



OGLALA SIOUX TRIBE



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Attn: United States Fish and Wildlife Director, Dan Ashe;
All other affected parties.

The sovereignty and spiritual rights of the Oglala Sioux Tribe (Oglala Lakota Nation) and the Lakota, Dakota and Nakota people of the Oceti Sakowin (Great Sioux Nation) are threatened by the proposed delisting of the Yellowstone grizzly bear from Endangered Species Act (ESA) protections by the US Fish and Wildlife Service (FWS).

The Oglala Sioux Tribe is one of the twenty-six Tribal Nations the federal government recognizes as having an ancestral connection to Yellowstone (“Associated Tribe of Yellowstone” – *Resources & Issues*, NPS, 2010), and as such must be consulted in this process.

Federally recognized tribes have a unique nation-to-nation relationship with the federal government that requires consultation to be held at a government-to-government level; and government-to-government consultation is conducted under existing protocols and within an established framework. Unsolicited correspondence from a federal agency coordinator or similar does not constitute consultation between a tribal nation and the federal government.

Yellowstone and the Greater Yellowstone Ecosystem is a matrix of sacred and cultural sites of great significance to the twenty-six affected tribes, and those tribes’ Tribal Historic Preservation Offices (THPOs) must be engaged in an initial process of consultation consistent with the criteria of the THPOs designated mission (Section 101(d)(2) of the National Historic Preservation Act), in addition to consultation with tribal governments (executive and legislative branches), and recognized spiritual leaders.

Chief Arvol Looking Horse, 19th Generation Keeper of the White Buffalo Calf Pipe of the Great Sioux Nation, detailed the spiritual and ceremonial significance of the grizzly bear in Lakota, Dakota and Nakota culture in his November 2014 statement in opposition to the planned delisting of the Yellowstone grizzly from the ESA.

The cultural, geographic and sacred landscape of the Lakota, Dakota and Nakota people demonstrates the cultural importance of the grizzly bear. Sacred sites like Mato Tipila (Devils Tower) and Mato Paha (Bear Butte) are inseparable from our ceremonial connection to the grizzly. Numerous traditional and current family names, along with the names of creeks, rivers

and buttes, were inspired by the grizzly bear. Not without reason were Crazy Horse and his mentor, High Back Bone (Hump), described as “the grizzly and his cub.”

As Chief Looking Horse has demonstrated, the ceremonial significance of the grizzly is an ancient connection. Lakota ceremonies related to the grizzly, historically known as Bear Medicine Ceremonies, are, like all of our spiritual and religious ways, protected by the American Indian Religious Freedom Act (PL 95-341-1978/PL 103-344 -1994). The Act states that laws and policies pertaining to “conservation and preservation of natural species” cannot be “passed without consideration of their effect on traditional American Indian religions.” In its attempts to delist the Yellowstone grizzly bear without regard to the religious practices of tribal people, the FWS is doing so “without consideration of their effect on traditional American Indian religions.”

Abrogation of the AIRFA threatens potentially detrimental consequences not only for our religious and spiritual rights, but the sovereignty of all of the affected Tribal Nations.

Executive Order 13175 (Nov. 6, 2000) “Consultation and Coordination with Indian Tribal Governments” signed by President Clinton, and the Memorandum for the Heads of Executive Departments and Agencies (Nov. 5, 2009) issued by President Obama, requiring a “complete and consistent implementation of Executive Order 13175,” have yet to be followed by the FWS during this process.

Executive Order 13647 (June 2013) states, “Greater engagement and meaningful consultation with tribes is of paramount importance in developing any policies affecting tribal nations.” The proposed delisting of the Yellowstone grizzly bear affects the Lakota, Dakota and Nakota people of the Oceti Sakowin (Great Sioux Nation) on cultural and religious grounds.

The Secretarial Order issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531), established the protocols to be followed when decisions related to the ESA had the potential to impact tribes.

The Order directs the FWS to “solicit traditional knowledge, and comments from, and utilize the expertise of, affected Indian tribes” during the consultation process, and “cooperate with affected tribes to develop and implement Recovery Plans in a manner that minimizes” social and cultural impacts on tribal people. In the context of attempting to delist the Yellowstone grizzly, this equates to the FWS having to consult with respected spiritual leaders such as Chief Arvol Looking Horse.

Chief Arvol Looking Horse describes this present movement to remove ESA protections from the grizzly and allow the states of Wyoming, Montana and Idaho to operate profligate trophy hunts as an extension of the “disease of the mind” that enabled Manifest Destiny; the massacres of our people, and the near extermination of the grizzly, the wolf and the buffalo in the 19th Century. The world will see this in play again if the grizzly is delisted. Each spring and fall, some visitors to Yellowstone National Park will see grizzlies gutted by the sides of the roads leading to Yellowstone, or bloody grizzly carcasses strapped to vehicles.

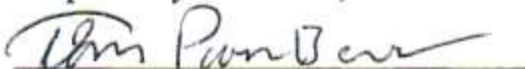
We reject the designation of the grizzly bear as a “trophy game animal.” It is shameful that a sentient being – one our people revere as sacred – is to be killed for “fun” by affluent trophy hunters. Great Lakota holy men like Black Elk, and Lakota Bear Medicine Men like Sword, articulated our feelings when they said, “The grizzly bear is *wakan*.” The Oglala Lakota people will not stand idle and watch this sacred being be slaughtered on the lands our ancestors fought to defend.

The thought of trophy hunters killing grizzly bears on our sacred lands is painful for the Lakota people. The image that came to represent the 1874 Black Hills Expedition that contravened the 1868 Fort Laramie Treaty is the photograph of Custer with the grizzly he killed for a "trophy." That violation of the 1868 Fort Laramie Treaty resulted in the annexation of the Black Hills. We cannot allow a repeat 140-years later on other sacred ancestral lands.

Ignoring these Acts and Orders contradicts the basis of the the government-to-government relationship that exists between not only the Lakota, Dakota and Nakota Tribal Nations and the federal government, but all of the 26 Tribal Nations affected by this issue. These Acts and Orders entitle the Oglala Sioux Tribe (and the other 25 affected Tribal Nations) to review the raw data the FWS is basing all of its conclusions upon relative to delisting the grizzly bear. Several nations of the Oceti Sakowin, and other affected Tribal Nations, have already called upon the FWS to release that data not only to the tribes, but also to independent scientists for analysis and review. To date, FWS has refused to do so. If the data is sound, it will not be undermined by scrutiny.

The Oglala Sioux Tribe supports Chief Arvol Looking Horse's position in opposing the removal of the Yellowstone grizzly bear from the Endangered Species Act, and the work of GOAL Tribal Coalition in bringing this important issue to the fore. We join the other affected Tribal Nations that have issued resolutions, declarations and statements in opposition to delisting the grizzly, and call for the federal government to begin the process of thorough consultation in accordance with the existing mandates, to ensure that our sovereignty and spiritual rights are upheld.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Tom Poor Bear", written in black ink over a horizontal line.

Tom Poor Bear, OST Vice President