

U. S. DEPARTMENT OF THE INTERIOR

INDIAN TRUST ASSET REFORM ACT (ITARA) OF 2016

TRIBAL CONSULTATION

OSAGE EVENT CENTER, 951 36th STREET NORTH

TULSA, OKLAHOMA

SEPTEMBER 7, 2016



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1 **PRESENTERS:**

2 **DEB DuMONTIER**

3 **KLINT IMPSON**

4 **VINCENT LOGAN**

5 **CLINT HASTINGS**

6 **DOUG LORDS**

7
8 **AUDIENCE SPEAKERS:**

9 **CHAIRMAN EVERETT WALLER**

10 **GOVERNOR BILL ANOATUBBY**

11 **CHIEF GEOFFREY STANDING BEAR**

12 **STEPHANIE HUDSON**

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1 September 7, 2016

2 8:30 a.m.

3 P R O C E E D I N G S

4 MS. DuMONTIER: Good morning. I think we're
5 going to go ahead and get started this morning. I'll
6 let everyone have a few minutes to get seated and get
7 comfortable.

8 Welcome to the Indian Trust Asset Reform Act
9 consultation. And at this time I would like to turn
10 it over to the Chairman Waller of the Osage Mineral
11 Counsel to give a quick opening for us, please.

12 MR. WALLER: I need just a moment to talk
13 about how we do it in Osage. I've got to acknowledge
14 my elders here, our chiefs, our leaders.

15 I was a young man when I first met you. It's
16 been a great honor in my life. I'm going to talk to
17 my brother here, Vincent, my neighbors, his uncle.

18 We're so close back home, we have traditions.
19 The first one is you always pray, no matter what we're
20 doing. It's a great honor to represent my people.
21 For that I'd like for you to bear with me.

22 (Prayer in native language)

23 MR. WALLER: My Lord, I ask for prayers upon
24 our people. I ask you to look down upon our elders
25 today. We just come to a loss back home and that's

1 going to be from now on. Our numbers go and then
2 they leave.

3 We ask you, Lord, that we are so thankful as
4 Osage people that you gave us something left, our
5 ways, our traditions, our drum, our charge. I was
6 told that any time we pray we pray for that. We ask
7 that you bless all of my young kids. We have
8 thousands of them now.

9 We didn't know that when we got here in the
10 1870's. We were decimated. We kept that, though,
11 because of our grandparents, who rode over their
12 children when they come to the last home of the
13 Osage.

14 All my tribe is represented here today. Be
15 with them. Be with their leadership. Help them take
16 a piece of that life, that future for those children
17 and make it great.

18 I ask you, Lord, to give us the strength and
19 power to keep going. You have kept us ten thousand
20 years. We ask that you keep us until the end of
21 time.

22 The Osages say when the end comes there's
23 going to be two people. One of them is going to be
24 an Osage and all they will know is wasage (phonetic).
25 They won't know our drum no more, they won't know our

1 church no more, they won't know our ways no more. But
2 still, the Lord is going to answer our prayer, no
3 defeats in battle to protect our never-ending
4 bloodline.

5 I ask for all of our friends here today to
6 assist us in helping that future. I was told you can
7 ask God anything. He has no boundaries. Our creator
8 left us here because he loved us. He left us here
9 because we had something, and all it is is that we're
10 going to take care of our kids, Lord. If you can
11 give us the strength to do that, to survive this
12 world.

13 Our last is that old folks used to cry when we
14 were born because they knew the hardships that were
15 coming. They rejoiced when you went home to the
16 other side of the sun to be in paradise with all your
17 people and your creator.

18 In Jesus' name I pray. Amen.

19 MS. DuMONTIER: Thank you for that very
20 special opening and for the welcoming to this
21 beautiful homeland.

22 My name is Deb DuMontier. I'm the deputy
23 special trustee with the Office of Special Trustee
24 for American Indians. And it is my honor to next
25 introduce Mr. Vince Logan, our special trustee.

1 Mr. Logan was sworn in as special trustee on July 7th,
2 2014. He is the fourth senate-confirmed special
3 trustee. As his direct report I have witnessed his
4 innovation and leadership during his tenure at OST
5 where he has brought a beneficiary focus as an IIM
6 account holder and he has capitalized on his asset
7 management and investment experience to highlight
8 significant priorities for our organization.

9 Priorities such as financial, education,
10 program reform, investment review and safety and
11 security for our staff, initiatives that have been
12 recognized by our employees in a recent federal
13 employee viewpoint survey.

14 He's a graduate of the University of Oklahoma
15 college of law and a member of the Oklahoma Bar
16 Association. He's also a founding member of the
17 Native American Bar Association in Washington, D.C.
18 He has dedicated his career to improving the lives of
19 Native Americans and he often serves as mentors to
20 Native American attorneys and professionals.

21 Mr. Logan is a member of the Osage Nation and
22 he is originally from Norman, Oklahoma, so he's home.
23 And he now resides in New York.

24 It's been a privilege to work with Mr. Logan
25 and I gladly introduce him today to kick off this

1 consultation.

2 MR. LOGAN: Good morning, good morning. Thank
3 you, Deb, thank you for the warm introduction. It's
4 wonderful to be here today and it's wonderful to see
5 so many friends, chiefs and chairman and lawyers and
6 friends, Oklahoma State friends, Sooners, STU friends.
7 Needless to say, football is on the -- we won't be
8 discussing football today, but it is on the topic
9 here. It is the topic of the day.

10 Anyway, I'm happy to be here. When I left my
11 home in New York to come here I packed my fall
12 clothes. A little premature. But it's a wonderful
13 day and it's beautiful outside. I'm happy to be
14 here.

15 I bring you greetings from the president and
16 from secretary Jewell. As you know, we are in the
17 process of wrapping up the administration, and yet
18 there's a lot of work to do, which is one of the
19 reasons why we are here today. We have a lot of work
20 still to do, a lot of things still to put together.

21 I do want to say briefly, though, some of the
22 accomplishments -- speak about two of the
23 accomplishments of this administration. One of them
24 is the success of the Land Buy-Back Program throughout
25 Indian country. And the other one is the amounts and

1 the progress on the tribal settlements.

2 The reason why I bring these two
3 accomplishments up for the president is that OST
4 played a vital role in both of these, and continues
5 to play a vital role in both of these initiatives.

6 And as Deb said, I'm honored to be the special
7 trustee, but just as a special trustee, I am of course
8 a political appointee. But it's the career people at
9 OST and the current people at BIA and the Land
10 Buy-Back Program and so on and so on, those are the
11 people who are working very hard to make sure that
12 these programs are a success and that they continue
13 to work on -- to move on.

14 And I wanted to also point out that the
15 president has told us to -- when we deliver messages
16 to Indian country people are wanting to know what's
17 the next step, where do we go now that the
18 administration is coming to an end?

19 It is the career people that we will direct
20 you to. So, the career people at OST, Deb and many
21 of them are here in the audience. And the same is
22 true for the BIA and the other programs. So, seek out
23 career people.

24 So, we're here today to discuss ITARA, and
25 you'll see some presentations here in a moment about

1 that. But why we're really here today is we're here
2 to hear from you. As Deb pointed out, I have an IIM
3 account. In fact, I call it the triple witching peace
4 that I have in any life. I have an IIM account. I
5 have land subject to BIA approved lease. And I hope
6 to participate in the Land Buy-Back Program.

7 So, I'm all over the Department of the
8 Interior personally. I'm very familiar with these
9 programs and I know how much hard work it takes to
10 get these programs to be a success and to move on.
11 But today's purpose is to hear from you.

12 Now, last year we celebrated twenty years of
13 OST and the advancements that the OST has made over
14 the last twenty years. So, now, today, we're talking
15 about the next twenty years.

16 So, what will this look like? What are the
17 services that beneficiaries, trust beneficiaries and
18 individual beneficiaries, what are the services that
19 you need? How does the coordination with the other
20 programs and the other parts of the Department of the
21 Interior, how does it work together? That's what
22 we're interested in hearing.

23 We have some presentations following. And,
24 please, by all means come seek me out. I'll be here
25 through the morning and I'm happy to talk to you.

1 And as I said, greetings from the president.
2 But the other part is that the president is happy to
3 pass on the job to the career people here in the room
4 and the career people back in Washington and out in
5 the field. Those are the ones who you're really
6 going to be working with next year and going forward.

7 Once again, it's an honor to be here. It's
8 wonderful to see so many people and friends and make
9 new friends too. So, I'll turn it back over to Deb,
10 right? Thank you very much.

11 MS. DuMONTIER: Thank you, Mr. Logan. Again,
12 my name is Deb DuMontier. I'm honored to be part of
13 this consultation today in Tulsa. My tribal
14 affiliation is the Confederated Salish and Kootenai
15 Tribes of the Flathead Nation, located in northwest
16 Montana, a large land-base tribe fully exercising
17 self-governance fully.

18 I was legal counsel for CSKT for ten years and
19 I'm a licensed attorney with the State of Montana.
20 For the past eleven years I've been working with OST,
21 implementing and leading trust reform. On behalf of
22 the department of interior, the OST staff and the
23 federal staff here today, it's a privilege to work
24 with you and to be part of the
25 government-to-government relationship.

1 We appreciate the attendance by our tribal
2 leadership today. We know there are a number of
3 priorities that you have and we do appreciate the
4 opportunity to hear your comments regarding this
5 legislation.

6 We also welcome the tribal staff that is here
7 and the tribal representatives, as well as any tribal
8 members that we may have attending today. Your
9 comments will all be welcome.

10 We also appreciate the participation by Clint
11 Hastings, the advisor with the assistant secretary of
12 Indian affairs; Mr. Mike Smith, deputy bureau director
13 of field operations; and Lauren Difilippo, our
14 solicitor from the office of the solicitor, and also
15 other federal partners. I met a few of the BIA staff
16 here and also with the office of natural resource and
17 revenue.

18 There may be members of the media here today.
19 The media is welcome. This is an open meeting. We
20 would just request that you not disturb the tribal
21 consultation and any questions be reserved until after
22 the consultation session.

23 As you're aware, the Indian Trust Asset Reform
24 Act was signed by the president on June 22nd. We are
25 holding numerous consultation sessions across the

1 country. And the last session will be a telephonic
2 consultation.

3 We're accepting comments until September 30th,
4 however, we have had a request to extend that. And
5 we may be extending the comment period until
6 October 7th. That will be posted on our website and
7 the materials that you have have that website posted.

8 We are accepting -- this legislation is an
9 important step in our commitment to strengthening
10 tribal sovereignty and decision making. It also
11 gives us an opportunity to evaluate what has worked
12 and what can be improved within the systems and
13 processes implemented as part of the creation of the
14 Office of Special Trustee. Our staff and you are a
15 critical part of that evaluation.

16 Today's consultation is focussing on Title III
17 of the Indian Trust Asset Reform Act. And You'll
18 hear us refer to it as ITARA, our new acronym.

19 The law provides that the secretary will
20 identify all nonmonetary management functions
21 currently being conducted by OST. Therefore, we are
22 here to present these functions and consult with you
23 on where these functions might be transferred to
24 other entities within the interior.

25 I will be presenting in a few moments a brief

1 PowerPoint on Section 304.

2 The law also provides that within eighteen
3 months the secretary must ensure that Indian trust
4 property, appraisals and valuations are administered
5 by a single entity within the department. So, today
6 we are seeking feedback on that transition.

7 Klint Impson will be providing a presentation
8 on Section 305-A and some suggestions on how this
9 might be accomplished. But we also look forward to
10 hearing your ideas that you may have.

11 Clint Hastings will be providing a short
12 presentation regarding the draft minimum
13 qualifications for individuals to prepare appraisals
14 and valuations of Indian trust property.

15 When an appraiser meeting these minimum
16 qualifications prepares an appraisal of Indian
17 property and the user of the appraisal intends to
18 forego departmental review the department will be
19 able to rely on that appraisal without further
20 review.

21 You, as the trust beneficiary, can submit the
22 appraisal to the department for use in trust property
23 transactions, express your intent to waive the review
24 and no departmental approval of that appraisal will be
25 required.

1 We are developing a proposed rule that
2 establishes the minimum qualifications and we are
3 interested in your views on them. And in your packet
4 there's a copy of that proposed rule.

5 We are also interested in your views on the
6 process by which the department would verify that an
7 appraiser meets those qualifications. That, and
8 among other questions, will be presented to you later
9 today.

10 Finally, we are interested on your views on
11 the establishment of an under secretary for Indian
12 affairs. ITARA provides that the secretary may
13 establish an under secretary for Indian affairs who
14 would report directly to the secretary. We want to
15 hear your thoughts on that provision.

16 We're anxious to hear your comments and
17 suggestions. We have four short presentations, and
18 in general, we want to hear from you.

19 So, next is my presentation on Title III,
20 Section 304 of ITARA: Improving efficiency and
21 streamlining processes.

22 But first I'd like to take just a moment, in
23 addition to Klint Impson, to recognize our OST
24 leadership here today, Doug Lords, our deputy special
25 trustee, and Rob Winters, our director of trust

1 services and acting deputy special trustee for trust
2 services. We also have Rob Kraft, our regional trust
3 administer for this region. And then in a few moments
4 we'll introduce our trust officers here.

5 And many thanks to our staff who have provided
6 the logistics and support for this consultation.
7 They make it look easy, but it's a lot of work just
8 even putting the binders together. So, thanks to
9 them.

10 My presentation is in tab five of the book.
11 And again, Section 304 requires the secretary of the
12 interior to identify nonmonetary functions that OST
13 performs, which is an opportunity for us to reflect
14 upon our current practices and to hear your
15 recommendations regarding this section of the act as
16 we chart a path forward together with Indian country.

17 It's also an opportunity to reflect on the
18 department's progress and trust reform. And the next
19 few slides will provide you a brief overview and some
20 context of the office of the special trustee.

21 Why OST was created. The American Indian
22 Trust Fund Management Reform Act of 1984 created the
23 Office of Special Trustee in response to strong
24 demands for accountability and transparency for the
25 Indian trust funds.

1 The primary purpose of OST was to improve
2 management of the Indian trust funds and assets held
3 in trust by overseeing and coordinating trust reforms
4 within the department.

5 However, in 1996 OST's role expanded by
6 secretarial order to include operational
7 responsibility for financial trust fund management,
8 including the accounting, investing, and disbursing
9 to individual Indians and tribal beneficiaries.

10 OST was later delegated the functions of
11 appraisals of Indian trust lands and historical trust
12 accounting.

13 This next slide demonstrates the complexity of
14 our work, not only in trust funds managed, but in the
15 number of accounts managed. Implementing a modern,
16 centralized fiduciary trust accounting system -- we
17 refer to it as TFAS -- OST currently manages
18 approximately five billion dollars.

19 OST receipts and disburses 1.7 billion each
20 year. With a 99.99 percent accuracy rate, OST
21 processes on average more than forty thousand
22 financial transactions each day, totaling more than
23 ten million transactions annually.

24 As the pie charts illustrate, the greatest
25 balance, over eighty percent, is held in three

1 thousand, three hundred trust accounts for two
2 hundred and fifty tribes, invested in individual
3 portfolios to meet cash flow objectives of the
4 respective tribe.

5 Approximately eight hundred forty-five million
6 dollars, or seventeen percent of the trust funds, is
7 invested in a pooled account for over four hundred
8 thousand IIM accounts for ninety-nine percent of the
9 total accounts managed.

10 Since the settlement of Cobell OST has
11 received an unmodified opinion on the IIM financial
12 statements, conducted by an independent major
13 accounting firm for three consecutive years.

14 In addition, OST has developed a strong focus
15 on beneficiary services to ensure that our tribes and
16 individual beneficiaries receive the customer service
17 necessary to empower them with the knowledge to make
18 informed decisions about their trust assets.

19 Congress requested identification of all
20 functions other than collection, management and
21 investment of Indian trust funds that OST performs,
22 specifically, those funds that affect or relate to
23 management of the nonmonetary trust resources, which
24 is the appraisal services program.

25 For full transparency we've identified our

1 functions based on the budget justification for OST
2 programs, so we've also identified the collection
3 management and disbursement functions.

4 In addition, OST has developed a comprehensive
5 fiduciary trust model to enhance beneficiary services
6 and accurately account for Indian trust funds. So,
7 some of the functions are interrelated with monetary
8 and nonmonetary resources.

9 The asterisk denotes functions that impact
10 other DOI offices, bureaus or tribes. And you'll
11 find a description of each of these functions in the
12 notebook.

13 There's also an accomplishments brochure
14 that's provided in your notebook of OST
15 accomplishments in twenty years of providing
16 beneficiary and accounting services.

17 In addition to the improved financial system
18 and maximizing service delivery to the beneficiaries
19 that I've already discussed on this slide, OST has
20 also established the office of trust records and the
21 American Indian Records Repository, the AIRR.

22 The AIRR, located in Lenexa, Kansas, is a
23 dedicated underground storage facility used for
24 proper safeguarding and storage of fiduciary trust
25 records.

1 This is a major achievement. The AIRR has
2 specially trained staff dedicated to protecting very
3 important documents for Indian country. And if tribal
4 leaders are interested in visiting the AIRR please
5 let us know so we can make those arrangements.

6 Also, if you're in Albuquerque and you haven't
7 had an opportunity to see the OST operations at
8 Masthead please let us know as well. We'll welcome
9 you.

10 OST has enhanced beneficiary services with our
11 trust officers and staff available to assist
12 beneficiaries either on tribal lands or in close
13 proximity to those lands and to partner with the
14 Bureau of Indian Affairs, the office of Natural
15 Resource and Revenue and the Bureau of Land
16 Management, and other federal and state agencies and
17 tribes in addressing Indian trust matters on a
18 regional and local level.

19 OST also operates a toll-free trust
20 beneficiary call center with expanded hours of
21 service in direct support of beneficiary calls and
22 inquiries providing consistent, timely and accurate
23 information.

24 TBCC has responded to more than one point
25 eight million calls since 2004, with a first-line

1 resolution rate of ninety-four percent. The industry
2 standard is less than fifty percent.

3 The field operations staff dedicated and
4 direct service to beneficiaries complements the work
5 of our federal and tribal partners so they may remain
6 focussed on the mission and important stewardship of
7 natural resources and the land.

8 In addition, our field staff aggressively look
9 for account holders with unknown addresses through
10 outreaches, interagency collaboration and searches of
11 over seven thousand electronic databases.

12 Thus far we have found more than three
13 thousand, three hundred account holders and
14 distributed more than three hundred eighty-six
15 million dollars. The success stories are awesome and
16 in some cases drastically changing lives.

17 The work has also helped the Land Buy-Back
18 Program, as Mr. Logan mentioned, a priority of this
19 administration in getting purchase offers out to tens
20 of thousands of Indian owners of fractionated land.

21 Our fiduciary trust officers and regional
22 trust administrators have a number of priorities and
23 responsibilities, however, one thing that they have
24 also provided is financial empowerment training to
25 our beneficiaries to promote economic

1 self-sufficiency.

2 OST also provides beneficiaries with
3 statements of their accounts, including funds activity
4 and real property assets to help increase financial
5 awareness and to inform individuals and tribes of
6 their interests.

7 OST's ongoing initiatives to streamline and
8 automate processes are based on best practices and
9 lessons that we have learned from close work with our
10 tribal leaders and communities. Trust resource and
11 asset management in Indian country must not be
12 stagnant. Trust reform is always a work in progress.

13 OST is developing 21st century tools to
14 enhance services such as on-line banking for our IIM
15 accounts. We're enhancing Strataweb, which is
16 currently how tribes access tribal account
17 information.

18 OST continues work on probate reform
19 initiatives and provides support for Indian estate
20 planning services to assist Indian landowners with
21 understanding the American Indian Probate Reform act.

22 We are reducing our carbon footprint and
23 promoting cost effective efficiencies with automated
24 trust processes and digitizing trust records.

25 OST will continue to support the Cobell

1 settlement and the Land Buy-Back Program with our
2 expertise and innovation with appraisal revaluations,
3 outreach and account services.

4 And of interest for tribes who are compacting
5 the trust programs, OST has developed, with the
6 assistance of nine pilot tribes and consortiums, an
7 on-line evaluation tool to streamline the evaluation
8 process that is less burdensome on tribes than the
9 current evaluation process.

10 And some of those that were here a little bit
11 earlier, we had a video playing of the tribal
12 methodology project and that video is available on our
13 website as well. And it may meet some of the
14 requirements of Title II of this legislation, the
15 demonstration projects.

16 Benefits to the separation of duties: We know
17 that OST's value comes not from its position within a
18 particular office of the department, but rather from
19 its singular focus and discrete duties related to the
20 fiduciary trust responsibilities. Moreover, these
21 duties must continue, no matter in which office the
22 functions are located, to maintain the level of
23 services that Indian country deserves.

24 The core trust accounting functions provide
25 direct beneficiary services and maintaining internal

1 controls were created and established separately with
2 the intention of operating independently of the
3 general trust operations. This structure was created
4 to avoid conflicts of interest, commingling of
5 resources, redirection or re-prioritizing of other
6 interests to ensure accountability and delivery of
7 services.

8 The separation provides a dedicated and direct
9 approach to managing Indian financial trust assets in
10 accordance with sound fiduciary trust principals and
11 practices.

12 So, in conclusion, that is a quick overview
13 of OST and we've also identified our functions
14 pursuant to the requirements of ITARA.

15 We look forward to working with all of you to
16 implement the 2016 Indian Trust Asset Reform Act and
17 welcome the opportunity to dialogue with you to
18 develop a strong plan to serve Indian country.

19 Again, the handouts provided today are not
20 only in your booklet, but they are also posted on the
21 ITARA website. And we've also provided links to
22 various documents and also our annual audits for your
23 reference on that website as well.

24 In the meantime, the OST staff continue to
25 work hard to serve Indian country and remain focussed

1 on our mission to honor our trust responsibilities
2 with a beneficiary focus and participation, while
3 providing superior stewardship of the trust assets
4 for the proper discharge of the secretary's trust
5 responsibilities.

6 So, with that I'm going to now turn it over
7 to Mr. Impson to give our presentation on appraisals
8 and valuations, Section 305-A.

9 Thank you for your time and attention.

10 MR. IMPSON: Good morning. First off, thank
11 you for allowing me to present here today and thank
12 you all for your attendance here for this important
13 presentation.

14 My name is Klint Impson. I'm a member of the
15 Choctaw Nation. I'm the regional supervisor
16 appraiser for the Eastern Oklahoma Regional Office.
17 I've been with the federal government for thirteen
18 years. I was hired as an appraisal trainee in June
19 of 2003.

20 In 2008 I was promoted to a review appraiser
21 with the office of appraisal services. And then in
22 July of 2010 I was lucky enough to be selected as the
23 regional supervisor appraiser.

24 Throughout the whole process I've seen a lot
25 of changes in the appraisal organization. But I

1 think that what we've been doing for Indian country
2 is very good and I believe that these changes going
3 forward will also be of great benefit.

4 What I'm going to be discussing today is a
5 brief presentation on Section 305-A of the Indian
6 Trust Asset Reform Act.

7 Section 305-A is a very brief section, only a
8 few sentences in the act. But it basically says that
9 the secretary, within eighteen months of enactment of
10 this act, through consultation with the tribe, shall
11 require the appraisals and valuations of Indian trust
12 property be administered by a single bureau, agency
13 or other administrative entity within the department.

14 That's a little different than it operates
15 now. To get a little background from where we got to
16 where we are today, in 2002 there was a secretarial
17 order that removed the appraisal program from the
18 Bureau of Indian Affairs and placed it into the
19 offices of the special trustee.

20 In 2005 OST entered into a memorandum of
21 understanding with the appraisal services director
22 for the management and executive direction of the
23 appraisal program.

24 That lasted until late 2008, when the
25 appraisal services director was restructured

1 underneath the Office of Evaluation Services. And
2 the executive direction and management returned to
3 OST under the director of the Office of Appraisal
4 Services.

5 Over this period the program saw a number of
6 backlog reports go from a high of three thousand,
7 three hundred and sixty-nine in 2008 down to two
8 hundred and eighty-nine in July of this year.

9 Throughout all those changes in the
10 organizational structure the appraisal process has
11 remained largely unchanged. An applicant initiates
12 the need for some type of rule to take advantage of
13 the BIA, and then the BIA submits an appraisal request
14 with the information about that conveyance.

15 That request will consist of information about
16 the intended use of the assignment, title status
17 reports, maps, documents, surveys, complete legal
18 descriptions, anything the appraiser might need to
19 complete the assignment. And that's represented as
20 steps one and two here at this site.

21 The request packet is then submitted over to
22 the Office of Appraisal Services, or possibly to the
23 tribe if they are operating the program under the
24 638 agreement, so that the appraisal product can be
25 prepared.

1 That product is typically completed by either
2 an in-house appraiser or possibly contracted out to an
3 outside appraiser. And then it is submitted in to OAS
4 for review. It's not only compliance to applicable
5 appraisal standards, but to the instructions that
6 were in the original appraisal request. And that's
7 represented in steps three, four, and five of that
8 slide.

9 Upon completion of that review and approval of
10 the work product the review and the report is
11 transmitted back to the requesting authority so that
12 they can include for the support of the conveyance
13 package back to the line officer and the secretary.

14 Now, depending on what interests in that
15 property are being conveyed from the estate, there
16 are currently three different entities that can
17 provide the input in the evaluation process. Those
18 would be the Office of Special Trustee, the Office of
19 Appraisal Services that would conduct appraisals on
20 real property interests on the surface of those
21 estates, the surface rights.

22 Division of mineral evaluations within the
23 Office of Valuation Services within policy management
24 budget could provide input on to the mineral estate
25 and the mineral state appraisals.

1 And in the forestry department the BIA can
2 provide input on any timber appraisals or timber
3 valuations that may be needed in the state.

4 And here's another slide. It shows those same
5 entities and an organizational chart of where they are
6 currently found within the department. You'll see
7 that on the far left the Department of Mineral
8 Evaluations was within the Office of Valuation
9 Services and the policy, management and budget; of
10 course OAS under OST; and then the Forestry Department
11 underneath the assistant secretary of Indian affairs
12 and BIA.

13 OAS approves all appraisals and valuations in
14 Indian trust administered properties. And some of
15 those valuations provided by OAS to the tribes and
16 individual landowners are supported by other entities,
17 DME for the mineral interest again, and then the
18 Forestry Department with the bureau for any
19 assessments of any timber value that may exist.

20 And this occurs when there's a resource other
21 than just surface rights to be involved in the
22 valuation of that estate.

23 In 2015 the regional operations divisions of
24 OAS completed roughly thirty-one hundred appraisal
25 reports. Six percent of those required some sort of

1 input from the Department of Mineral Evaluations and
2 another two percent required some sort of input from
3 BIA forestry on those forestry products.

4 The land buy-back division of OAS in that
5 same time period completed almost twelve thousand
6 reports, sixty percent of those required input from
7 DME, and another ten percent required some sort of
8 input from BIA forestry.

9 Here's another slide, just a pie chart,
10 further illustrating the different entities that had
11 involvement in evaluation of an entire estate that is
12 inclusive of more than just surface rights.

13 So, this brings me back to the language of
14 Section 305-A, stating that the intent of that part
15 of the act is to require that all appraisals and
16 valuations on Indian trust assets be performed by a
17 single entity within the department.

18 You can see that here illustrated as a single
19 office named Indian Land Valuations Office, a
20 proposed name there. So far there have been seven
21 options identified as possible locations for this
22 Indian Land Valuations Office.

23 They are being shown here in no particular
24 order or preference. The first that came up from the
25 work group was just as an office underneath the

1 office of the secretary. The second would remain
2 within OST, if OST remains intact.

3 Another option would be within the assistant
4 secretary of policy, management and budget. Another
5 option would be as another client services office
6 within OVS, Office of Valuation Services. Another
7 option would be directly under assistant secretary of
8 Indian affairs.

9 Another option would be as an independent
10 department within the BIA. And then finally, just
11 another department within the office, possibly with,
12 if the under secretary position comes about, possibly
13 under that position.

14 All of these are being presented in no
15 particular order or preference. Their locations
16 identified by the work group as having the highest
17 feasibility of housing a single entity that could
18 provide valuation services to all Indian trust
19 assets.

20 That concludes my brief presentation. Again,
21 thank you all for having me here today. I'd like to
22 turn to it over to Mr. Hastings to continue on the
23 next topic.

24 MR. HASTINGS: Good morning. My name is
25 Clint Hastings. I'm an advisor to the assistant

1 secretary for Indian affairs at the Department of the
2 Interior. I've been asked to speak to two different
3 sections of Title III of the act.

4 The first is Section 305-B, which requires the
5 department to establish minimum qualifications for
6 appraisers. First let's take a look at the language
7 in Section 305-B.

8 Section 305-B requires the department to
9 establish and publish in the Federal Register minimum
10 qualifications for individuals to prepare appraisals
11 and valuations of Indian trust property.

12 In any case in which an Indian tribe or Indian
13 beneficiary submits to the secretary an appraisal or
14 valuation that satisfies the minimum qualifications
15 described in subsection B, and that submission
16 acknowledges the intent of the Indian tribe or
17 beneficiary to have the appraisal or valuation
18 considered under this section, the appraisal or
19 valuation:

20 One, shall not require any additional review
21 our approval by the secretary;

22 And two, shall be considered final for
23 purposes of effectuating the transaction.

24 So, having looked at the requirements of the
25 act, let's take a look at the proposed draft rule.

1 You can follow along with the draft rule at tab 9 of
2 the packet.

3 The proposed rule will be found at 43 CFR 100
4 and applies to anyone preparing or relying upon an
5 appraisal of Indian property.

6 First, what are the minimum qualifications for
7 qualified appraisers?

8 A, the appraiser must hold a current certified
9 general appraiser license in the state in which the
10 property appraised is located;

11 B, the appraiser must be in good standing with
12 the appraiser regulatory agency in the state in which
13 the property appraised is located;

14 And C, the appraiser must comply with the
15 uniform standards of professional appraisal practice
16 rules and provisions applicable to appraisers.

17 Next, must an appraisal be submitted to the
18 department?

19 Yes. You must submit appraisals for
20 transactions that require secretarial approval under
21 other parts of Title 25 and Title 43 of the CFR.

22 Will the department review and approve the
23 appraisal?

24 No, if:

25 One, the submission acknowledges the intent

1 of the Indian tribe or individual Indian to not
2 require the departmental review and approval;

3 Two, the appraisal was completed by a
4 qualified appraiser meeting the rule's requirements;

5 And three, no owner of any interest in the
6 Indian property objects to the use of the appraisal
7 without departmental review and approval.

8 The department will review and approve the
9 appraisal if:

10 One, any of the criteria I just mentioned are
11 not met;

12 Or two, if the appraisal was submitted for
13 purchase at probate, the Land Buy-Back Program for
14 tribal Nations, or legislation requiring the
15 department to review and approve an appraisal.

16 Next, what happens if the Indian tribe or
17 individual Indian does not agree with the submitted
18 appraisal?

19 If the tribe or individual does not agree with
20 the submitted appraisal the tribe or individual may
21 choose to not use the appraisal conclusions or
22 findings;

23 Or two, request that the department perform an
24 appraisal or valuation.

25 Next, is the department liable if it approves

1 a transaction for Indian property based on an
2 appraisal submitted by a qualified appraiser?

3 No, the department is not liable for any
4 deficient or inaccurate appraisal or valuation it did
5 not review or approve, even if the department approved
6 the transaction for Indian property based on
7 appraisals prepared by a qualified appraiser.

8 So, having taken a brief look at the draft
9 minimum qualifications we've got a few questions we'd
10 like everyone to consider.

11 First, do any tribes grant certified general
12 appraiser licenses similar to those granted by
13 states?

14 Two, are the minimum qualifications
15 appropriate for appraisals and valuations of timber,
16 minerals or other property separate from appraisals
17 and valuations of real property?

18 And three, is there any way to allow the
19 department to verify an appraiser's qualifications
20 without requiring the qualifications to be submitted
21 with each appraisal?

22 So, that's section 305-B of the draft minimum
23 qualifications.

24 Next I'd like to discuss section 303 of the
25 act. Section 303 of the act states that the

1 secretary may establish in the department the
2 position of under secretary for Indian affairs, who
3 shall report directly to the secretary.

4 This position, if created, shall be appointed
5 by the president by and with the consent of the
6 senate.

7 In the next section right here we'd like your
8 input particularly. The X outlines three specific
9 duties for the under secretary created, however,
10 we're interested if tribes and individuals see any
11 other duties that they feel this position should carry
12 out.

13 So, first, the under secretary, if created,
14 shall coordinate with OST to ensure orderly
15 transition of the functions of OST to one or more
16 appropriate agencies, offices, or bureaus within the
17 department.

18 Two, to the maximum extent practical,
19 supervise and coordinate activities and policies of
20 the BIA with the activities and policies of the
21 Bureau of Reclamation, Bureau of Land Management,
22 Office of National Resource Revenue, National Park
23 Service, and Fish and Wildlife Service.

24 And three, provide for regular consultation
25 with Indians and Indian tribes that own interests in

1 trust resources and trust fund accounts.

2 This last slide just states that the under
3 secretary, if created, may appoint officers to carry
4 out his duties. And anyone hired in this office shall
5 be hired according to Indian preference.

6 Finally, we've got a current organizational
7 chart. And you can see the assistant secretaries
8 within the department report up through the deputy
9 secretary.

10 This act states that if the under secretary is
11 created that position will report directly to the
12 secretary of the interior. So, you can kind of
13 envision how the organizational chart may change and
14 shift around if the under secretary position is
15 created.

16 That concludes my remarks. At this point
17 we're going to open it up to comments from tribal
18 leaders.

19 CHIEF STANDING BEAR: Mr. Logan, hi, I'm Jeff
20 Standing Bear, principal Chief of the Osage Nation.
21 And I too would welcome you and all the other tribal
22 leaders and guests here today.

23 I would request and invite Governor Anoatubby
24 first, and any other tribal leaders to speak before
25 Chairman Waller of our Osage Mineral Counsel and

1 myself visit with you. If I may do that.

2 MR. ANOATUBBY: Thank you and good morning.
3 Greetings from the great unconquered and unconquerable
4 Chickasaw Nation. I can't resist that when I get a
5 microphone.

6 I appreciate you being here today and sharing
7 with us this information regarding this ITARA. And
8 presently I think most tribes in this country are
9 trying to get our arms around just what it means,
10 Indian country.

11 We've lived for the last twenty years with
12 the offices of special trustee. And I didn't mean
13 that in a negative way because we've had that as part
14 of our lives. Prior to that time we operated with the
15 trust responsibility being within the Bureau of Indian
16 Affairs.

17 And over time we've seen the changes and the
18 progress that's been made within the office of this
19 special trustee. I do appreciate the work of the
20 Office of Special Trustee.

21 You mentioned the Land Buy-Back Program. You
22 also mentioned the settlements. I think we're, I
23 think as well as the Osage Nation, beneficiaries of
24 the settlements that have taken care of some issues
25 that we had that date back even over a hundred years.

1 So we're thankful for that.

2 Most of the issues that the Chickasaw Nation
3 had dated back to that turn of the Century, the turn
4 of the twentieth century. Our relationship with both
5 Bureau of Indian Affairs and Office of Special
6 Trustee has been one I believe you could say was
7 good.

8 Even with that there are certain things that
9 need to be accomplished in order for a tribe such as
10 the Chickasaw Nation to be able to understand and
11 know what's happening within its trust accounts.

12 Reporting is one. And we have visited about
13 that, I believe, that tracking transactions within the
14 system would be much easier if they were better
15 identified. So, we're ready to work with OST or
16 whatever that successor agency might be to accomplish
17 that task. So, that individual issue is something
18 that we as a nation continue to struggle with.

19 We understand the challenges that we face
20 within OST, or I imagine this successor agency, when
21 you have different parts of the government doing work
22 for the same entity, such as in our case, the
23 Chickasaw Nation, with the office that deals with
24 minerals and the Office of Special Trustee and the
25 Bureau of Indian Affairs.

1 I think what is important is there needs to be
2 a better communication between these agencies in order
3 for us as the beneficiaries of the trust to be able to
4 better understand what's happening in our trust
5 accounts.

6 We see things as they come through from one
7 agency or another and we attempt to track these for
8 our own benefit. Those who are accountants understand
9 checks and balances. And I really believe that's what
10 we're dealing with here, that one agency has a
11 responsibility to carry out a function such as
12 mineral leasing, another agency has the
13 responsibility of actually taking care of that lease,
14 and then another agency has the responsibility for
15 providing reports on what is happening.

16 And so, communication is a key in order for
17 tribes of the beneficiaries of this particular -- a
18 particular transaction for a tribe.

19 I can't speak for any other tribe. I do know
20 that we have these issues and I know that they can be
21 dealt with, they can be cleared up. They are not
22 people problems as much as they are process and
23 policy problems. And I think that we can deal with
24 those.

25 As far as the act is concerned, we were

1 somewhat surprised by the passage of the act. Not
2 that there weren't others involved, but we simply
3 were not involved with the passage. So, the
4 initiative was someone else, it wasn't Chickasaw
5 Nation.

6 However, we understand the act is law now and
7 it is law and we must evaluate what needs to be done
8 next. And again, whatever that agency is, if it's
9 OST, if it were to continue in some form or fashion,
10 or some other agency that's developed, we need for
11 some of the positive things that have occurred over
12 the past twenty years to be carried forward.

13 One thing in particular, one reason the Bureau
14 of Indian Affairs was unable -- and I can speak for
15 twenty years ago, okay. So, I understand what was
16 happening back then, and it was most of the problems
17 existed because the Bureau of Indian Affairs could not
18 get the funding that they needed in order to
19 accomplish the task. That was remedied when OST was
20 established.

21 So, we need to make sure that the funding for
22 whoever the successor agency is, or whatever
23 organization or structure that is established, is that
24 the funding is there to do the job.

25 And somehow the Office of Special Trustee

1 funding became sort of a protected funding. So, I
2 think it's very important that that funding continue
3 to be protected and not be diluted in any way.

4 Also, because of the requirements of the act,
5 the Office of Special Trustee was able to acquire the
6 talent that was necessary to actually get the job
7 done. People were recruited that had the background
8 in order to do the job.

9 And so, I think we need to have those same
10 requirements again in the next stage of this, that we
11 do have people that are familiar with trust, we have
12 people that have a background in finance and make
13 sure that this change that's taking place, should it
14 take place as we envision it, that we can maintain the
15 professionalism and the processes and all the
16 procedures and things that are used.

17 We know that OST's office is not perfect.
18 There's none of us that are perfect. I can look back
19 in the Chickasaw Nation and I see, you know, we have
20 great policies, we have great processes, we hire great
21 people. We still have mistakes, there are still
22 things that occur. So, we need to have ways to
23 identify and correct mistakes and the issues that may
24 develop.

25 So, as far as the Chickasaw Nation is

1 concerned we see the improvements. We do not want to
2 lose those improvements, wherever this agency or this
3 function may land.

4 We work with the Bureau of Indian Affairs. I
5 have since I began working with the Chickasaw Nation.
6 And they have been one of the greatest friends that
7 we have ever had. Some of the government agencies
8 that we've had are some of the greatest friends that
9 the tribes had. Some tribes will disagree with me.

10 But I've seen time and time again when the
11 Bureau of Indian Affairs and the Department of Housing
12 and Urban Development, when we needed help they were
13 there to help us.

14 So, we're looking forward to seeing how this
15 process will work and establishing the same working
16 relationship with whatever this successor agency of
17 the department may be.

18 I think it's important that this function stay
19 high in the organization, that the function itself is
20 so important. It's one of the key elements that the
21 United States has with the tribes is this trust
22 relationship, whether it be for managing land or
23 other assets. And so, that relationship must be one
24 that is raised high in the organization.

25 And so, we do want to see that this particular

1 function remains a high priority within the Department
2 of the Interior or within the Bureau of Indian
3 Affairs.

4 I think the idea, the concept to improve
5 things is one that we can embrace. I just, at this
6 point I'm still uncertain as to what that move is
7 going to be, so that's why I'm speaking in
8 generalities.

9 As far as the under secretary of Indian
10 Affairs, for many years, for decades in fact, we have
11 worked to raise and elevate the relationship with the
12 tribes and the United States government to the highest
13 possible level. So, if an under secretary position is
14 established I believe it can be positive for Indian
15 country. I think it can be positive for the United
16 States government.

17 Again, it's how this would be accomplished and
18 how that organization would be established.

19 As far as appraisals are concerned, we yearn
20 for a good appraisal, you know. And oftentimes we
21 are -- we do appraisals ourselves. We see that the
22 appraisals are done. We would appreciate any kind of
23 support that we can get through getting the
24 appraisals.

25 And I think that the rules that are

1 established are kind of I think standard, wouldn't
2 you think? Maybe the rules that have been established
3 and maybe that's not much of a change than what we
4 already have. I can't tell you that.

5 But when you require to have certain standards
6 for an appraiser obviously that's -- that means the
7 appraiser was going to be one that you could rely
8 upon. And so, we appreciate the work that's being
9 done right now for appraisals. I think anything that
10 we can do to improve that we need to do that.

11 More so, be able to meet the, like I said, the
12 demand out there in Indian country. It's really
13 important that we provide the funding to be able to
14 hire the appraisers, the people to do the work.

15 I know money is a problem. It always has been
16 in the federal system. It doesn't hurt for me to say
17 you need more money, you need more appraisals. Right?
18 If that can happen then certainly I want to see that
19 happen.

20 And there's probably other things that other
21 people want to say, so I'm just going to say thank
22 you for allowing us to stop in the community and have
23 input.

24 I'm going to watch this and as this process
25 continues and some decisions begin to come about I'd

1 like to have the opportunity to comment on those.
2 And it may be that it would be something that we
3 support that comes out of it, it may be something that
4 we would feel like needs to be done a little
5 differently.

6 But I do appreciate the opportunity to be here
7 today. And thank you, chief, for yielding. I never
8 thought of myself as an elder until today. That's
9 okay, my grandkids think of me as an elder. Thank you
10 very much.

11 MR. HASTINGS: Governor, thank you very much
12 for your insight and your sharing a little bit of
13 history about the Chickasaw Nation's relationship
14 with Indian Affairs and OST.

15 As far as, you know, how this act will be
16 implemented, I'm hopeful that the Chickasaw Nation
17 and every other tribe in attendance would submit
18 written comments on how they envision any changes
19 that maybe would best serve the tribes.

20 So, I think the department is really wide open
21 to tribal input on how to best implement this act.
22 And I think the more public comments in person and
23 written comments that we receive the better job we'll
24 be able to do as we implement this act.

25 Thank you.

1 CHIEF STANDING BEAR: Mr. Logan, distinguished
2 guests from the federal government, my name is
3 Geoffrey Standing Bear. I'm the elected Principal
4 Chief of the Osage Nation.

5 I submitted a comment on behalf of the Osage
6 Nation on September 1 and I would refer you to that
7 statement as a statement for our Nation.

8 And today I would like to add to that. In a
9 couple of respects my concerns and my hopes for the
10 appraisal process will be one and a statement about
11 this Section 303.

12 Our statement on September 1 was primarily
13 directed at Section 304 because of our long history
14 of accounts as a tribe and as individual IIM holders.

15 I do want to emphasize, as I did in my letter,
16 the Osage Nation, my office, none of us were
17 consulted about this law from the federal government,
18 which for me is not that surprising, but it is to our
19 younger people who hear about government-to-government
20 relationship, who hear about how the federal
21 government has changed and how they want to show us
22 respect for our sovereignty.

23 And I'm disappointed, of course, for our
24 younger people, but I've been at this a long time and
25 I'm not surprised at all. It is the way it is. And

1 we must be diligent as Native people to take care of
2 our own interests, despite the adversity and the
3 power of the United States of America that has
4 overwhelmed us for several hundred years.

5 In the appraisal I noted that in the
6 recommendations it says -- this is very telling --
7 the appraiser must hold a current certified general
8 appraiser license in the state in which the property
9 appraised is located; must be in good standing with
10 the regulatory agency of the state.

11 So, once again we see the federal government
12 trying to provide the states that we fight regularly.
13 We have to cooperate of course. We strongly object to
14 that language.

15 And we ask again that the federal government
16 work with us in establishing the respect and the
17 funds and the assistance to certify our own
18 appraisals.

19 I can tell you, this is typical of the Osage,
20 how it was even when I was in college, well, heck, I
21 was even in law school. I remember my grandmother
22 getting ready to renew her three year BIA lease. And
23 I knew as a young lawyer that appraised value of the
24 leased lands in the area was twelve bucks an acre, on
25 the grasslands. She was getting ready to sign one for

1 four dollars an acre.

2 I said, grandma, this is how it is, and you
3 don't have to do this. She said, well, look, here's
4 the BIA appraisal.

5 She's a full-blood Indian. She learned Osage
6 as her language first and started learning English
7 when she was six. But she had a great trust in our
8 agency, a great trust in the appraisal.

9 And she said, well, if that's what BIA says
10 it's worth then that's what I'm going to sign. And
11 you know, I'm not going to argue with my grandma. So,
12 she signed it based on that appraisal.

13 And then as a young attorney I would look at
14 the activities in my own interest, how did we lose
15 ninety-some percent of nearly 1.5 acres of surface
16 within one lifetime?

17 I was interested in the mechanics of it. And
18 I saw the important role of the appraisals in taking
19 our land through all legal means.

20 And one of the processes -- there's others --
21 was the partition laws of the state and of the --
22 allowed by the federal government, the BIA, where a
23 rancher wanted to expand their holdings would buy a
24 fractionated interest from landholders that typically
25 four or five Osages would own or have inherited one

1 piece of property, approved by the BIA. This
2 fractionated interest would then allow the holder to
3 go to the court and ask for a partition.

4 Well, the appraiser would come in, and
5 because all you have to do to win the bid is
6 two-thirds of the appraised price, I would see the
7 appraisals come in really low. And the person seeking
8 to gain Indian land would bid only two-thirds of that
9 low appraised price and then the other holders
10 couldn't get their money out of the IIM accounts in
11 time to meet the court schedules and the option
12 schedules because out in the world here we had some
13 pretty tight schedules to meet.

14 And you ask for your money and you can't get
15 in there and bid if you don't have flexibility on
16 those bids. It has to be for a certain amount, and
17 somehow they always knew what it was. You would lose
18 your land.

19 So, that's your typical state BIA
20 collaboration. Yeah, I see how that happens. Sure,
21 we lost over ninety percent of our lands involving
22 the BIA and the appraisals.

23 So, as can see, you guys are starting out in a
24 hole here as far as I'm concerned. And you have to
25 really work to establish that credibility. We'll

1 help you, but you need to work with us.

2 I know you've been handed this by the
3 legislature and the president who just forgot to talk
4 to us. So, we really appreciate you being here and
5 we've got to work with what we've got. So, we've got
6 to establish credibility.

7 And that means when we ask for an appraisal
8 it's got to be turned around quickly. We can't just
9 wait around. And it's got to be commercially
10 reasonable. It can't be one of these, whatever has
11 been going on here.

12 And the land buy-back process, I saw again,
13 even though we had worked very hard with that office
14 and finally the money is going to be released, the
15 land work here in Oklahoma is different than in other
16 places.

17 And to find out that we were delayed over a
18 year because the federal government Department of
19 Interior did not, to my surprise, understand here in
20 Oklahoma we have actual warranty deeds with a
21 restricted status and the transfer that's involved
22 and required by the courts, that doesn't exist in the
23 way it does here in other parts of the country.

24 So, having one agency -- I've seen this happen
25 in the land buy-back -- handle all issues in Indian

1 country is fraught with danger. You need to, if you
2 want to fulfill your trust responsibility you've got
3 to know -- your system has to be built and the people
4 have to be trained to know what each particular tribe
5 needs to do.

6 Now, that's the alternative instead of just
7 turning it over to the tribes, which they should have
8 done. But since they didn't -- maybe we'll get that
9 law changed -- that's where we are. That's to section
10 304.

11 It's clear as a bell, as I said, in 1994 the
12 act was put in there for a reason. It didn't go to
13 the congressional record. Look at Senator Inouye's
14 statement and look at the three year public hearings
15 held in congress. Why anybody would even place OST
16 within any range of the BIA is just absolutely
17 amazing. What a step back.

18 So, tribes and individuals, be diligent. Make
19 sure that this new process, who has your information
20 and who is in control of it and how it's invested.

21 We all remember what happened before, how we
22 got there in '94, the progress that's been made, and
23 now here we go. They're placing our money once again
24 within the reach of the BIA.

25 That's leads me to section 303, the under

1 secretary. And then for those listening here, and I
2 know Vincent knows this, Mr. Logan, sorry, you need
3 to look at it from the point of view of the Native,
4 the people, the people that have to work with this
5 administrative machine.

6 And those of us that were raised by our
7 elders, especially I'll speak just for the Osage --
8 I'll just speak for myself on this. I was greatly
9 impressed upon how that relationship works with the
10 BIA, our funds, everything, and us. I learned that
11 as a very small child.

12 And I know that when we would have to go every
13 three months to the window of the superintendent to
14 get some money, that was a process.

15 And I know that when we wanted to go buy a
16 lawnmower the BIA person, whoever it would be at the
17 time, would call around to the people he knew in town
18 and said, well, you guys don't want this lawnmower,
19 they got this one going down there and we're going to
20 make a deal.

21 And they will call that merchant and they will
22 make a deal with that merchant and we'll be just
23 sitting there. The same thing with buying a car or
24 whatever. That's how it was. I grew up that way, I
25 saw that.

1 And then as I saw all the other activities I
2 kept trying to understand this relationship a little
3 deeper as I was a child. And I said, well, why do we
4 call the superintendent maheeda (phonetic)? Maheeda
5 means big knife. Why do we call this superintendent
6 big knife, maheeda? And these old folks say, well,
7 you know, that superintendent carries a sword. I
8 said, what? Well, you know that's how we look at it.
9 In our parents' time and grandparents' time BIA,
10 maheeda, superintendent, they carry a sword. That's
11 how I was raised. That's how I look at it.

12 So, when you've got this under secretary, to
13 me that's like taking everything. And instead of us
14 dealing with major generals, now you're going to say
15 we're going to deal with a lieutenant general.
16 That's how it is. You're just changing your
17 organization, giving somebody a higher rank.

18 You're going the wrong direction. You're
19 going the absolute wrong direction. You've got to
20 figure out how to take this administrative body and
21 just get that out of the federal government and return
22 those powers and authorities to us.

23 This is our land, our water. And you have a
24 sworn duty by treaty to defend our actions against
25 the states and any other who are opposed to us. But

1 to create a new entity and make it just an
2 organizational group for you guys, that's your
3 business.

4 Okay, so we deal with a lieutenant general
5 now. I like dealing with generals, the secretary of
6 interior. I know Governor Anoatubby does. I'd
7 really like to deal with the commander in chief, but
8 I know they are busy.

9 So, we're a government and we ask that you
10 guys recognize that. You talk about it, but so far in
11 this process I haven't seen it. You pass this law
12 without even talking to us.

13 Now, when I look at that agency, even today
14 I'm looking for the next twenty years. Where do we
15 start from there? Well, I had the honor of sitting
16 next to secretary Jewell when I met president Obama.

17 Everyone was having a good time talking and it
18 was quiet there for a minute and I had an opportunity
19 and I said, gee, I hate to break everybody's good
20 time up, but what do you think about the inspector
21 general report of our agency, BIA needs sweeping
22 changes to manage the Osage Nation's energy
23 resources. And it's October 2014.

24 Well, she said, I try to read all my IG
25 reports, but I haven't seen that one. So, here it

1 is, the IG says that, the inspector general, and
2 we've been saying the same thing that's in this
3 document for a hundred years. Now, I'm just making a
4 record here and hope it doesn't take another hundred
5 years, but that's how it is.

6 So, for our young people I want to tell you,
7 this is it, this is how this works. You've got to --
8 when you go to seminars and you go to places and you
9 hear them talk about government, government relation
10 and respect for our tribes, those are just words.

11 We're guilty of that too, us people. Last
12 night I was meeting with a youth group, and really
13 talented young Osages. And I said, look, sovereignty,
14 you're talking about sovereignty, you're talking about
15 going up there to standing rocks and food.
16 Sovereignty, what does that mean to you? It's more
17 than a word.

18 So, let's look at actions. Let's look here in
19 this government-to-government relationship at a
20 seminar and think you're going to let those people get
21 off the stand without saying, what do you mean by
22 that? The same thing, a tribal leader saying, oh,
23 sovereignty, sovereignty. What do you mean by that?

24 So, that's where we are now. So, if you will
25 allow me, I'd like to turn this over to our chairman

1 of our Osage Minerals Estate.

2 In 1906 our people held and stayed together
3 and not all Osages have an IIM account from that. But
4 those of us that do it's run on the private side by
5 the minerals counsel. I'm a shareholder, my wife's a
6 shareholder. I'm a landowner, a restricted landowner,
7 my wife's a restricted landowner.

8 When it comes to those headrights, we turned
9 that over to, like I said, the federal government,
10 maheeda, those guys.

11 They came and took our country. They tried to
12 run it. We tried to get it back. So, we're working
13 with that counsel, the minerals counsel and chairman
14 here. Everett Waller, he's chairman of that. So, we
15 respect that position. And if you don't mind, I'd
16 like to turn it over to him.

17 Thank you.

18 MR. WALLER: (Native American language spoken)

19 My name's Everett Waller, Chairman of the
20 Osage Minerals Counsel.

21 I love following my uncle and my brother. It
22 really helps me on controlling a lot of things. I'm
23 a former BIA employee, so Michael and I know how this
24 goes. I started there. I sat on multiple
25 governments for my people. As chairman I represent

1 the headrights.

2 We have had particular comments here and I
3 think these gentlemen have covered the political side
4 of it. And I'd like to add in my concern.

5 We have one option. We're in the CFR's.
6 We're the Osage. The secretary of the interior, the
7 treaties were wrote directly with them. Yeah, I know
8 about big knife.

9 We were with them long before you started.
10 1824, we were there when you come out of the
11 department of war. 1774, you needed our help. We
12 married the French, killed the Spanish and waived at
13 the Vikings. We've been here so long my oilfields are
14 a hundred and eighteen years old.

15 Whatever it is and whatever its concept is
16 today, I'm leaving you all because I can't have more
17 than seventeen wells shut down by the EPA today. You
18 think you got problems. We've got a big one, it's
19 called Pawnee, Oklahoma.

20 My Pawnee people, I have twenty nieces and
21 nephews that are Pawnee. So, I've got a few moments
22 and it's important. That's why I'm here.

23 My rhetoric is not as good as theirs. I come
24 out of a Hominy Indian village. So, I've leave it
25 with this, you only have one option as far as my

1 counsel and my headright owners go, secretary of
2 interior, OST have got to have Deb and Douglas out
3 there. I don't get to talk to them. I've got to have
4 that separation.

5 Bureau of Indian Affairs, it has its own job,
6 it's own criteria to do. Yeah, I heard GAO, fly in,
7 a little conference, a little of this, tell us how
8 bad it is, they leave. They got their paychecks.
9 That's all it is, rhetoric. I'm sick of it.

10 I'll meet with every government official you
11 can dream up. The only ones that call me is
12 Daughters of the American Revolution. But when they
13 call I'm going to answer for the Osage because if it's
14 important to my people it's important. You have to
15 give us that identity.

16 We bought our reservation. That ought to mean
17 something. We gave up nine hundred million acres.
18 Lewis and Clark, that's Fort Osage you come to.
19 There's a reason you pulled your boats in, because we
20 owned it.

21 This life today, this sundowner event, you
22 hear everyone talk about this mineral estate. I'm
23 into green environmental ways of saving this, but you
24 don't put it on what we bought.

25 I met my own trustee in federal court sitting

1 across from me. A month later they are sitting with
2 me. I lost both sides.

3 I go to the supreme court. I said, you take
4 care of me and my people because I'm still going to
5 be in federal court fighting through our last steps.
6 I came from Wah-Ti-An-Kah, he's long before anyone got
7 here. He said, this will be our last home.

8 We had just made a purchase back home that
9 money has nothing to do with it. Those are our burial
10 grounds of my people, specifically my people.

11 Whatever you come up with it better be what's
12 best for the Osage because I filed that suit in 1999
13 against you. Well, I'm back trying to work with my
14 chief here, trying to walk through this government
15 entity.

16 I've been on all groups. I've been on tribal,
17 minerals, nation. We've got make this work. And
18 then we have to take care of what's really important,
19 our health care, our education, our kids. Let's not
20 lose focus on that.

21 You've got me at a disadvantage because you
22 let me pray. Big honor. I was told, don't throw out
23 hate after that. All the way to sundown you still
24 pray for those people. And I'm an honorable man.
25 That's all I've got left is my home.

1 I appreciate the term, I appreciate that, I
2 appreciate my people. My children represent five
3 tribes now, English and French. I've got a family
4 crest in England. I'm damn proud of it too. But
5 right now I'm Osage because every morning that's all
6 I get. I'm happy about that. I'm a traditionalist.

7 While you guys are traveling I'm burying my
8 people. I've been doing it since I was nine years
9 old. I'm going to keep doing it until the Lord calls
10 me home.

11 As long as I'm here representing my people you
12 better get ready and cinch up because you're going to
13 meet the Osage. That's no threat, that's a promise.

14 You have got to do better. You have got to
15 hear what we have to say. We're the owners. And we
16 bought it to be that.

17 I appreciate you all. I appreciate your time.
18 Have safe travels.

19 MR. HASTINGS: I want to thank you all for
20 your comments and I want to thank you also for sending
21 some of your staff and legal counsel out to
22 Albuquerque. You provided very informative and robust
23 comments out there.

24 I certainly appreciate the comments you've
25 made today. I think the comments you provided will

1 help us better implement this law as we move forward.
2 I'm going to ask my colleagues from OST if they would
3 like to say anything at this point?

4 (Negative response)

5 MR. HASTINGS: We'll keep it open for any
6 additional comments.

7 MS. HUDSON: Good morning. My name is
8 Stephanie Hudson. I am an attorney with Oklahoma
9 Legal Services. And I am a Kiowa. My grandparents
10 were Ernest Quakoot (phonetic) and Helen Optaday
11 (phonetic) and they were Elk Creek Kiowas. And my
12 mother still owns some of the land interest that they
13 inherited from their ancestors.

14 I'm here today to talk about Oklahoma Indian
15 Legal Services and how we have worked with the Office
16 of Special Trustee over the past few years.

17 Oklahoma Indian Legal Services is a
18 quasi-federal organization. We receive funding from
19 the legal services corporation, who receives funding
20 from congress. They receive a congressional
21 appropriation. So, we provide free legal services to
22 Native Americans throughout the state of Oklahoma.

23 We have income requirements. The tribal
24 members must be at least one hundred twenty-five
25 percent of the poverty level.

1 We focus solely on federal Indian law issues.
2 So, a tremendous amount of our work involves
3 restricted Indian land and trust Indian land.

4 We provide wills for tribal members in western
5 Oklahoma and eastern Oklahoma. When the Bureau of
6 Indian Affairs stopped providing will preparation
7 services for the tribal members we took up that work.
8 And we also do a tremendous amount of work in eastern
9 Oklahoma.

10 There was comments earlier about how Oklahoma
11 tribal lands are different here in Oklahoma and
12 the -- we provide that expertise on assisting estate
13 planning and probate services in eastern Oklahoma
14 with the Five Tribes. There are very few attorneys in
15 Oklahoma who understand that the tribal members own
16 the land with restrictions placed upon it.

17 And the Office of Special Trustee has been
18 very instrumental in helping us provide those probate
19 services over the past few years.

20 I've been an attorney with Oklahoma Indian
21 Legal Services for twenty years. And I have provided
22 services to hundreds of tribal members who need wills
23 and probates done.

24 There are seven other attorneys in our office
25 and they also have provided hundreds of wills and

1 probate services in our office also.

2 And like I said, in 2006, when the American
3 Indian Probate and Reform Act came about, OILS took
4 up the slack where the BIA, where they did not
5 prepare the wills anymore for the tribal members.

6 And when the tribal members would come to us
7 wanting to prepare a will for their trust Indian land
8 sometimes they would come to us and they would not
9 have the information that they needed so we could
10 prepare a will that completely expressed and
11 completely showed their land holdings.

12 We would ask them to go back to the BIA and
13 try to get some information. Sometimes they would
14 come back frustrated because they couldn't come back
15 with the information that they wanted.

16 So, we found that the fiduciary trust officers
17 were the people that could get us the information
18 that we needed. The fiduciary trust office has always
19 been friendly, they have always been courteous, they
20 have always been respectful to the individual tribal
21 members.

22 And when the tribal members would explain what
23 they were trying to accomplished they would quickly
24 get the information to them so that they could come
25 back to us so we could provide a will for them.

1 In 2009 to 2013, when the Cobell distribution
2 was being implemented, there were a number of tribal
3 members who came to us and they wanted assistance in
4 making sure that their claims were filed properly.
5 We had quite a few members who came to us because
6 they had submitted a claim and it had been rejected.

7 So, we would look at it and try to figure out
8 what was going on with their rejected claim and we
9 found out that there were a number of tribal members
10 who had IIM accounts that were inactive, but had
11 existed in that time from around 1985.

12 And when we went to the fiduciary trust
13 officers and asked them if they could assist the
14 tribal member in doing some research to find out some
15 information about that IIM account, that inactive IIM
16 account, the fiduciary trust officers were extremely
17 helpful.

18 And during that time we were working weekends
19 and we were working very late nights to try to make
20 sure that we timely submitted those claims because
21 there were very quick deadlines.

22 The fiduciary trust officers we found were
23 also working late nights and they were also working
24 weekends. And we were calling them on weekends and
25 such to help us gather information about those

1 inactive IIM accounts.

2 Even today the Office of Special Trustee
3 continues to be a vital resource for landowners.
4 When OILS needs assistance very quickly to provide
5 information to help a landowner the Office of Special
6 Trustee and the fiduciary trust officers are always
7 there and quickly able to assist the landowner in
8 trying to get the information.

9 We do -- OILS does quite a bit of outreach to
10 try to reach tribal members who need assistance with
11 wills, who need assistance with probates because
12 tribal members like to stay at home, they like to
13 stay within their community. They are not ones to
14 travel to Oklahoma City, to travel to Tulsa, to travel
15 to the Lawton, Anadarko to seek out information.

16 We go into the communities and try to find out
17 what the needs are. And the fiduciary trust officers
18 are doing the same thing, they are going out into the
19 individual communities and they are doing outreach
20 also and they are actually assisting us in being able
21 to provide quality legal services to individual tribal
22 members.

23 As I said, OILS goes out and we do wills
24 clinics. We'll set up a room and we'll have attorneys
25 in the room who can assist people with trying to

1 prepare a will or answer questions about their trust
2 or restricted Indian land.

3 Sometimes we'll have a member come in who has
4 a specific question about their land and maybe we
5 can't answer that specific question. And very
6 frequently we will either direct that tribal member
7 to go that day to the fiduciary trust officer's office
8 or we'll walk with them if we happen to be in the same
9 building. We'll walk them down to the fiduciary trust
10 officer's office and we can get a question answered
11 that day from the fiduciary trust officer.

12 And I don't think that that type of assistance
13 would be available if we didn't have the OST as it
14 exists today, if we didn't have the fiduciary trust
15 officers in place right now.

16 Quite a few of the tribal members who come to
17 us, they need a will done pretty quickly. A lot of
18 times tribal members don't come to us until they are
19 ill or they are elderly and we want to get a will done
20 as quickly as possible for them.

21 Like I said, tribal members tend to go back
22 into their communities. And if we let them go back
23 to their community it may be months before we get
24 access with them again and we are able to have
25 contact with them again. So, that immediate contact

1 with the fiduciary trust officers has been essential
2 in helping us provide the services that we need to
3 provide.

4 The Cobell buy-back, it is in place right now.
5 It is active. And tribal members who are learning
6 about it have been asking us for assistance in
7 providing will preparation services or they want some
8 information about who their land is going to go to and
9 how do they fit into the land buy-back.

10 And the fiduciary trust officers once again
11 have been very instrumental in helping us answer
12 those questions. We can't answer their questions
13 unless we can get an idea of what their land is that
14 they own.

15 And the fiduciary trust officers will provide
16 that landowner very quickly with that information and
17 then we can help them determine what is -- what works
18 best for them in their situation to do estate planning
19 services.

20 Also one of the things that we see coming up
21 is questions from members of the Five Tribes and how
22 do they fit into the Indian land buy-back program.
23 And we see that there can be a lot of complications
24 that exist because of how the land is owned in
25 eastern Oklahoma and the situation of probates not

1 being completed and land titles not being brought
2 up-to-date.

3 And we see that the fiduciary trust officers,
4 the OST, can be very helpful in assisting the
5 landowners and getting that information so that they
6 can bring their land titles up-to-date.

7 The Bureau of Indian Affairs, the office of
8 hearings and appeals, they can't help the Five Tribes
9 bring those land titles up-to-date. Because the Five
10 Tribes members own the land in fee it's up to them.
11 They have to initiate the probate process and the
12 individual landowners have to do it.

13 And with the assistance of the OST they can
14 get access to those land records quickly in order to
15 get those land records up-to-date.

16 As I said, I'm Kiowa and I see my
17 grandparents, I see my mother experience frustration
18 with their trustee. And it's one of the things that
19 inspired me to go into law and to try to help them
20 and try to help other tribal members be able to work
21 their way through this complicated process of owning
22 Indian land.

23 And the one bright light that I've seen in all
24 these years in assisting tribal members has been the
25 Office of Special Trustee and it has been the

1 fiduciary trust officers. This is the organization
2 that I, as an Indian law attorney, can always go to
3 and know that I can get assistance for my clients in
4 being able to properly deal with their trust or
5 restricted land here in Oklahoma.

6 Thank you.

7 MR. HASTINGS: Thank you for those comments.
8 I especially appreciate hearing from someone who
9 directly works with our tribal citizens and can give
10 us perspective on how the jobs that we do in
11 Washington, D.C. or Albuquerque affect the people on
12 the ground. That's something that is often easy for
13 us to be disconnected from. So, I really appreciate
14 your unique perspective that you just shared with us.
15 Thank you very much.

16 At this time I think we're going to take a
17 break, if that would be all right with everyone. We
18 can reconvene in about ten minutes or so and resume
19 with comments.

20 (Off the record)

21 MR. LORDS: Good morning. My name is Doug
22 Lords. I'm the acting deputy special trustee for
23 field operations. My normal day job is over in trust
24 services.

25 I'm an enrolled member of the Chippewa Cree

1 tribe of the Rocky Boys Reservation out of Havre,
2 Montana. And I want to thank all the tribal
3 leadership, all the tribal representative for your
4 comments because in order for us to draft a
5 transition plan that meets the needs of the
6 beneficiaries we have to have your input. I thank you
7 for that.

8 Before I move on, though, I just want to
9 acknowledge Mr. Mike Smith of the Bureau of Indian
10 Affairs, field operations deputy director. And if I
11 could, Mike, if it's not imposing, if the BIA staff
12 here could stand up, please.

13 Now, I'd like for the FTO's to please stand
14 up. I'll take a shot at introducing them. I've been
15 out of field ops for a while so I might not know
16 everyone.

17 So, let's start with Mitch Stevens. Mitch,
18 where are you located?

19 MR. STEVENS: Anadarko.

20 MR. LORDS: Okay. Donnie?

21 MR. SMITH: My office is in Shawnee.

22 MR. LORDS: Loretta Carter, please?

23 MS. CARTER: Loretta Carter, OST.

24 MR. LORDS: Colleen Keely?

25 MS. KEELY: Right.

1 MR. LORDS: I got that one right.

2 MS. KEELY: Ada, Oklahoma for Choctaw and
3 Chickasaw Nations.

4 MR. LORDS: Warren Austin?

5 MR. AUSTIN: Tulsa office, Muskogee, Creek and
6 Seminole Nations.

7 MR. LORDS: Janel Perry?

8 MS. PERRY: OST, Osage.

9 MR. LORDS: If you have any specific questions
10 that are outside of the consultation please grab any
11 one of these people and they would be more than happy
12 to help you.

13 Again, I want to thank you all for your
14 comments. They are much needed and much appreciated.

15 And Rod Kraft, excuse me, our regional trust
16 administrator for Oklahoma.

17 MS. DuMONTIER: And I'd like to also
18 acknowledge our chief of staff, Travis Trueblood there
19 in the back of the room.

20 MR. HASTINGS: At this point we're going to
21 open it back up for comments. Are there any
22 additional individuals or tribal leaders in the room
23 that would like to make comments we would greatly
24 appreciate them. Any more comments?

25 If we don't have anymore comments from folks

1 in attendance today, we'd like to encourage everyone
2 to submit written comments by September 30th,
3 although I think we may be extending that deadline.
4 If you get them in close enough that's fine as well.

5 We'd really like to encourage anyone here
6 that's thinking about making comments to make them.
7 The more input we have on this act the better we can
8 do as we implement the law.

9 MR. ANOATUBBY: May we ask questions?

10 MR. HASTINGS: Absolutely.

11 MR. ANOATUBBY: You have a time that you have
12 to submit everything to congress, is that right?

13 MR. HASTINGS: Yes.

14 MR. ANOATUBBY: And what's the date on that
15 again?

16 MR. HASTINGS: On or before June 22nd of next
17 year, however, it's been our goal to get it out prior
18 to the end of this administration.

19 MR. ANOATUBBY: Specifically what you would be
20 sharing with congress would be what your plan is to
21 implement the law, is that correct?

22 It says you have the option of creating an
23 under secretary for Indian affairs. Would you be
24 saying, yes, we plan to or is that -- what is it that
25 you will be submitting?

1 MR. HASTINGS: The report as required by the
2 act.

3 MS. DuMONTIER: Yes, Section 304 requires a
4 transition plan and a timetable and secretary Sally
5 Jewell is committed to having that submitted to
6 congress before the end of this administration.

7 The under secretary in Section 303, it states
8 the secretary may appoint one. And at this point in
9 time I don't think the administration is planning on
10 exercising that section.

11 And that's one reason why they wanted to
12 include it in the consultation within Title III, is to
13 find out what tribes' input would be with that. And
14 Klint presented on that provision.

15 To the best of my knowledge, that will not be
16 part of the transition plan or part of the secretary's
17 report to congress.

18 MR. ANOATUBBY: So, your report will deal with
19 the other sections, which is how you deal with the
20 special trustee offices, Office of Special Trustee or
21 this fiduciary trust officer or whatever it is?

22 MS. DuMONTIER: Right, the functions that
23 we've identified and particularly to the nonmonetary
24 trust resource functions, which is appraisals. And
25 that had a separate section, 305-A, where appraisals

1 as a single entity, where that may reside within the
2 department.

3 But also, the proposed rule, once that is
4 published for the minimum qualification for
5 appraisers that will become effective after the
6 sixty day comment period. So, there are going to be
7 some things being implemented before the plan is
8 submitted.

9 MR. ANOATUBBY: That which is defined in the
10 law, is that any different than what you do already
11 basically for appraisers? You still have to meet some
12 kind of minimum standard.

13 MR. IMPSON: Yeah, for the minimum
14 qualifications I think that the standard that's set
15 right now for an appraiser certification to conduct an
16 appraisal today is the same as being proposed in the
17 new regulations.

18 The only difference would be that if those
19 were -- I know it's proposed right now, but the one
20 difference would be if the tribe or individual
21 acquires that appraisal on their own and submits it
22 to the secretary, you know, acknowledging the statute
23 being submitted with no further review or anything,
24 but the standards by which the appraiser would have
25 to meet the qualifications is the same that exist

1 today.

2 MR. ANOATUBBY: So, they just reiterate what
3 you already do. But I guess the condition is that we
4 won't question the appraisal if it meets that
5 standard, is that correct?

6 MR. IMPSON: Correct, and it's submitted
7 underneath explicit instructions of the statute, yes.

8 MR. ANOATUBBY: I said something a little
9 earlier, but all of our appraisals, just because we
10 did not contract for the trust function, where we
11 don't deal with the individual Indian owners, and so
12 the appraisal services are provided to our agency for
13 that.

14 I didn't want to leave that because the
15 properties that we acquire they are going into trust,
16 so we have to do our own appraisal in order to get
17 that done. I want to make sure I'm not misunderstood.

18 So, in the past, and I'll say one more thing
19 about appraisals, is that our agency actually had an
20 appraiser and it worked really, really well back
21 then. I can't say what the timeliness is now, but I
22 do know that we had a lot of work that needed to be
23 done when that appraisal wasn't handled locally.

24 We really have not had a complaint when it
25 comes to the appraisals as far as -- we do our own.

1 Anyway, I was curious about what would be
2 presented to congress. And when it is presented will
3 it then be shared with Indian country at the same time
4 so we know what's being presented?

5 MR. HASTINGS: As far as I know that will be a
6 public document.

7 And I want to comment on the under secretary
8 position a little more. Even though it won't be
9 included in the report, the department at this point
10 doesn't really have, you know, a stated preference
11 one way or the other. We want to come out and hear
12 from the tribes directly.

13 Practically speaking, with that being a
14 position that would require the president to nominate
15 and the senate to confirm, it's not really practical
16 to nominate someone this late in an administration.

17 So, we wanted to hear from the tribes and set
18 the table moving forward as to whether the secretary
19 should create and establish that position or not.

20 MR. ANOATUBBY: Coming from a time when we had
21 a commissioner and then we eventually had an assistant
22 secretary, that was a major step and one that was
23 certainly viewed in Indian country as a positive.

24 My guess is Indian country is going to be
25 supporting of an under secretary. However, we're

1 much better off now than we were thirty years ago.

2 Okay, just curious and I wanted to ask those
3 questions. Thank you.

4 MR. HASTINGS: Thank you for your questions.

5 Do we have any other comments or questions
6 from the folks in attendance?

7 If not, I'll reiterate my encouragement that
8 everyone submit written comments and we can close
9 things out.

10 We're scheduled to be here until 12:30, so if
11 anyone wants to talk with us on the side we'll be
12 around for as long as you all need us to to ask any
13 questions.

14 So, thanks everyone for attending and thanks
15 for your comments.

16
17
18 (The proceedings were concluded at 10:43 a.m.)

19
20 * * *

* * C E R T I F I C A T E * *

1
2
3 STATE OF OKLAHOMA)

4 COUNTY OF OKLAHOMA)

5
6 I, John Q. Martin, II, a Certified Shorthand
7 Reporter within and for the State of Oklahoma, do hereby
8 certify that I reported all of the foregoing meeting,
9 and that I later reduced it to typewritten form, as the
10 same appears herein.11 I further certify that I am not a relative of,
12 nor attorney for, nor clerk or stenographer for any
13 party to this meeting, and that I am not otherwise
14 interested in the event of the same.15 I further certify that the above and foregoing
16 typewritten pages contain a full, true and correct
17 transcript of my stenograph notes so taken during said
18 meeting.19 WITNESS my hand and seal of office this 13th day
20 of September 2016.21
22 23
24 JOHN Q. MARTIN, II, CSR
Oklahoma CSR No. 1940

25 Expiration Date: December 31, 2016