



OGLALA SIOUX TRIBE

Office of the Vice President

Tom Poor Bear

Post Office Box 2070

Pine Ridge, South Dakota 57770

605.867.8411 Office—605.867.1449 Fax

TomPB@ogla.org

www.oglalalakotation.org



*Steven Hernandez
Administrative Asst.*

*Tamara Trueblood
Executive Secretary*

July 19, 2016.

Dear Secretary Jewell:

The Oglala Sioux Tribe and the Oglala Lakota people steadfastly stand in opposition to the US Fish and Wildlife Service's intention to remove Endangered Species Act protections from the grizzly bear in the Greater Yellowstone Ecosystem. This letter reaffirms the Oglala Sioux Tribe's resolution 15-192 and every article therein opposing the delisting of the grizzly bear.

The Oglala Sioux Tribe (OST) strongly refutes claims made by the US Fish and Wildlife Service (USFWS) that it has attempted to engage in government-to-government consultation on this issue with the OST. In a letter of November 3, 2015, OST President John Yellow Bird Steele informed US Fish and Wildlife Service representatives and other federal officials: "Contrary to the recent claims made by the FWS in the press, as President of the Oglala Sioux Tribe, I have received no invitation from the FWS to initiate the formal consultation process on this issue that is mandated by a plethora of executive orders, secretarial orders, congressional acts and laws." As Vice President of the OST, I reiterate that. I and the other members of our executive branch, and the tribal council, still await the US Fish and Wildlife Service's formal approach to us to engage in "meaningful" consultation. The Service has already failed to meet the mandate of "pre-decisional" consultation required by Executive Order 13175.

As the OST has stated previously, the federal government recognizes the OST as one of the twenty-six Associated Tribes of Yellowstone. However, USFWS did not include the OST, or indeed any tribal nation, in the Conservation Strategy relative to its plans to delist the grizzly bear, despite being petitioned to do so. Ignoring the tribal nations impacted by this proposal, an action that will take place upon our ancestral lands, speaks to the complete lack of respect accorded tribal nations in this process. The OST, along with every other Associated Tribe of Yellowstone, and tribal nations farther afield impacted by this policy, must be signatories of the Conservation Strategy and included in all subsequent discussions in the decision making process. Continuing to ignore tribal nations on this issue is a violation of tribal sovereignty, an attack on our religious and spiritual freedoms, and a clear violation of the federal trust responsibility. This is a critical part of the consultation process. USFWS has made it clear that tribal nations will be expected to contribute financially to the implementation of the Conservation Strategy, some \$3.8 million per year, but tribes have had no say or influence in the formulation of the Conservation Strategy.

The USFWS is not, the evidence suggests, conducting this process in good faith with either the OST or any other tribal nation. There are very clear correlations between the Service's conduct now and the violation of the 1868 Fort Laramie Treaty that resulted in the illegal 1874 Custer Expedition

into the sacred Black Hills. The government entered the Black Hills under a false pretense, as we see once again in this instance with delisting the grizzly bear. This decision is driven by political special interests, not science, and is about the exploitation of 2 million acres of land that is a matrix of tribal sacred sites that are yet to be fully catalogued and protected.

During Dan Ashe's tenure as director of the USFWS, the Service has been tarnished by violations of the Dept. of Interior's Scientific Integrity Policy, with two investigations related to the Keystone XL Pipeline that resulted in "findings of misconduct and loss of integrity," according to Interior's Inspector General. In a 2015 Center for Science and Democracy report, 73% of FWS scientists canvassed "reported that the level of consideration of political interests was too high." In May 2016, 968 scientists petitioned Secretary Sally Jewell to "implement the ESA using the best available science" free of "political special interests."

As Vice President of the OST, I am calling for a Congressional investigation into this situation. It is a conflict of interests when one of USFWS's deputy directors, Matt Hogan, the official charged with supposedly contacting tribes, is, in fact, a trophy hunter and was formerly Safari Club International's chief lobbyist to Capitol Hill. It has been revealed that Hogan also has ties to Anadarko Petroleum and Gas, one of the world's largest energy companies, and one of the largest landowners in Wyoming. In USFWS's proposed delisting rule it acknowledges some 28 prospective mines in the heart of Greater Yellowstone - in our ancestral homelands and where many sacred sites exist in core grizzly habitat. According to USFWS, those mines could become operational upon the delisting of the grizzly bear. I call for a thorough investigation not only to bring light onto this process for our people, but for all of the American people.

In closing, I call upon Director Ashe to denounce blatantly racist comments that have been made to the press by those who are promoting the USFWS's delisting and trophy hunting message. GOAL Tribal Coalition wrote to Director Ashe to ask him to do the same, but he has failed to do so. The pattern of racism and abuse endured by tribal people in this process is both shocking and totally unacceptable. To that end, I am copying this letter to President Barack Obama, as any investigation must probe the prejudice that has stained the USFWS and its state partners since Northern Cheyenne leader, James Walks Along, was physically removed from the floor while speaking to federal and state officials at an Interior committee in April 2015.

Pilamaya,



Vice President Tom Poor Bear.

cc. President Barack Obama
Congressman Raúl Grijalva
Senator John Thune
Senator Al Franken
Karen Diver, Special Assistant to the President (NA Affairs)
USFWS Director Dan Ashe