

The Presidential Task Force on
Missing and Murdered American Indians
and Alaska Natives
Tribal Regional Virtual Listening Session, Eastern Region
May 27, 2020

Kellyanne Conway: ...to raise the visibility yet again with respect to the Missing and Murdered Indigenous women of American Indians and Alaska Natives. We look very forward to hearing your input that we will hear today on the call, and I just thank you for allowing me a couple minutes of your time to reaffirm the President's commitment, our commitment, and to thank each and every one of you for what you are doing every day to ease suffering to increase opportunity and to save lives. Thank you.

Doug Hoelscher: Thank you very much, Kellyanne. This is Doug Hoelscher from the White House Intergovernmental Affairs Team. Kellyanne hit on several things. I am going to talk about some of the topics in a little bit when we get to the slide deck. I was honored to join the President at the round table in Arizona with leaders of the Navajo Nation, and also the Gila River Indian Community where once again, the President highlighted this very important issue set. As I have shared with some of you before, I was very moved by the listening sessions that I have participated in Alaska last summer, and really humbled to be a part of this effort and to help make progress, as Kellyanne put it, this long forgotten, long overlooked issue set. So, I will get to a few more comments a little bit later. I will turn it over to Jennie Lichter.

Jennie Lichter: Thanks, Doug. Hi everyone, this is Jennie Lichter, Deputy Director of the Domestic Policy Council here in the White House. On behalf of my team, DPC, I am really grateful to all of you for joining us today. Grateful for the gift of your time and grateful to all of you for trusting us with your stories and your suggestions. We are totally committed, as Kellyanne and Doug have mentioned, to working with you to bring justice to your loved ones and to your communities, and I am looking forward to hearing from all of you today about how we can work with you more effectively to do that. Thank you again.

Jeannie Hovland: (Speaking Native language) Jeannie Hovland (Speaking Native language) Commissioner for Administration for Native Americans (Speaking Native language). Good afternoon, my relatives. I greet you with a good heart. My name is Jeannie Hovland. I am a proud member of Flandreau Santee Sioux Tribe and I am a Commissioner of the Administration for Native Americans which is under the Department of Health and Human Services.

I want to thank all those on the line from the White House and our federal agencies and on the Task Force for the work that has been committed to, as we address this issue of the Missing and Murdered relatives of ours across our Tribal Nations and in our urban settings and thank the Tribal leadership and the family members that have been advocating for this to be addressed.

Your voices have been heard. I am grateful the President has established a Task Force and an Executive Order recognizing this important issue and making it a priority of his Administration.

I look forward to looking at this with our Tribal leadership and communities through the lens of Health and Human Services, so that we can partner and find ways to prevent more of our relatives from going missing or being murdered, and also provide healing and intervention services for victims and families and communities [that are recovering from this]. So I look forward to hearing from you today and thank you for letting me be part of this discussion. (Speaking Native language). Thank you.

Tara Sweeney: (Inaudible) difficulties but we will get through them. Are you able to hear me? OK. So, as I was saying, we appreciate the interest of Tribal Leaders and others joining in this call and that the information shared here today is very important.

In honor of our government-to-government relationship, when it comes time for questions, we respectfully request that questions come from Tribal Leaders only for the first 30 minutes. The time remaining will then be open for comments from Tribal communities, stakeholders, and advocates.

We ask that you keep your comments to approximately three minutes today, given the number of participants. The Task Force will schedule additional listening sessions [and] consultations, and you will have the ability to provide written testimony.

Just a couple of routine housekeeping items. If you wish to speak, please use the “raise your hand” button located in the dropdown at the top of your screen. It is either indicated by a hand icon or a figure with an arm raised. Your microphone will be unmuted when it is your turn. You can only speak if you have dialed in.

When you are up to speak, please identify yourself with your name, spelling, title, and the Tribe or organization that you represent. There is a three-minute timer located at the bottom of the screen to ensure that we are able to speak to as many people as possible and this has been a request that has been received by Indian Affairs to ensure that folks are timed and that we allow ample opportunities for those waiting in the queue to provide comments.

So, meaning absolutely no disrespect, but at the end of your three minutes, your line will be muted and we will be moving on to the next speaker. For everyone’s awareness, everything that is said during this telephonic consultation will be recorded and become part of the final transcript.

If you wish to provide a written comment during this presentation, please use the “comment” box that is available. We have individuals monitoring the comments that are coming in. They will provide some additional information there. If you wish to submit more detailed, written comments, you have that opportunity; you can submit them directly to OperationLadyJustice@usdoj.gov.

In terms of moving along with this listening session, we are going to provide a brief overview of the Task Force and each Task Force member will have the opportunity to introduce themselves. We have heard from Commissioner Hovland, and then we will do a brief overview of the work that the Task Force has been performing and [provide] some probing questions for the audience to consider as we continue with this listening session. And so with that, I will

start the PowerPoint presentation and turn it back over to Doug Hoelscher with the White House Intergovernmental Affairs.

Doug Hoelscher: All right. Thank you very much, Assistant Secretary Sweeney. I think my line is unmuted now. I want to just add a little context to the overall efforts of the Trump Administration. Obviously, we are all on this call today because we care about the issue of Missing and Murdered Native Americans.

And President Trump was the first President to formally address the issue of Missing and Murdered Native Americans, first in a proclamation a little over a year ago. He signed a second proclamation last – earlier – this month when he was in Arizona in the roundtable with Native American leaders, and as Kellyanne mentioned, signed an Executive Order that created this very important Task Force in the work that we are all a part of, including most importantly, the folks who live in Indian Country and have personal or professional experience in this issue set.

The President also has formed a Presidential Task Force on Protecting Native American Children in the Indian Health Service and so we look forward to having those recommendations rolled out in the very near future.

The President also asked the Administration to update the eagle remains policy that has been sought by Tribal leaders for many years. And so Jennie Lichter, who you heard from earlier today, was a real leader on advancing that important work.

The Trump Administration has also worked to repatriate culturally important remains and artifacts from the Mesa Verde Region and working with those counterparts around the world on that effort. So that was something that the President announced in the White House last fall. And so we continue that important work.

Also, as Kellyanne mentioned, the Trump Administration is the first Administration to ever host a federal Tribal Broadband Summit, as well as the first Administration to host a White House conference on supporting Native American veterans.

I think most of the people on this call appreciate that Native Americans participate in the Armed Forces at a higher rate than the average population, so that really is a tribute to that culture of service it also shows commitment that the President has to our nation's veterans.

And then finally, and most recently, the Administration led by Tyler Fish and many federal leaders from the CDC, Jeannie Hovland and Admiral Weahkee and many others have been really laser-focused on supporting Tribal and Native American community leaders in the COVID-19 effort.

And so, if you have any questions offline, we host a weekly call with Tribal Native American leaders each Thursday. Tyler Fish is a great contact for that if you are not involved and want to get involved in those conversations. And I just wanted to again share some perspective on our overall effort on helping support Indian Country and our Tribal leaders across the Nation. And again, thank you for the opportunity to present that; I look forward to hearing your input moving forward. Thank you.

Tara Sweeney: He will be joining other listening sessions, but he had a commitment that he could not break for this listening session today. As you know, on November 26, 2019, President Trump signed Executive Order 13898. The graphic there illustrates his signature on the Executive Order that formed the Task Force on Missing and Murdered American Indians and Alaska Natives, also known as Operation Lady Justice.

The purpose, as you can see on the screen, is to make the criminal justice system work better and, again, you have heard from the DPC, Intergovernmental Affairs, and Ms. Conway, the commitment from the Administration to ensure that this Task Force remains on task delivering to the requirements in the Executive Order.

The Task Force Co-Chair designees – the Attorney General and the Secretary of the Interior – are the Co-Chairs for the Task Force and I am Secretary Bernhardt's designee and Katharine "Katie" Sullivan with the Department of Justice is Attorney General Barr's designee. Katie?

Katie Sullivan: Yes. Hi, everyone. Can you hear me? I am the Principal Deputy Assistant Attorney General of the Office of Justice Programs. It is a great honor to serve as Co-Chair with Assistant Secretary Sweeney on the President's Task Force.

I have to say that – General Barr, one of his priority areas is absolutely ensuring that there is public safety in Indian Country for both Alaska Natives and our Native American partners. He takes this trust responsibility, this government-to-government trust responsibility, very seriously and this is without a question something that he, along with President Trump, highlights as a crucial area of concern, and that is Missing and Murdered Indigenous people in Indian Country.

So we have been working very hard during the shutdown on getting some of our tasks completed, which Tara is going to talk about more in the PowerPoint, but Attorney General Barr does send his regards and we join the Department of Interior with equal enthusiasm and commitment as described by the White House, and thank you very much for your time and I look forward to listening. Thank you.

Tara Sweeney: Next we will hear from Terry Wade. Mr. Wade is the Executive Assistant Director for Criminal, Cyber, Response, and Services Branch at the Federal Bureau of Investigation with the Department of Justice. I believe we are having some technical difficulties, but we will continue on. Laura Rogers?

Operator: Laura Rogers is not on the line right now.

Tara Sweeney: She must have gotten disconnected. She was on earlier. My apologies. For those who are listening, Laura Rogers is the Acting Director, Office on Violence Against Women with the Department of Justice. We also have Charlie Addington. I can see that he is a participant.

So, many of you in Indian Country know Charlie Addington. He is the Deputy Bureau Director for the Bureau of Indian Affairs, Office of Justice Services here at DOI. And do we have audio access for Trent Shores?

Operator: I do have audio access for Trent Shores. Charlie Addington is not on the line; I see Trent Shores is on the line.

Tara Sweeney: So Trent Shores.

Trent Shores: (Speaking Native language). This is Trent Shores, the United States Attorney in the Northern District of Oklahoma. I am also honored to listen today as a citizen of the Choctaw Nation of Oklahoma and also as the Chair of Attorney General Barr's Native American Issues Subcommittee. I look forward to hearing what it is that you have to say today and certainly can assure you that this listening session is only a step toward action and we know that action is what is needed on this issue. (Speaking Native language) and I look forward to your comments.

Tara Sweeney: Thank you, Trent. And, of course, Commissioner Hovland, if you have any final words.

Jeannie Hovland: Again, thank you for the opportunity to be here and I am happy to answer any questions that I can in regards to the programs and services that the Department of Health and Human Services has that will help with prevention and education, recovery, and healing for the community. Thank you.

Tara Sweeney: Thank you very much. These next few slides you will see illustrate the accomplishments of the Task Force. You can see that we have held five previous listening sessions. This is the sixth and we will continue to host more in the coming weeks.

As part of the work that the Task Force has done, certainly many of you know Marcia Good for her work at the Department of Justice; Bringing her on as the Executive Director and making live the OperationLadyJustice.usdoj.gov website.

And there, that website is designed to inform all of you on the activities that the Task Force will be engaged with, any sort of frequently asked questions that we receive, fact sheets. It is designed to be an information portal to provide updates and transcripts from these types of listening sessions so that

for those who cannot attend either through WebEx or through a teleconference or maybe in the future, in person, the information is available online for those to review. It is accessible so that those who choose to engage through written comments will have the benefit of what others across the country are sharing with respect to this issue.

And we have the formed workgroups. Even though we have been maximizing our telework flexibilities within the federal government, the work still continues, and so these bullets here on this slide illustrate the continued work that the Task Force and the relevant workgroups are engaged with.

Again, this slide talks about specific projects. There is one that I would like to highlight: it is the first bullet, restarting the Volunteers In Police Service program to help utilize community volunteers in missing person cases. That is extremely important, as we all know, it takes a community and it is important for those who have information that they have access to the infrastructure necessary to effectuate any sort of change or development in a missing person's case.

You will see on this slide, it highlights the different organizations with which the Task Force has engaged since February: looking at the President's Commission on Law Enforcement, the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and other entities on the slide.

This slide highlights the interaction that the Task Force and its members have had across our federal family. Now, you will see there are two dates on here that are very important. By November 26, 2020, we are required to submit a report to the President. That report, will highlight the activities and the accomplishments, [and] also any sort of recommendations that we may have at this juncture.

And then again on November 26, 2021, we are required to submit a final report to the President. I know there have been times where folks have asked about the participation of Tribal leadership on the Task Force. The way the Executive Order spells out this Task Force, we are an all-federal Task Force with specific tasks to accomplish to present to the President, which is why we

set out to have a very robust schedule with respect to listening sessions and consultations throughout Indian Country.

And so while we may have hit the pause button as we all responded to the COVID pandemic and are engaged in mitigation efforts, we are now resuming these listening sessions and engagements across Indian Country. This is so important because these listening sessions will inform our decisions and recommendations that we put forward to the President.

And so, Operator, I would like to open up the lines for the listening session. On [the] screen here, you will find questions that have been raised by the Task Force in our discussions. They are meant to be guiding questions, but at this time, we would like to hear from Tribal leaders for the first 30 minutes for those who are interested in participating, and then we will open it up beyond that for the remainder of the time. And each speaker will have three minutes to present.

Also, if there are specific questions for Task Force members or a specific department or agency inside of DOJ or DOI or HHS as it relates to Operation Lady Justice, please let us know so that we can have the appropriate Task Force member provide an answer. Thank you.

Operator: If you would like to ask any questions or make a comment, just raise your hand. We have no one raising their hand at this moment.

Operator: Lynn, you may go ahead. Lynn, if you are there, you may go ahead and speak.

Tara Sweeney: Operator, are the lines unmuted?

Operator: The lines are actually all unmuted at this moment and I am not able to get anyone to speak.

Tara Sweeney: So for those who are joining the WebEx and have not provided a phone number to call in, you may want to connect to the WebEx through the app. Operator, can you provide instructions on what they need to do?

Operator: Yes. Hello?

Renee Millard-Chacon: Hello?

Operator: Who is speaking?

Renee Millard-Chacon: My name is Renee Millard Chacon – yes, can you hear me?

Operator: Yes.

Tara Sweeney: Yes.

Renee Millard-Chacon: I have a quick question. Has every effort been afforded to bridge the digital divide for Indian Country right now? Because a lot of people are being impacted, it is really hard to make these sessions in order to speak on a very critical issue I know a lot of people would like to speak on.

Tara Sweeney: Thank you. Thank you for your question. Regarding the digital divide, it is a priority for the Administration to address those types of issues. Currently, this is the technology that we have to conduct these sessions to be able to have the ability to call in, but also to have the WebEx presentations.

Renee Millard-Chacon: OK. I would like to speak from the organization that I come from in Denver, Colorado, which deals with unique issues of both urban and rural native connections. How that impacts for MMIW is also very unique and follows oftentimes with extractive industry. So I'd like to be able to speak on that from the Spirit of the Sun and Four Winds American-Indian Council in Denver.

Tara Sweeney: OK. You have three minutes.

Renee Millard-Chacon: OK. Awesome. I am – should I go ahead and start now?

Tara Sweeney: Yes. Your time is ticking.

Rene Millard Chacon: Great. I am Renee Millard Chacon, writer, director and Danzante Azteca, Xicana activist – and most importantly, a mother of two sons. I am an

Indigenous woman of the Diné/Azteca descent fighting for future generations and committed to relating climate justice to social justice.

My family is from the Denver community and I now work as Youth Program Coordinator at Spirit of the Sun in Denver. Addressing [how] our communities have been targeted and isolated with pollution and corruption is critical in addressing this crisis and a climate crisis. Issues of environmental racism and exploitation of resources leaves land and MMIW, not the latest, but the first example of human victims to exploit the respect of over-consumption and environmental resources spilling over to social injustice of marginalized and impoverished communities, not able to legally protect themselves from it.

The root of this is predatory capitalism, where people deeply impoverished will be the first to be hit with toxicity. Both material and socioeconomic resources and social exploitation and trafficking, we need to recognize those contributing factors at MMIW growth and people, land and people is a social injustice worldwide. It is predatory capitalism, it is modern colonialism, it preys on those easiest to be harmed without any protection to those communities. When local, rural, and sovereign communities have to provide for themselves socio-economically, people are put in a position that have to seek outside of their community's protection and awareness.

Without resources that hold predators accountable legally or in economic federal or state policies exploitation, some harm to these local members always happens when it is predatory and it has been going unnoticed and invisible. At the root of this is a radical exploitation of poverty and lack of representation including the lack of access to the most basic human rights, legal protections, and access to affluence to build their own socioeconomic stability and renewable infrastructure.

We want support from all police departments including the FBI. From the court to the prosecutors to coroners, we need allies, we need non-natives. We need whoever wants to join and speak with us against this injustice. It has been a long legacy of suffering that has led to dramatic inequity, inequality, and no enforcement or accountability to protect children, women, men in the

earth industry from outdated, wasteful industries not committed to renewable, sustainable, and inclusive progress for future generations.

Tara Sweeney: Thank you. Operator, are you able to connect Chief Malerba?

Operator: I am going to manually – yes, I am here. I am going to manually enter her to the call. I am doing that right now.

Marilynn Malerba: Hi, it is Chief Malerba. Thank you for calling me. I do not know what was going on with my computer, so I appreciate you doing that. So, I am the Chief of the Mohegan Tribe and I am also the Secretary for the United South and Eastern Tribe Sovereignty Protection Fund.

And I am very appreciative of the work that is happening and I have a couple of questions. I will ask them all at once, since I know I only have three minutes to speak. One is, I understand that there are no Tribal leaders on the Task Force and I am wondering how you will incorporate Tribal leaders' feedback and how will Indian Country be briefed on what your reports will be, and will we have an opportunity to provide feedback once you have recommendations that are to be going to the President?

Because I think it is going to be really important to have that feedback loop and I am hoping that as we think about some of the programs that we will be able to share, that we think about how we can increase this special domestic violence criminal jurisdiction to all Tribes and that any programming or any new programming and funding that occurs will be through self-governance and will not be through grants because as you all know, grants do not uphold the trust and treaty obligations.

And so, I will leave it at that. But I do not think that the final recommendations should be the end of it. There should be a continuing dialogue with Tribal leaders and Tribal Nations so that we all get to the point of really serving our Tribal community. So thank you for that.

Tara Sweeney: Thank you for your input and feedback. I want to give Katie Sullivan an opportunity to answer some of the questions that you have raised at this time.

Operator: Katie is on.

Katie Sullivan: Hi, am I cutting out again?

Tara Sweeney: You are good.

Katie Sullivan: Oh, I am good. OK. And can we just – can you repeat the question to me please?

Tara Sweeney: Well, there were several. Most notably, Chief Malerba has raised the issue of no Tribal leaders on the Task Force and whether or not there would be an ample time for feedback loop mechanism based on our draft report to the President.

Katie Sullivan: Oh, yes.

Tara Sweeney: Would Tribes have an opportunity to engage with the draft report [and] provide feedback to have that further incorporated into the recommendations and what we report back to the President?

Katie Sullivan: Yes. So a couple things, thank you, Tara. And I just wanted to be clear with what those logistical issues that surround the Task Force have obviously adjusted a little bit because of COVID-19 and our inability to travel into Indian Country.

I really appreciate the question about whether or not we are able to make sure that Indian Country and particularly very rural communities have access to the kind of technology that you need to participate in these sessions. So I want to start by saying, and I think the Task Force will agree, that having these sessions is just a way for us to get things started again. That we do plan on traveling to Indian Country when you all feel safe for us to come and we can travel as well.

So having the government-to-government conversations and sessions is vital to the success of the Task Force's work. Now, we have created and are starting to create, in the middle of creating some ideas and some drafts, but a huge part of this is getting input from all of you to finalize anything that we

do. The other thing is and I will say I have heard the Attorney General say it many times, oftentimes, the federal government comes up with rules that apply to all people. It happens in grant making in particular where you say this one grant, this one program, is going to serve everyone's needs.

And, of course, we know that that is not true. So one of the things that the Attorney General, and I know Tara Sweeney and I have discussed as well, what we want to do is make sure that whatever, say, procedures or protocols that are put in place, that is one of the pillars of what needs to come out of this Executive Order of the President, is that it can be implemented in any Indian Country anywhere. That we want it to be flexible to meet your needs and we understand that not all needs are the same, and that every single Tribe does have different needs.

So we will continue getting input without any question. We do have a report due to the President November 2020. We will receive as much input as we possibly can, but I think it is fair to say that nothing is set in stone until we have done all the consultation and listening sessions that we have promised to do. COVID put a wrench in the timing a little bit but it is a postponement, it is not cancelled.

The only other thing I want to say about the broadband is I know it is a priority of the White House to make sure that there is access to broadband, particularly in rural communities, and there really are some very creative, innovative ideas on how we are going to be able to expand the access as an Administration. And I know that that will have a very positive effect on Indian Country. It is not a focus of this Task Force, but it does go back to that original question that was asked. So thank you.

Tara Sweeney: Katie, I appreciate the touch back to broadband. One thing that I would like to address is there are initiatives taking place. I know within the Department of Interior – to take a look at the broadband infrastructure capacity in Indian Country, especially as it relates to the schools and online learning.

We are looking at an innovative project and looking at the 25 longest bus routes in Indian Country to equip them with the necessary infrastructure to

provide connectivity for students who can complete their homework along these extremely long bus routes. In addition to that, working with the Bureau of Indian Affairs, to take a look at what infrastructure is needed to increase connectivity capacity in Indian Country.

With that, Operator, are there any other Tribal leaders who have questions?

Operator: No, there is no one else with their hand raised at this moment.

Tara Sweeney: OK. I want to go back to Chief Malerba. You also had asked a question pertaining to Oliphant and I see that in the comments, there is also a question that was raised about the U.S. Supreme Court decision Oliphant v. Suquamish Tribe.

And I just want to provide an answer there that Marcia has shared in that, that issue is currently beyond the scope of the Task Force work at this time. Are there any other Tribal leaders who wish to speak? Operator, we are happy to open the lines up to community advocates and other stakeholders. Can you remind folks how to let you know that they would like to get in the queue?

Operator: Yes. To indicate that you would like to speak, if you go to the top portion of your browser or the application, you'll see either a hand icon or figure with a hand raised and you push that dropdown and raise your hand and you will be entered into the queue to be called on to ask questions.

Tara Sweeney: OK. Next speakers.

Operator: We have Iona.

Tara Sweeney: Operator, next speaker.

Operator: Do we have Iona? OK. And after Iona we have Kitcki.

Kitcki Carroll: Good afternoon. This is Kitcki with USET Sovereignty and Protection Fund, can you hear me?

Tara Sweeney: Sure can.

Kitcki Carroll: Good afternoon and thank you for holding today's call. I just want to follow up to the conversation that we just had a moment ago about the report that is going to the President in November of this year.

First, a comment and a request for inclusion but also a suggestion as well. So I think we all are too well familiar with the challenges and the jurisdictional complications that have resulted in the consequences that lead to this MMIW issue and a multitude of other reasons as well.

And tied to that is the issue of lack of resources, because of some of those decisions that have been made over the years to adequately deal with this issue across Indian Country including one of the things that's fresh right now in front of us – which is the reauthorization of the VAWA Act.

So I think it is going to be extremely important for the report that goes to the President to deal with the systemic issues that are driving these consequential issues on this matter and to really do a deep dive and do a deep examination and close look about all of those things that led to these jurisdictional complications. But in terms of a suggestion, one of the seats that I occupy in my role is I am a representative for the Eastern Region on the Tribal Interior Budget Committee and I know within the Interior space there is OJS in addition to the work of Department of Justice.

And one of the things that is very important within this entire space is to know what we are doing from a track-based perspective.

And one of the challenges that we have within this area as well as other areas across Indian Country, is the failure of adequate information to drive some of the decisions that we are making. So, I know that there is sometimes overlap and sometimes there is not between those two respective areas but oftentimes we're having conversations that are separate from each other within those two spaces.

And one of the things that we would like to see as this effort moves forward is for the Administration to make a commitment to identify what the real data is

here, including the shortfalls as they relate to resources. So, because of some of those jurisdictional determinations and decisions that were made in previous years that led to the current situation, we rely on federal resources to do a lot of the enforcement and that enforcement in many times is inadequate. Also, Chief Malerba was talking about regaining the inherent authority that are ours to full criminal jurisdiction authority.

So, we would ask that as part of the solution and the report that goes forward is for a commitment by the Administration working with DOJ as well as OJS to do a deep dive into the data as well as the resources that are necessary based upon the way that is structured right now to improve the enforcement part of it. And short and long term objective is to achieve full jurisdictional restoration for all Tribal Nations. Thank you.

Tara Sweeney: Thank you. Operator, next speaker?

Operator: I still just have Iona. Is Iona on the line? That's all I have right now.

Tara Sweeney: Is there anyone else from the Eastern Region who would like to provide comments?

Iona Rudisill: Hello.

Tara Sweeney: Operator, I hear someone saying "hello" faintly.

Iona Rudisill: Hello.

Operator: Yes. I can barely hear them. Who is this?

Iona Rudisill: This is Iona.

Operator: There you are. We can hear you now.

Iona Rudisill: I have my volume up loud. Can you hear me?

Operator: Yes, we can hear you. Go ahead.

Iona Rudisill: Yes. Thank you. My question was concerning how other Tribes are actually being reached out to. What is the mechanism that you are doing to all of the different Tribes? And we were talking about the Eastern Region, I was specifically asking, too, about the Shinnecock Indian Nation, the Algonquian Tribe in Southeastern New York.

I put a comment in one my questions to see if maybe Marcia could or someone...

Tara Sweeney: Thank you for your question. I heard a little bit of it. It seems like there is some background noise but I can answer a portion of it and I welcome the opportunity for other Task Force members to provide their input.

But what we are doing is providing a listening session to various regions across the United States and I know that you were talking about Shinnecock which they are included in the Eastern Region.

In addition to that, there will be a listening session provided to the Eastern Oklahoma and Southern Plains, as well as the Midwest and Rocky Mountains, Western Region in addition to the Pacific, the Northwest and Alaska Regions as well. So, those round out the four scheduled listening sessions. We are scheduled to have a consultation on July 7 in Billings and an additional one again in Alaska.

Prior to these listening sessions, we held six previous ones and preceding the signing of the Executive Order, there were a series of "Reclaiming Our Native Community" roundtables held across the country, in addition to the work that has been done by the U.S. Attorney's Office.

And so, Trent or Laura or Katie, if you have additional information and Charlie as well, please feel free to share that.

Tara Sweeney: OK. Operator, are there any other questions?

Operator: No, there is no one else with their hand raised at this moment.

Tara Sweeney: Operator?

Operator: Yes. There is still no one with their hand raised. I just got one. It is [Rhonda Harjo]. I did not say that name right, I apologize. But your microphone is on and you can speak.

Operator: That is the only person that has their hand raised at this moment.

Tara Sweeney: Are there any other participants who would like to speak at this time and provide input into this listening session? Pardon?

Anonymous: No, but you dodged questions.

Tara Sweeney: Pardon?

Tara Sweeney: Operator, if people have only dialed in telephonically because there were some tech issues on the webpage, they will not be able to raise their hand. Could you provide instructions for those only who have called in by telephone only, how to get in the queue for you?

Operator: They would have to email, I guess, I am not sure how else – we do not have any way to indicate otherwise.

Tara Sweeney: Thank you.

Operator: We have an Elizabeth Carr. Elizabeth?

Elizabeth Carr: Hello. Can you hear me?

Operator: Yes.

Elizabeth Carr: Hi. Great. Thank you. This is Elizabeth Carr and I am the Senior Native Affairs Advisor for the National Indigenous Women's Resource Center. And I just wanted to reiterate a question that was asked in the comment section regarding the status of the Indian Country Crimes Unit at the FBI and what their engagement level is with the Task Force and what their work looks like?

Tara Sweeney: Thank you. Do we have either Terry Wade or Mr. Dunham on the phone to provide an answer?

Marcia Good: This is Marcia Good who is the Executive Director of the Task Force. I can speak to that a little bit if you would like me to. And I know that Tim Dunham, who is also with the FBI, is on the phone and he could also answer that question.

Tim, are you available to answer?

Tim Dunham: Could I be heard? I am here, yes.

Marcia Good: Yes. That was great, Tim.

Tim Dunham: Hi. Great. I am sorry I missed the introductions earlier. My name is Tim Dunham. I am the Deputy Assistant Director here at the FBI's Criminal Investigative Division and my branch is where our Indian Country Investigative Programs Unit is housed. We work the full range of investigative programs in Indian Country.

I am sure most of the participants here know we are going to be fully engaged with the Task Force and its work going forward. We will be represented in all of these calls and seek to answer whatever the needs of the community that we can during these times of conversation.

Marcia Good: And this is Marcia. As Executive Director, I just wanted to chime in a little bit that the Indian Country and Violent Crime Unit has been involved in basically every project that we are working on to our working groups in the Task Force including development of the protocols and working on the data issues. And so, not only the unit, but others in the FBI are also very involved.

Elizabeth Carr: Great. Thank you. And I have one more question if that's OK.

Tara Sweeney: Sure.

Elizabeth Carr: So, I know that there are a lot of barriers that are created from federal policy that is legislatively mandated and dictated by Supreme Court cases, but I am

wondering if there is any decision or administrative decision that can be made to ensure that the FBI and the BIA does not over-utilize discretion when they are deciding whether or not to investigate a crime against a Native woman.

We believe that a Native woman is a citizen of a federally-recognized Tribe and lives on Tribal land that if and when she goes missing, the FBI should be required to investigate it. And so, we are wondering if there is any waiver of discretion on that aspect of investigation from an administrative decision standpoint?

Tara Sweeney: DOJ?

Katie Sullivan: Well, I mean, I – this is Katie and I think I can in part answer the question but then I am going to defer to Trent.

It is important and I think when we are looking at protocols and procedures, right, we have to be very careful to look at the two types of cases that we are talking about: missing cases and then there are cases in which people are murdered and there are also cases in which there is domestic violence, sexual assault, et cetera, et cetera. We want to make sure that all of those responses are completely robust and work for each individual community, each individual Tribal community.

Not every missing [persons] case necessarily is a criminal case and that it is where it can get tricky, but where it is, then obviously, we want to be jumping in and doing the best that we can.

But I am going to defer to Trent who is in the field as a prosecutor.

Trent Shores: Well good afternoon. I really think that this is a great question because it is one that I hear a lot and I know that United States Attorneys and Tribal liaisons and U.S. Attorneys' Offices hear it a lot. And Katie has really hit the nail on the head when it comes to first distinguishing between murdered victims and persons who are missing.

The FBI, for example, is going to come in and investigate when a crime has occurred and one of the questions I think that we really have to look at here is at what point is it appropriate or should the Federal Bureau of Investigation become involved in a missing person's case? Traditionally and typically, that is a local law enforcement function. So in Indian Country, that is a Tribal law enforcement function.

If that community is served by the Bureau of Indian Affairs, Office of Justice Services, then they would be the officers who would receive the initial report and then begin the investigation or rather at that point, a search for the missing person.

I will say as part of the Department of Justice's effort, that really goes hand and glove with the White House Task Force here, the FBI did expand its use of CARD, that is the Child Abduction Rapid Deployment teams.

In fact, we just used one here recently in Tulsa, Oklahoma, where I am, when there was a report of a missing child. The FBI [was] able to come in and use these teams to help assist in the search. We have seen it in the context of missing an Indigenous person, missing Native American in Montana.

And so I think that as we begin to look at the development of investigative protocols, one of those factors has to be, at what point do the FBI and BIA engage in the search for a missing person?

I think it is a really important question, and I think that is something that not just the FBI, but this Task Force, has to look at together to figure out what is the proper protocol to make sure that that happens early and to make sure that the response is comprehensive, and that it is coordinated.

And that means that the progress of the search is communicated with the victim's family through victim coordinators, that the Tribal community is made aware of the efforts that are ongoing, and that we continue to ensure that this is not something that for whatever reason, falls off the radar.

This is important. It is a crisis and I think that that kind of coordinated response for the search early on will be helpful. So thank you for that question. I think it is a really important one.

Tara Sweeney: Thank you. Operator, next speaker.

Operator: We have [Rhonda] should be receiving and connecting to the line.

Tara Sweeney: OK. Next speaker?

Operator: We were unable to connect with [Rhonda]. That is the last person that we have with their hands raised.

Tara Sweeney: OK. At this time, I would also like to call on Charlie Addington to provide an update on the cold case working group.

Charlie Addington: All right, well good afternoon everybody. Can you all hear me now?

Tara Sweeney: Yes.

Charlie Addington: OK, perfect. Well, good afternoon, everybody. This is Charlie Addington, the Director for the BIA Office of Justice Services. And one of the things that we are looking at moving forward with is the cold case investigative teams that will enhance our response to the missing persons and the issue of investigating the cold cases throughout Indian Country.

We have established seven proposed locations for those investigative teams and we have recruited four new Special Agents to actually fill positions in those locations, and we have two that are in the process of reporting here at the end of this month and one more that is coming on in July; then the others are going through our Human Resources process.

These Task Forces will also be comprehensive and actually like a multi-disciplinary approach to where we will be working hand in hand with our federal partners at the Department of Justice, the FBI, our local Tribal law enforcement agencies in these areas, as well as any state or local law

enforcement agencies where they may have information or something may lead us into leads or something off of the Indian Country as well.

Also working with our local groups, local or grass roots folks, Missing and Murdered groups, actually working with the schools, with the healthcare officials, all the different programs that we would need to be successful. We have got those in the works right now where we are very excited with the work that is going on; we have begun collecting cold cases throughout the Indian Country and we are working very closely with the Department of Justice.

And I cannot say enough about the excitement that we have with our partnership with everybody as we move forward on these. We look forward in the next few months of standing a couple of these up and getting them started and hopefully we will be getting some cases very soon.

Tara Sweeney: OK, thank you, Director Addington. Are there any other questions in the queue? So we have – I know that I get [Rhonda Harjo] was trying to connect and the question [Rhonda] posed was related to the challenges in how the agencies coordinate in missing person's cases.

The matter of a missing person can present a multi-jurisdictional problem. It may not be clear where or how a person went missing. So multiple law enforcement agencies may be involved. However, cooperation may not be optimal particularly when there is a scarcity of resources, differences in laws and procedures: the Ashlynn Mike case highlighted some of those problems. How can OLJ and the agencies work with state and local jurisdiction to incentivize or guide them to work with Tribal or BIA law enforcement agencies on these cases or report?

And [Rhonda], that is a great question. As the Task Force, when you look at the Executive Order, there are specific deliverables that require this improved inter-agency cooperation and also working with our local partners to address these types of issues. And I see that Olivia Grey has asked the question as well on how we, the federal government, can work with local counties to investigate these types of cases?

I want to call on HHS Michelle who will be filling in for Jeannie to provide a response on the work that HHS is doing with respect to the communication toolkit and the outreach throughout Indian Country. And then I would like to also reach out to Marcia Good and Laura Rogers and Katie Sullivan.

Michelle Sauve: Great, thank you, Assistant Secretary Sweeney. This is Michelle Sauve and I work with Commissioner Hovland, and I am Executive Director for the Intradepartmental Council for Native American Affairs at HHS. We have set up a subcommittee specifically to look at how HHS can support Operation Lady Justice Task Force, and as the Assistant Secretary said, in particular, identify areas where HHS already works regionally, locally, across our different divisions – for example with the CDC and building up the public health response.

We work with a lot of the same first responders that Interior and Justice are working with, but we work with them in a different way. For example, we are working with them to build up their ability to respond to local health emergencies or crises.

So as part of this response, we are identifying ways that we can create more awareness about the resources that exist and how we can coordinate and collaborate better.

So we are building out a strategic plan to identify all of those different touch points where we can provide additional training and education and making sure that we are coordinating and collaborating, sharing the resources that HHS has; for example, on public health approaches to violence prevention and ending violence in our communities, as well as learning more about the resources that Interior or Justice have so that way, we can all be working on the same page and communicating and collaborating with communities that are on the frontline.

So thank you for the opportunity to mention those efforts.

Tara Sweeney: Anything from DOJ Laura Rogers?

Laura Rogers: Good afternoon. Can you hear me?

Tara Sweeney: Yes.

Laura Rogers: Great. I do not know what happened earlier. At the Office on Violence Against Women, we are busy pursuing the Section 904 Task Force to bring in Tribal members to consult with us, and we are going to be pursuing additional information and joining with the National Institute of Justice on research with respect to missing or murdered Indigenous people, to investigate initial research with respect to the issue, and try to identify additional information to move that research further down the line. We are excited to reconstitute that Task Force and begin work later on this summer.

Tara Sweeney: Thank you. Katie?

Katie Sullivan: Hi. I am just going to say that part of working collaboratively is something again that the Attorney General saw as a need in Indian Country; obviously, President Trump did as well because it is such a big focus of his Executive Order and of the work of this Task Force.

I know Laura Rogers and I am sure Jeannie Hovland, everyone will agree that having victim services at the table is very important as is having good communication between all of the different law enforcement agencies that may be implicated along the way in a case.

So to that end, the Attorney General has an initiative in Indian Country. We are employing Program Coordinators to work to look at how each Indian Country that they will work through the U.S. Attorney's Office in 11 different jurisdictions and in essence look at how are the missing cases being handled, how are the murdered cases being handled – in order to further inform us so we can inform AUSAs, we can inform the FBI, if we can provide help locally or to Tribal law enforcement, of course, we would love to do that as well.

So I think that ensuring that everybody is together and at the table and collaborating and informed, that is the core and essence of this Task Force and

the mission of President Trump and AG Barr and Secretary Bernhardt, Secretary Azar. I mean this is what we really are looking to do in working with all of you.

Tara Sweeney: Thank you, Katie. Operator, is there any additional speakers? We have about eight minutes left.

Operator: There are not.

Tara Sweeney: OK. At this time, I would like the Task Force members to provide any sort of closing comments, starting with Michelle, HHS.

Michelle Sauve: Yes. Thank you so much. On behalf of Commissioner Hovland, we just want to reiterate our support and our dedication to the goals of the Operation Lady Justice Task Force. We know how important it is to listen to our community, what is happening on the ground.

Advocates have been raising this issue and we are up to the challenge to identify ways that the federal government can help support and address this very important issue. So thank you for your continued engagement. We are looking forward to more listening sessions where we can hear more about how we can support you. Thank you.

Tara Sweeney: Thank you. And moving on to the FBI, Timothy Dunham, Terry Wade.

Timothy Dunham: Yes. Thank you very much on behalf of the FBI. I just want to say that we were very pleased to be able to participate in the call today. I look forward to the ongoing engagement and additional communication. Thank you.

Tara Sweeney: Thank you. Is Trent Shores?

Trent Shores: Yes. This is Trent. I want to thank all the callers today; in particular, one of the comments stood out to me was about the need to do a deep dive into some of the statistics and to really get a better idea what it is that we are confronting, the scope of the problem, understanding where – occurring in Indian Country, but also in urban settings and who the perpetrators are.

I think that is certainly something that the Task Force can take to heart and look at. The other comment that jumped out at me was the one that I talked about a little bit which is that coordination of when the FBI and BIA or Tribal police engage on a missing person's case.

I have seen there has been some discussion in the comments section as well, referencing Oklahoma. So I am hopeful that callers will engage with their United States Attorney's Offices and their Tribal Liaisons if they have an ongoing issue, but also I think that those are areas that the Task Force can really focus on and I am thankful for the callers for bringing issue areas up. Those are important topics.

Tara Sweeney: Thank you, Trent. And moving on to Charlie Addington.

Charlie Addington: Well, thank you. I want to thank everybody that was able to participate in the call today and just say, you know, to make it an effort and make a difference out in Indian Country, it takes all of us moving in the same direction and I cannot say enough about the support the BIA Office of Justice Services that we are getting from the White House, from cabinet level members, and also from all of our leadership and our partnership with all these other agencies, DOJ, HHS.

This is what it is going to take to move forward and make a difference and we have already made some changes, you know, locally. I know Trent brought it up a minute ago, just about, you know, the response to missing person cases.

We have made changes in the way we respond and the way we coordinate already. We have had some very positive situations where we have been on the ground immediately after we receive a missing person complaint, and we coordinate with those other agencies and it has worked the way it is supposed to work. So as we move forward, I think all the support from everybody from the top to the bottom in getting the community involved is going to be just a big asset for us in addressing this crisis.

Tara Sweeney: Thank you, Charlie. Laura Rogers.

Laura Rogers: Thank you so much. It has been a real pleasure to be on this call and I want to thank everybody who is taking their time. I know that resources are stretched thin right now with the pandemic, and so thank you so much for your time and your interest. This is a topic that I think is near and dear to everybody's heart and those of us at OVW are very interested in this topic because it deals with women and children and men.

We are very dedicated to this topic. I would mirror Trent's comment with respect to drilling down on the research and the statistics, because I think by identifying the accurate research, we will be able to really narrow down where we need to dedicate our resources and work towards a solution. And that is so important to really know which direction we need to go in order to curb the insult to women and children and to men.

So, I am very interested in doing that, very interested in working on those issues. So, thank you so much for your participation and thank you for letting us assist you in this issue.

Tara Sweeney: Thank you. And Katie Sullivan.

Katie Sullivan: Thank you all so much. This is my favorite part of my job honestly, is connecting with people in Indian Country, figuring out how we can do things better. We clearly have a problem and I love to find solutions, just like Attorney General Barr. He is a man who likes big problems and then big solutions.

And so, please expect from us that we are going make good on our promises and I also just want to really thank Tara Sweeney and the White House. Tara, you are a wonderful partner in this and I am just so glad that we have come together. So thank you everyone and Godspeed.

Tara Sweeney: Thank you. I know that there were participants from the White House that were still on. I just want to provide anyone from the White House an opportunity. OK. I want to thank all of you for calling in. I appreciate the

patience afforded to us as we try this new technology. As you know, this pandemic has tested so many of our social norms and this is one of them.

So we are trying to find ways to connect with Indian Country that are safe and consistent with the healthy practices that are put out by the CDC. We do have complex problems throughout Indian Country with respect to public safety.

They do vary by community, which is why as Katie said earlier, collaboration is so critical with Indian Country. Being an all-federal Task Force and hearing from Indian Country, the need for constant input by Tribal leadership is a message that is not lost on us. I appreciate Chief Malerba for your continuation of beating that drum, your persistence for wanting to share your thoughts today.

I, on behalf of the Department of the Interior and Secretary Bernhardt, I look forward to the continued partnership with the Department of Justice and the Department of Health and Human Services as well as IHS and Tyler Fish at the White House Counsel for Native American Affairs.

In addition to and most importantly, the greater Tribal community, we have a large and a very important task ahead of us. As you know we are coming together to listen and to learn; to provide recommendations and solutions to address things like data deficiencies; to jumpstart the work on unresolved cases in Indian Country and Alaska Native communities; but also to improve, clarify, and communicate the multi-jurisdictional protocols and procedures across the federal family, [including] those that have to engage with the federal family in times where we find family members missing or murdered and to work across the federal government as directed by President Trump's signed agreement on federal best practices to adjust this epidemic.

If you would like to submit again additional comments, written detailed comments, I encourage you to submit those comments to OperationLadyJustice@usdoj.gov, and you can see that email address on your screen through the WebEx. I encourage you to visit the website for updates on the progress that the Task Force is making. And so with that, I wish you all

wellness. Thank you so much for your time, and that concludes our listening session.

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