— a slide for a few minutes, so you can copy down any information you need about written testimony. Lauren, I think we are ready for that and I wish you all a good and safe end to your week. Thank you.