

November 17, 2020

>> Welcome to the Office for Victims of Crime, Consultation on the FY 2021 Tribal Set-Aside from the Crime Victims Fund. Please take a minute to open the chat feature at the bottom of the screen and share your tribe and a message with the group. All participants are muted at this time. The session is being recorded. [speaks in Native Language] Good afternoon. My name is Jaymee Bird. I am from Ohkay Owingeh. I'm honored to be here and serve as the meeting facilitator today. If you haven't already done so, please open the chat feature. It's at the bottom of your screen, share your tribe and a brief greeting to the group as we begin. During this session, tribal leaders and designees will offer testimony or statements on Tribal Set-Aside from the Crime Victims Fund for fiscal year 2021. To indicate that you would like to offer testimony, use the chat feature at the bottom of your screen and type in testimony request. You can do this at any time during today's consultation. Your name will be put in the queue to speak. When it is your time to give testimony, your name will be announced, and your video audio feed will be live and unmuted. Should you have any technical difficulties this afternoon, please text Lauren Smiley. You can also chat her privately using the chat feature. We will also add it to the chat.

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

>> I'm not sure if you can see me, but I suspect you can. I know that Creator has cleverness about our world teaching us this high-tech stuff. So, I ask each of you to be patient and learn what you can from our journey together. To each of you, this is one of the most magnificent moments in our times when we come as leadership together, practitioners, those who are gifted with the gift of healing, understanding and compassion, that as we speak to one another this day on those things that are important to us, those things that weigh heavy on us, those things that are in our very thoughts every day, that sometimes we find unmeasurable to take care of. In this moment that we have and to the leadership as our federal partners and OVC, and our tribal partners, I'm asking Creator [speaks in Native language], [speaks in Native language] to come and be with us. [speaks in Native language] That us, the people of the West, extend to you this open-hearted greeting, that we also [speaks in Native language]. That we ask our creator who's in the sky, who knows everything. [speaks in Native language] that is good and holy that we say in Creator's name. [speaks in Native language] That we also know that we're not alone on this earth, that we aren't all the bosses of everything, that we must be thoughtful, that we're in kinship with one another, that we are the five-fingered people, we're two-legged people with all our relatives in the sky and over the earth and of the water. We also [speaks in Native language] that we think in union and in our homes. So, we think that [speaks in Native language]. Now in our homes, we are in a good-hearted place. And we also remember that in this time, when it seems like we are even more so amongst our own, we are watching our children also flourish and our language, flourish and our customs and traditions. Those are not in the school systems. They do not teach this to our young. We ask also that we be thoughtful of the gifts that are given to us from our partners, from our relatives, from our extended family, that we reach out and know that the medicine people who can't be with us right now because of COVID. Our spiritual leaders who pray and know everything that's going on, that we are okay. [speaks in Native language] I say this in Creator's name, that when you give breath to the words, they belong to the people, they no

longer belong to you. [speaks in Native language] All my relatives go in a good way. [speaks in Native language] That's Indian amen. [speaks in Native language]

>> [speaks in Native language], thank you, Traditional Legislator and Councilwoman, Juana Majel-Dixon, for opening our session today in a good way, and sharing your words of wisdom and thank you for setting today's intention for the consultation. Next, we have Leon R. Leader Charge, to honor us with a song. Leon is from the Sicangu, Oglala Lakota and Rosebud Oglala Sioux Tribe.

>> Thank you, Jaymee. [singing in Native language] [speaks in Native language]

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

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

>> Thanks, Katherine. Welcome, everyone, to the 2020 Office for Victims of Crime Consultation on the Tribal Victim Services Set-Aside program. We're so happy you guys could all be here. I know we all wanted to meet in person, but I'm so glad that we can still carry this out and have these important conversations, and I really thank you all for being here with us today. Before I get started, I'd like to introduce Principal Deputy Assistant Attorney General, Katie Sullivan, and have her say a few words to you all. PDAAG Sullivan was appointed to her position by Attorney General Barr in June 2019. And she oversees billions of dollars in grants and other resources that support state, local, and tribal criminal and juvenile justice activities, as well as victim services. Katie has really been a powerful ally to crime victims and a voice for survivors of domestic violence and sexual assault throughout her career. Before joining the Office for Justice Programs, she served on the White House Domestic Policy Council. And before that, she was Acting Director of the Justice Department's Office on Violence Against Women. She also served as a Judge on Colorado's State Trial Court Bench, where she heard over 45,000 cases over 11 years. She has a very impressive career and she also served as the Deputy District Attorney in Colorado, prosecuting both felony and misdemeanor cases and spent some time in private practice as well. And when she was in private practice, served as a member on Colorado's Victim Compensation Board, which as you guys all know, is very relevant to OVC and also served on the State Judicial Ethics Board. I think many of you guys know that Katie's leadership is very evident, and I think a lot of you guys have had the chance to meet her. She's visited a lot of tribal communities, and she's really a strong advocate of supporting tribes and listening to tribes and changing our programs at OJP to better meet the needs of tribes. I'm going to talk a little bit later about our new interim formulas that we had this year for the first time. And really, that program went really great, but I wanted you all to know that this formula

program really came from Katie, and it was based on conversations that she had with tribal leaders about concerns and recommendations she was hearing back in 2019 and really came from that. So, know that we are listening to you and Katie is here today, and I'm going to hand it over to you, Katie.

>> Thank you so much, Jessica. First of all, it's wonderful to see so many of you and Juana, I have not seen or talked to you in what feels like much, much too long. So that really was special, and thank you for that beautiful opening prayer. Your words resonated with me very deeply, so thank you. And it's just great to see you. Jessica, thank you for that introduction, I have little else to say, I cannot possibly live up to everything that you've just talked about. But I do want to just say that bringing Jessica Hart on to run the Office for Victims of Crime has been if not the, one of the greatest decisions, and I'm so lucky that she agreed to come over and spearhead efforts at OVC. And when I first came on board and Attorney General Barr asked me to run the Office of Justice Programs, which deep from my heart, I tell all of you, was my dream job, and it has lived up to all of my dreams. It has been, I think, the effect that we can make here through the Office of Justice Programs on communities from the very newest person to your community, to the oldest person in your community is unique in the federal government. When I first came on board, the number one issue for me was that \$168.5 million of set-aside money from the Crime Victim Fund. We were so far into it, if you recall in 2019, that it was going to be a competitive process. We could not switch it to be a formula. However, we worked and I want to thank the NCAI, I want to thank all the people who showed up at our two consultations that we had regarding the formula and the set-aside money, and we were able to implement a formula in record time because of the government-to-government relationship that we have, because all of you really came to the table, told us what you wanted to see, and we were able to implement the formula this past year in 2020, and we'll continue on with that process and continue with that program. It was a tremendous success, and I really want to thank Jessica Hart, who is incredibly passionate and talented. She's a great manager and cares very, very much about Indian country. As all of you know, I hope you know, and some of you have had the opportunity to meet Attorney General Barr, Indian country is ensuring that there is equal justice in Indian country, making sure that our government-to-government and trust responsibility is taken with the utmost seriousness is something that is just vital, it's a priority for the Attorney General. So as Jessica mentioned, I've traveled with him to Indian country, I've traveled on my own to Indian country, and this is just simply a priority. So, when he asked me to be his representative on the President's Task Force for Missing and Murdered American Indians and Alaska Natives, known as Operation Lady Justice, I have to say that has been, by far, one of the most pleasurable things that I've done, one of the most important functions that I've performed in the last 14 or 15 months since I've been head of Office of Justice Programs. Operation Lady Justice is moving along under the executive director leadership of Marcia Good. We do partner with the Department of Interior, as well as HHS, and we are on the precipice of releasing an interim report. So, I just let everybody know that there's a website Operation Lady Justice, at usdoj.gov. I would recommend all of you go and see what we've been doing, what our plans are for the future, and know that my heart and love is with each and every one of you. I thank you all so much and I just hope this is a terrific consultation. Thank you.

>> Thanks so much, Katie. And again, thank you for all your dedication, especially to OVC I think. We'll talk about it a little more, but the formula has really gone well, we're—I think all of us—so appreciative of your hard work, getting that set up and running with that and listening to

all the tribal leaders that we have a lot of them here today that were involved in that. So, thank you again. As the Director of the Office for Victims of Crime, it's an honor to be here and to be with you guys all today in this government-to-government setting to talk about the future of our program. As Katie mentioned, Attorney General Barr and Katie and the Department of Justice really have a long-standing commitment to improving services for Victims of Crime in American Indian and Alaska Native communities. As Katie mentioned, AG Barr, this is a big priority for him. And actually, recently during a visit to Cherokee Nation in this last September, he announced around \$300 million of Department of Justice funding to improve public safety, to serve victims of crime, and support youth programs and tribal communities. During my tenure at the Department of Justice, I've spent some time with tribal leaders to learn how the federal government can best support their communities as they work to reduce violence and serve victims. The Office for Victims of Crime has consistently taken action on testimony and comments received in earlier consultations and listening sessions. For example, our Tribal Victim Services Set-Aside Formula Grant program, and all of our other tribal programs, they're now administered by a newly created Tribal Grants Division. And I created this division back in June in response to requests from tribal leaders and listening sessions that had really asked us at OVC to assign dedicated staff to minister Tribal programs. So, we're excited that that group or that division is up and running and their sole focus is just tribal grants and working with all of you. Also, we've heard from tribal leaders and stakeholders that regular consultations are really integral to this trust relationship between the federal government and tribal government. We all look forward to the opportunity to consult with you today and tomorrow, and really continue these conversations as we're looking at our program planning for next year and the future. As I mentioned earlier, in 2020, the Office for Victims of Crime implemented an interim formula for distributing our Tribal Set-Aside funds for 2020. This was again largely in response to past tribal consultations, federal advisory committee hearings, listening sessions, where tribal leaders expressed a strong preference that the set-aside funding from the Crime Victims Fund really be distributed through a non-competitive formula method instead of a competitive program. So, I think most of you have seen our consultation framing paper, and that really details the history of the set-aside. So, I won't go into all the specifics there, but I want to talk a little bit about fiscal year 2020 programming. This year, the Tribal Set-Aside was authorized at 3 percent of the Crime Victims Fund. So that was a total of approximately \$132 million. We don't have the budget yet for fiscal year 2021. Under this noncompetitive formula program that we did this year for the first time, federally recognized Indian tribes, tribal designees, and tribal consortia consisting of two or more federally recognized Indian tribes were eligible to apply for the Tribal Set-Aside funding. So OVC this year made 133 Tribal Set-Aside Formula Awards, and that totaled approximately \$113 million. That represents really every dollar that every eligible tribe or designee or consortium requested. These funds are really going to provide critical services and it will go to over 200 tribes, if you break apart the tribal designees and consortiums. Important to note, looking forward to fiscal year 2021 funding, it's important to remember that this tribal set-aside is not a statutorily formula program. It's still discretionary, but we're running it as a formula. So, what this means is Congress did not create the formula program when it authorized the Tribal Set-Aside fund, and so while OVC administered it in a formula way, we still have to follow the administrative guidelines and the federal statutes that govern discretionary grant making formulas, and notably, which I think is the most relevant to a lot of you is 200 CFR Part 2. And this part of the code really sets out how federal agencies have to administer discretionary programs, and that includes all the parts, oversight of budgets, collecting certifications by

grantees, regarding lobbying and other issues. And so, we really are, at OVC, trying to, and we're seeking ways to streamline our application process. But still do remember that we're bound by some of those federal statutes for discretionary programs, even though we administer this as a formula program. So please keep that in mind. But again, we would love to hear, and I hope we'll hear some of your ideas today about how to streamline that even better to just work with you guys and get the money out the best way we can. And along those lines, we'd really like to simplify the application process as much as we can. And so, I think we've been given some great ideas in the past, would love to hear more great ideas about how you think we can simplify that application anymore. One example that we're looking at for fiscal year 2021 will be to not require the abstract or written project narrative with your application, but instead offer the option of either a complete checklist describing the project activities or holding a meeting with the Tribal Division staff here at OVC and talk them through your project plan, so they can put them on paper. And so, we're hoping that this is just another piece of the puzzle that can really help simplify and streamline that process and really make it easier for everyone to get the funds. We've also increased our resources to the Tribal Financial Management Center. This is one of our technical assistance providers who is dedicated to helping tribal grantees work on project budget clearances, and the other administrative issues to ensure you really have what you need, you can access those funds as soon as possible. So please take advantage of the Tribal Financial Management Center. Also, in response to testimony and comments that we've received at consultations and listening sessions over this year, in 2020, OVC made the project period for Tribal Victim Services Set-Aside program up to 60 months. This is potentially two years longer than most of our other OVC grant programs, and we're hoping that flexibility really allows more people to take advantage of the funding. For fiscal year 2021, we propose retaining a lot of the same features as we did last year in the set-aside formula program. So that'll include the non-competitive distribution of set-aside funds based on that population-driven formula. We plan to still have a two-phase process that allows us to calculate the grant award based on the number of tribes that intend to apply. And then also again, a self-determined project period of anywhere from 12 months to 60 months, continuing the self-certification of tribal population numbers based on the population the tribe intends to serve under the set-aside. Those are all things that we tried this last year to really try to streamline and make the process as easy as possible. We hope to still do them next year, we'd love to get your feedback though, and make sure all that's working well. And again, hear any ideas that you can think of that really could help us make the program even more of a success. The Office for Victims of Crime also strives to address tribal grantees' need for training and technical assistance for persons and entities, with cultural experience and expertise working with the tribe. So, I'd also be very interested in hearing today about how best those training and technical assistance programs are working and how best to identify some technical assistance providers moving forward. Finally, and most importantly, we want to be sure that everyone understands that all federally recognized tribes are eligible to apply for this year, the fiscal year 2021, set-aside formula funding. So regardless of if you got funds last year, if you applied last year, if you applied in the past, please apply this year, it's a whole new season, so please reach out to us if you need help, but we would love all of you to apply again or apply for the first time. I look really forward today to hearing your testimony and hearing some of the great ideas as I think we've all said a couple of times during this, it's really hearing from you guys, I think has shaped our program and it's shaped it for the better. So, the more advice and recommendations you can give, I think just the better and better this program gets, can be, the more this money goes to crime victims. So, we're excited to be here today, we're

sitting here with open ears and ready to get any advice you have. So, I think I will turn it back over to Katherine, but thank you again for joining us.

>> Thank you, Director Hart and Principal Deputy Assistant Attorney General Sullivan. I am Katherine Darke Schmitt from the Office for Victims of Crime Tribal Division. My co-moderator, Marcia Good, is the Executive Director of the Presidential Task Force on Missing and Murdered American Indians and Alaska Natives at the Department of Justice. I am grateful for the wisdom and support of all of these women. We are honored to have more than 40 tribal leaders and their designees registered to speak at this consultation over the next two days and more than 200 participants.

>> Good afternoon, everyone. If you are a tribal leader or a tribal leader designee, and you wish to give testimony but have not registered to do so, we would welcome your participation.

>> Thank you, Marcia. We are going to post a slide with the consultation framing questions for your convenience. Our first speaker today will be Donna McNamara from the Suquamish Tribe. Ms. McNamara, welcome. You have the testimony floor.

>> Thank you. I hope you can hear me, and that I don't have any technical challenges today. Somehow, I knew I was going to be first; I think that's probably Marcia's doing. Good morning and good afternoon. My name is Donna McNamara and I am the Tribal Prosecutor for the Suquamish Tribe, a position I've been honored to hold for 23 years. I bring you greetings from the Suquamish Tribal Chairman, Leonard Forsman, he has authorized me to speak on his behalf regarding the Tribal Set-Aside funding. By way of background, Chairman Forsman, the moment that the Tribal Set-Aside happened, he advised us in the justice system that he and tribal council were very interested in making sure that the Suquamish Tribe pursued money from the Tribal Set-Aside for our justice system, for our victims. The Suquamish Tribe applied for and received funding for fiscal year 2018, and the funds were utilized for a study of how best to proceed and also for some safety equipment for forensic interviewing for children. And we did not apply and again, I apologize maybe to tribal leaders for saying we. I am not a tribal member, but I've been around long enough to feel like we, so I hope that's all right. We did not apply for funding in fiscal year 2019, but did recently participate in the formula grant program for fiscal year 2020. With the money that the Suquamish Tribe has received, the intention is to create an integrated victim services program pulling together and building on the limited resources that the tribe has had before. There had been bits and pieces on victim services in various departments. The police department has a contractual victim advocate for domestic violence and sexual assault only paid for by the State of Washington's VOCA grant. And the Suquamish Tribe Wellness Program has a CTAS funded domestic violence advocate. And also, my department, the Office of the Prosecutor has some assistance with trying to assist victims as we can during the course of a case that is happening in tribal court. The plan with the new funding is to hire a full-time systems advocate and a full-time community advocate, and also a supervisor who can manage the new integrated program that will include the people I've just mentioned, and also manage it through the various departments which will include wellness and the Tribal court, and then the prosecutor's office and the police department. And I also have to say that I had a wonderful team to work with in pulling this program together, who basically did the work in figuring out what we needed and how we can best use the funding. Turning now to the questions that the framing paper posed, I have to say this is the first formula grant that justice system has been involved in,

and it was a much more streamlined process and from our perspective, a much simpler process to get through because it was not competitive because after phase one, we were aware of what dollars we were looking at and the fact that we could write our narratives and our concern was just not to put in any unallowable costs was much different than trying to write to what the peer reviewers in the department or the agency might wish to fund. So, I'm pleased that there's a plan going forward that a formula funding scheme will go on rather than going back to a competitive scheme. The Suquamish Tribe do not have any questions or concerns in particular about the population-based formula, but since the funding has been received, I have heard a number of other tribal leaders express their concerns that the formula does not meet the needs of especially some smaller tribes and especially some rural tribes who have transportation issues and many other issues. I would urge OVC to be mindful towards that. I'm also concerned that so few tribes applied for the formula grant and I'm concerned for two reasons. One is of course, that there are so many tribes who need assistance for their victims and they do not get it, but I'm also concerned that when more tribes apply, there may not be enough money to go around and existing victims' programs may have to seek out additional funding and not be able to rely on the OVC funding. But I guess that's always the case with any budget. But I don't want to see tribes left out because this is just so important. And the ability for the Suquamish Tribe to actually put together a viable full program is really a godsend. In terms of the phasing process for the solicitation, I have to say that the phase one and phase two was not a problem for us, but the shortness of time between finding out the results of phase one and being required to submit the documents for phase two, which was I believe we found out on May 15th of this year, and then the documents were due on June 15th. That was a very short amount of time to put that kind of grant narrative together, especially since we're all working remotely. So, I would urge OVC, if it's at all possible, to double that length of time between the announcement of the results of phase one and the deadline for phase two, I think that two months would be a very, very reasonable amount of time to be able to manage that. And with respect to the simplification of the narrative, I would certainly urge OVC to consider at least the checklist. I don't feel that a telephone call would necessarily suit the Suquamish Tribe. We do have a grants department, and those of us in the justice system currently employed there have an understanding of the writing of grant narratives. A checklist that had to be filled-in though would certainly be a much more efficient way to do that, and I'm sure that there are other tribes for whom the phone call approach would be a blessing because many tribes do not have the luxury of grants, departments, or people knowledgeable with grants. And that I think that they would all be able speakers who could explain to OVC what they want to do with the money. So, I would heartily encourage that. In terms of the disposition of leftover funds, I agree with some other tribal leaders that I've spoken with, that it would be very useful for OVC to consult with the tribes as to what to do with the leftover funding. Having reviewed the framing paper, it shows that the funds were certainly put to very good uses, but there may be other uses that tribes might be able to advise OVC about that would also be very helpful. And so, I think that that would be a good added step into the fiscal year 2021 solicitation. One of the funding uses for the leftover money, I assume it was from the leftover money that was listed in the framing paper, was using the money to help fund extending the TAP program to other tribes. I don't have the stats in front of me, I want to say that there are 90, well, I saw the number 90 somewhere, and I'm not sure whether it's, Marcia will correct me on this, there's either... No, I guess there must be more than 90. They're going to try and fund 90, I'm sorry, I don't recall. But the Suquamish Tribe was very lucky to be the second tribe in the country to receive the TAP machines and capabilities, and since 2016, the TAP program has

been well utilized by our police department and our Tribal Child Welfare Departments, Human Right Resources, and the court system. We are in the process of putting in our tribal court convictions, which as many of you know, many or maybe most tribes do not enter those into any kind of database. And we are happy to be able to be doing that because it's really necessary to know what a perpetrator's criminal history is, not just the ones from the state or the federal system, but also from tribes. So, I'm very pleased to see that funding going forward, and I would urge tribal leaders, if you have not yet applied for the TAP program, I would urge you to do so. And finally, the last question was about technical assistance. And I have to say that it may just be my ignorance, but I don't really know what technical assistance on grants can actually do for the grantee. I know that the entities are listed in there that they're the TA providers, but I've never clearly understood, and I don't think any of the grants that I participated in over the years, any of my fellow workers really understood what technical assistance can do for each and every grant or whether there's a cost for it or any of those things. It may be that I'm just not in the know, but if I'm not, I think it would be very useful for the grantors or the TA providers themselves to tell each grantee, what the TA providers can do, or give specific examples and maybe even reach out to the grantees so that there's a name and a voice to go with the entity so that when there are problems, we know where to reach out. And that's basically the sum of my testimony. On behalf of the Suquamish Tribe, I will submit written testimony as well, and I want to thank OVC for this opportunity to speak on behalf of the Suquamish Tribe and explain what's been happening for us with the set-aside money. I would also like to say that I feel honored to have been blessed by Juana whom I haven't seen since the NAC a couple of years ago, and for the song from Leon. It is my birthday today, so I feel very honored to have received these blessings today. Thank you very much.

>> Thank you very much, Ms. McNamara for your remarks and happy birthday, we are blessed to have you spending part of your day with us. Thank you for your testimony.

>> Thank you.

>> Happy birthday, Donna.

>> Thanks, Marcia.

>> Absolutely. Our next speaker today is going to be Catherine Edwards from the Central Council of Tlingit and Haida Tribes of Alaska. You now have the testimony floor.

>> Thank you, I was changing my background so that you guys can see one of my beautiful communities in Southeast Alaska. First, I'm going to start with saying thank you to Katie and Jessica, we appreciate the work that you've done, and especially your ability to listen and make the needed changes based on what you hear. This is something new and different for tribal consultations and I for one, appreciate it. [speaks in Native language] I'm Catherine Edwards, the first Vice President of the Central Council, Tlingit and Haida Indian Tribes of Alaska. We have over 32,051 enrolled citizens, we serve 22 villages in Southeast Alaska, 3 urban populations in Anchorage, Alaska, San Francisco, and Seattle. I want to start by saying thank you to OVC and DOJ for listening to us during previous consultations and making attempts to streamline the process and get these Victims of Crime funds out the door to us. We're concerned however, with some of the micromanagement of these funds by OVC, we know that tribes are appropriating this

funding without regulations made by Congress. However, the agency seems to continue to overburden our limited personnel with bureaucratic micromanagement. And we think that you guys can get better at this instead of acting as OIG and forensic auditors, perhaps trusting us to be able to manage the funds and get the funds out the door much faster. That being said, one of the things that we are extremely interested in, hope that you hear us this time, is that we need no cost extensions. These can and should be allowable and specifically, especially this year with all the red tape in acquiring these funds, it delays getting them out the door, often putting tribes behind in spending plans. And secondly, this year, 2020, something has happened that's never happened before. Something that limited travel, limited one's ability to do business as usual, limited number employees we can have in the office. And now, some tribes are looking at, they might have to give this money back because something outside of our control, outside of anyone's control came up. It comes at a perilous time to think about having to give this money back, because it's the time we find out that we need these programs the most because of isolation, frustration, stress, unemployment, all these things, all these things that we know lead to increased violence. The Tribal Advisory Board... Well, oh yeah, I have this on here. We think that you should have a Tribal Advisory Board for these VOCA funds, a body of tribal experts that are tribal, not just based on them being a member of the tribe, but tribal in that they have experience in working for and running tribes and tribal programs in tribal communities, and that it should include at least one Alaska native. We think this will help with a lot of the questions that you have in moving forward, even some of them that you've presented here today. We do have a question about the tribal office that you set up to focus on tribal grantees and where the funding for those, staffing those positions came from. And if they're coming from the appropriations that was set-aside for tribes, or is that just something that when you move the staff over into that department, their salaries followed with them and not come out of the Tribal Set-Aside that we know should be. And I want to reiterate, the set-asides need to go to our tribes and tribal communities to make our communities whole, not to be used to fund bureaucracies at the federal level for the United States government. We do have some concerns with tribal program managers and that they need to be consistent. Some of them are delivering different messages, some of them are easier to work with than others and all of them are handling grants differently. We think that they should be working to help us build capacity and assistance in being successful, not necessarily gatekeepers, which we find some of them are. So, I'm going to try to attempt to answer some of your questions starting with question one. And we are somewhat satisfied with the process, the current process you have. However, we were looking at the charts that you sent out with the amounts, and it appears that there's some inconsistencies. Since we're a tribe with over 32,000 with huge obstacles in reaching our citizens in our different communities, as I've said before, as you heard from a lot of us, Alaska that this geographic challenges, not being connected by road, only way of travel is by air, by boat, some places the travel is even harder than that. It appears that our funding level didn't reflect the fact that we have 32,000 citizens. Further that, also our citizens like I said, some of them live in Anchorage, San Francisco, and Seattle. And I don't know if any of that is taken into consideration when looking at those amounts and in that formula. Our other concern with the formula, did it take distance to needed resources or the fact that there's no law enforcement, hospitals, roads, did it take any of that stuff into consideration being located on I-5, 60 miles south of Seattle or 30 miles south of Tacoma is a lot easier to provide for, or find services than it might be for [speaks Native language]. Alaska, where there isn't a freeway or fire department or law enforcement. One of your questions asked about changing the definition for some of our communities, frontier rural

communities. I just would say Alaska is known as the last frontier. That FAR has four levels, and we were wondering how you intend to look at these four levels of figuring out whether we would be in frontier or rural communities. While some of our communities may have a movie theater, we might not have access to an airport. So, it would put us in a weird... In trying to make those four levels fit, while we might have the movie theater, we don't have the airport, so it might put us in a level two or three, or is there a level two and a half? I'm not sure how you would use that. So, I would probably stick with Alaska the last frontier, it's still a frontier. The two-phase application, it appears deadlines had to be delayed, it looks like COVID may have played a part of that. And also, it was a change. Tribal staff have had to learn a new process and if we're talking about tribal staff, where they're only 2.5 staff people working in a department, or even in the whole tribe, and if that's the case, they're doing the work on multiple projects and programs at the same time. So, I would suggest or we suggest to continue to streamline the application where it is not a time-consuming lengthy process, a 20-page narrative is a bit much. And I'm wondering if you even have enough staff to read 20 pages of narrative from 579 tribes, what the staffing might look like for you. On the question about the checklist or a telephone interview, I'm wondering what would be included on that checklist? And I'm thinking the checklist would be best, telephone interviews sometimes can be time-consuming, and it also depends on who's on the phone and what lens they're looking through and how well they know how to communicate with tribes. We communicate differently and our perspectives are different. In my mind, checklists work best, but it depends on what's on that list. And this is again where I would also suggest that engaging with tribes and then developing checklists, which is where, it's a good example where a Tribal Advisory Board could be helpful, because if you had that Tribal Advisory Board that I spoke to earlier, they could sit around with you and brainstorm or talk about or have a good lengthy conversation and come to consensus about what kind of things should be included on a checklist. So even if you're having a telephone interview, what that should look like, and maybe they could participate in that telephone interview as well, if you decide to do it that way, but in my mind, the checklist is easier. What should OVC consider in determining leftover and set-aside funds? This was an interesting question and was wondering if again, this is where a Tribal Advisory Board would really be able to sit down and flesh this out with you. If there's perhaps a way to disburse it on percentage based on population to all the tribes who have a program or developing a program, who's applied for it, or just divide it by the number of tribes that have applied and send them each those additional funds. Like you said before, again, this is where our Tribal Advisory Board can help determine what or how this leftover formula money could be handled. Technical assistance. This is an area where we believe needs a lot of improvement. We want to, as a tribe, and we should be able to as a tribe, hire whomever we want as a TA provider. The TA that's being provided now is limited, they're dealing with multiple tribes. If we talk with them in June and they don't get back to us until November, that's not helping us with whatever we may need to use them for. If we're able to interview and hire our own TA providers knowing what we need and who works best with us, it would work better for us. Also, for my tribe, it's not helpful for us if we have to, and we find ourselves having to train our providers ourselves. It's like signing up for a class at a university and then having to teach the professor who we are and what we do. So, we believe that tribes should be allowed to hire who they want for technical assistance and not be limited to meet perhaps two or three that the DOJ has contracted with. And this has not been helpful, it's not working for us. So, it's definitely an area to look to to improve which again, a Tribal Advisory Board perhaps would be able to help you improve in that area. Also, I want to take the time to

say we need to be able to use these monies how we see fit to make our communities whole. Violence doesn't affect just one person, violence affects our whole community. And we are all victims even if only one person is involved. Our tribal communities are interconnected. We can make our victims whole, we can bring health and wellness to our whole communities, but we need to be able to spend these monies how we see fit, we know what works. Culture cannot be dis-allowable when it is these very cultural events that bring us together in our indigenous ways. Being in circles with grandmas and aunties help women heal and also provides a place for children to heal. Subsistence hunting with uncles help our people heal. We can think of these things as art therapy and group therapy, but culture has to be intertwined into everything we do. We can't just leave it out. In communities where there aren't other types of services, these things work, we know they work, and we need to be able to fund them. The other thing we need in our tribal communities, whether it's [speaks in Native language] San Francisco, Seattle, or Martha's Vineyard, is housing. There is not sufficient affordable housing, transitional housing, anything. The cycle of violence will continue because of the stress of not having places to live or places to go. We also know that there are high crime and victimization rates among the homeless. It's time to make housing or construction or being able to do this an allowable costs for these funds. Last thing, that I want to say, it is always best to just defer to and respect tribal sovereignty, to micromanage these funds, to treat us as if we are wasting, abusing, or committing fraud with the federal funds that are appropriated and set-aside specifically for us is disrespectful and offensive to our tribal nations. As sovereigns, we should not be dictated to or suspect, we know what works best in our communities, reservations, and villages. Maybe operate the program from a place of mutual respect, and quit looking under a microscope of what we may do wrong and start being a true partner with us in reconciling the pattern of violence in our communities that is a direct result of colonization and policies to Kill the Indian, Save the Man in order to have access to land, oil, gold and trees. We appreciate you listening thus far, and we look forward to the continued improvement in passing through these funds to our nations. [speaks in Native language] That will conclude my remarks for today, and we will be submitting written comments. Thank you.

>> Thank you so much, Catherine, for your testimony today. We look forward to receiving your written remarks as well.

>> Our next speaker today will be Dr. Majel-Dixon. Thank you very much for your testimony, you have the testimony floor.

>> Thank you very much. I'm doing it on behalf of our National Congress of America Indian's Task Force on Violence Against Women. And later, either today or tomorrow, I'll be doing one for my own tribe and tribal leadership. [Recording is briefly inaudible.] Some of the support we have for you is a historic amount of work that had to be done to even make this happen before we started at the very beginning to now and listening to what's been said so far goes in line with the echoing of concerns, which I believe you know. And I also know in this particular circumstance as we are navigating it, but it's not easy right now, and also dealing with the election on top of that, everything else is not giving you or us permission to let it go, it only increases the urgent concern we have as leadership and tribes to best do this work on the Tribal Set-Aside funding. Certainly we echo many of the things that have just been said by our speakers, but I want to tell you as the task force, we want to give thanks to the Department of Justice for hosting this, this Consultation on Crimes Victims Fund Tribal Set-Aside, starting

everything you have done the Crime Victims Fund Tribal Set-Aside was a very tumultuous, up and down road of success and kind of like a double talk that you had to catch up just to figure out what was going on. And once we did, we began to look at it as a new influx of life saving resources, tribal nations, that can be used to assist American Indian Alaska Native peoples in addressing and dealing with victims of crime. But the important part about this is that the new and necessary funding cannot be overstated. It's imperative that tribal nations continue to get this funding and that the importance of this new and necessary funding is so much a part of our tribal nations and addressing all of this in Indian country to reach the goals. There must be an ongoing government-to-government consultation. I mean, you represent the president in our sovereign-to-sovereign and our relationship with you, and this is what we use to convey this information, and this is an extraordinary task on your behalf to meet with us as sovereigns to do that. So, I ask you to listen openly and earnestly because I too support our tribal group that would be alongside you and help mitigate, move along and make this work. But going from where the task force is at, we [recording is briefly inaudible] reach out to victims of crimes and Indian country and Alaska, that this becomes almost too hard to do sometimes, in that to reach that goal, there must be ongoing consultation to determine how the Tribal Set-Aside formula and programs can be modified and strengthened for use in future years. We knew we would have stumbling blocks and that we would have growth moves and celebrations. [Recording is briefly inaudible.] Will help guide at that principle. We're here to hear from the tribal leadership, we're submitting more extensive written comments to the testimony at our later date. During the consultation, and we want to highlight some of the similar things that have been said. And when I think about it, just listening to you, more comes to mind you know how you sit to write these things and another thought comes. But at the no cost extension, I could not imagine that that would happen, but it must be, I don't even know what to say that in COVID, no one planned that either. No one understood that a pandemic like this would have such an impact that when you're doing telework and tele-services and telemed and telecourt, it changes how you deal with it, but you also didn't expect an escalation of violence amongst our women folks and our victims increased with the children and the elders, and the tribal nations have been hit particularly hard. Several tribal nations have been unstable to utilize and unable to utilize the expended funding as originally intended during, in their program design, as indicated by others. But during this pandemic, DOJ should be flexible in allowing no cost extensions to tribal nations upon their request, in order to allow the Tribal Set-Aside funding to reach all of the American Indian Alaska Native victims of crime throughout Indian country, during this unprecedented pandemic. I suspect you have thought about this, and I'm hoping that as we continue this conversation, that you will tell us that yes, we are affecting change, whatever we can do to help make it happen, let's do it because we cannot ignore that, it would be too devastating, not only to the success of the Tribal Set-Aside, but for those who reached out to you and asked for this funding at that time, had an expectation to have a wellness occur, that would be unprecedented in some cases, by what you were giving them in their funding and have that taken away and unable to achieve it. Because the amount, by the time we got sorting out all of this and got the funding awarded, substantial time from a startup date to the time that it ends. Treating tribal nations in parity with states, it must be understood that Tribal Set-Aside program needs to be transitioned away from the standard grant model, which you're pursuing in some cases with all the application grant administration burdens, the new formula model should be one that operates like reoccurring program that our tribal nation can count on, would streamline reporting requirements and increase flexibility for tribal nations to utilize the funds within the contours of what is permissible under federal law. And when you think to the

maximum extent possible, there should be parity between the tribal formula program and the state formula program in terms of administrative and reporting requirements. This is a familiar territory that we can work from. Let's do this, let's do this together and make that happen. Many tribal nations have noted that the Office for Victims of Crime, OVC, has placed higher administrative reporting burdens on tribal nations than it does on the state programs. It's just something that happens in the common sense conversations we might have with our subject matter experts in our world and the ones we work with outside our world would communicate with one another and this gets transferred. And we're trying to understand why is there a difference. They noted this on both sides, not only by our state, people out there, as well as tribal nations. The NCAI Task Force recommends that any instances where OVC places additional burdens on tribal nations that go beyond what is required of the state, OVC should present a justification for the deviation and offer assistance to tribal nations to lessen the heightened burden because of that. And that's not unreasonable. I mean, we just didn't think about it coming outside of the box. But now we're there, we're looking at the no cost extensions not being allowed, and we're looking at this reporting process which also contributes to that. And I think we can work this out. The task force is asking that that happens. When you look at the flexibility and budget modification, particularly in regard to indirect cost agreements, the task force is considering options for streamlining the administrative management of multiple years of formula funding, as we are hearing about serious delays in the approval of budgets, and those flexibilities and budget modifications. And I know that sometimes when you think about what are your counterparts in DOJ and CTAS for OVC, it's been a rocky road, and I've watched this transfer over from different administrations and back again. So, I've seen how this becomes a rocky road but when the tribes have to carry the burden too, it's not reasonable. When we look at those budgets and the inflexibility and budget modifications, that indirect cost agreement for the current year also comes up in there. We recommend parity with the states in terms of budget requirements or tribal formula, grant application which was our goal, and moving in that direction. At a minimum tribal nation must be given the flexibility to make changes necessary to enter cost agreements without significant delays in the budget approval. We encourage OVC to adopt OVC's more flexible approach to budget modifications related to minor changes in indirect costs rates. I think that's doable. I mean, it's part of the process of being inside a system that works with us as a central client. We're continuous, we're the same in terms of being tribal. And I think that is true, one, and yes, I think that tribal advisory group was there in the past and would benefit and help make this work. Appointing a standing working group with tribal experts just makes sense when you think about it. And when ongoing consultation, consistent tribal input is imperative to ensure success of the program. As we recommended in the past, NCAI Task Force urged DOJ to establish a working group and tribal experts can help guide the development of this program and provide input, whether it be on programmatic decisions or an ongoing basis, we urge OVC to commit to regular consultations on this program and moving forward. It's hard to imagine that through this time that we've had under the pandemic. My heart goes out to all of you who've had folks who have suffered and are gone from us now, and we're hitting that again. We're getting into this second wave after being in the eye of the storm. And we're shifting to a response on being very vulnerable, because the struggle to protect the victims through this tele-network, to transportation, to roads, those things that we needed to do without an extension, no cost extension, which is reasonable considering what you're proposing and other ideologies that you have of giving services. We're also looking about the fact that you know as well as we do that this can be done. Whatever is the impediment, let us work together to stop it, because if our

tribes don't end up having this, well, the contribution to crime is not going to be measurable because it has effectively made a difference and I've seen it, and I think you have too. You've done something good here when you started this, and we were partners in this. Let us take our direction that we give to one another as constructive, as well as a give and take of some kind along the way as well. But it is clearly part of your trust responsibility in our world that we're using DOJ to help several hundred tribes who would not necessarily get this from other programs. So, when you think about that, you can't hold the tribes hostage when they reach out to you and provide the service that you do provide and the task force watches with support and honesty and with subject matter experts who weigh in on this, I'm not the only tribal leader in there. I'm not the only person giving this information. They're extraordinary group of people, and you have an extraordinary group of people. We need to talk to one another. Our people, as victims, need to be protected. And one of the most extraordinary things about this is that the subject matter experts understand, but also our traditional side, our sacred side knows. And the healing that we do from a distance that we understand that we can give to one another, you know, it's not the telehealing that I'm talking about. I'm talking about the sacred side of this and that balance that you can afford all of us with this continuity, no cost extensions and releasing the burden on reporting is too extensive. We haven't changed that much. We're constant. So, let's see what we can do. And this is the task force is just going to be looking forward to a further conversation. And they'll give you more comments as we go. And it was one of the co-chairs, along with my president, Shannon Holsey from Mohican, who's the co-chair. We offered these comments on behalf of the task force. [speaks in Native language], my relations. Thank you.

>> Thank you, Juana, for your testimony today. And we look forward to hearing from you either later today or tomorrow to hear testimony from the Pauma Band, in addition to the role you play as co-chair of the task force. Thank you very much.

>> You bet.

>> Our next speaker today will be Charlene Abrahamson from the Squaxin Island Tribe. Welcome. You have the testimony floor.

>> Thank you, Katherine. I turned everything on so I hope it's working, and I tried to clear a little bit of space behind me to be a little bit less messy, and I really appreciate Dr. Dixon's comments and she's a wonderful person to follow, and I thank you for your comments. Here at the Squaxin Island Tribe. We did participate in the Fiscal Year 2020 Tribal Set-Aside, and I've been speaking with our grant people as well. And their feedback is that the process seemed clear and fair-ish. And the process of determining by population versus competitive was really clear for our departments here. We're pretty excited about the idea of phone interviews or a checklist. They are happy with potential phone interview, but like one of the previous speakers, I also think, oh, from Tlingit and Haida, I also think a checklist can be easier. I'm sure everyone has found that during the pandemic we have two or three meetings scheduled at a time often and trying to carve that out is difficult. One of the biggest challenges we faced was that we have a fiscal year 18, OVC Tribal Set-Aside to plan around as we were doing the 2020, and trying to get that timeline to fit and then looking into the 2020 timeline. So, it seemed a bit murky trying to figure that out. So, the challenge was, will there be a 2021, '22, '23 round, and do we hedge our bets or, you know, how do we figure out and plan for that? As people have stated, you know, at the core of all of this planning is that we do face potentially lethal outcomes for the people that

we serve. And that's heartbreaking. And we come into these to give our feedback and plan the best that we can. But the bottom line is we're looking at people in the higher outcomes of domestic violence that our people have faced when the pandemic began that maybe in hindsight was predictable, but it's also still hard to plan around and as people have mentioned, housing, and that type of thing, or shelters, that was very difficult to find placements during that. And I also concur with what other leaders have mentioned regarding no cost extensions and redistributing unused or unclaimed funds. I think I like the idea of no cost extensions, but also maybe to grantees who did not budget for the whole five years, and also prioritizing the remote, rural, and frontier communities. The technical assistance, I do really appreciate various people that we work with. At times, though, my schedule is very busy and I'm getting calls that are really to answer things that help the TA people to be in compliance with their contracts. And I didn't know how to ease that for them. That's another facet that maybe could be streamlined for the technical assistance people. And then also, I hope to see some transparency around Executive Order 13950 for how any of our technical assistance contractors or those on the federal side, what you are asking of them to fit into this. Because obviously we need technical assistance that is able to be culturally competent, if not a tribally owned business, and while the executive order diminishes all of that, there needs to be something separate on a government-to-government side. How will you be asking for one and how will the contractors, what policies are being developed and how will they ensure that tribal cultural competency is adhered to? We definitely have people who turn away or can feel shamed by trying to get assistance through people that don't have that comprehension. And I believe those are all of my comments. And I thank you for your time. I thank you for all the people participating today. I know I can go to the website of Operation Lady Justice, but I hope that we'll be able to see more outcomes on that and what comes about. I believe what I heard is that there's not really any funding to be distributed from that, but whatever data is collected belongs to the tribes, then I would like to see that as well. And thank you all for your time. And thank you for listening. [speaks in Native language]

>> Thank you very much for your testimony. We appreciate your words.

>> Welcome back, everybody. We're ready to continue on with our testimony for this afternoon. Our next speaker is going to be Samantha Thornsberry from the Cahuilla Band of Indians. Jaymee, we are ready for our next speaker. If you could introduce.

>> Begin your testimony when you are ready by repeating your name and tribal affiliation.

>> [speaks in Native language] Hello, my name is Samantha Thornsberry and I am Cahuilla. I come from the Wolf Clan from the Lubo family. First, I wanted to say thank you to the Cahuilla Band of Indians Tribal Council for allowing me to speak on Cahuilla's behalf. And as the program director and lead advocate for the Cahuilla Consortium Victim Advocacy program, the support of the Cahuilla Band of Indians and our sister consortium tribes, the Santa Rosa Band of Cahuilla Indians and the Los Coyotes Band of Cahuilla and Cupeno Indians has always been one of caring and mutual support. The CCVAP team has been working to do good work for our Southern California tribal communities for going on 11 years. Second, I'd like to thank all of those that are in attendance at this consultation. And I would like to thank OVC for listening to the tribal leaders, making sure that we had this opportunity to consult with one another. Without further ado, I'm going to jump into the consultation questions. The Cahuilla Band, on behalf of the Cahuilla Consortium Victim Advocacy program has participated in the 2018, 2019, and now

2020 OVC Tribal Set-Aside grant funding opportunities. Going to start out with some positives. These funds have allowed us to grow our program and infrastructure. While we initially started out as an OVW and FIPSE funded DVSA program, with our OVC funds we have grown into a true victim advocacy program that can offer a multitude of services to our people who have been victimized in some manner. We still have a large number of DV and SA clients that we continue assisting. But now we are able to offer new services, such as transportation and in-house therapy services. We're also able to assist those who come to us for other crimes perpetrated against them. A couple of examples that are new to us have been, we had a client that needed assistance with cleanup of property damage from a drug crime and a police pursuit. We had burial assistance needed due to homicide and a multitude of other services. Thanks to our Tribal Set-Aside dollars, we now have two program vehicles that we can use to transport our clients to appointments. We have more staff that can assist with advocacy efforts. We went from a staff of one and a half to seven, and that includes a therapist. And now we're able to offer teletherapy services, which has been so vital these days during this pandemic. I'm saying all of this because these were needed dollars to grow the infrastructure, to allow us to assist others in our communities who are not getting any help. So, the short answer is that we have been satisfied with the process and we will continue to pursue the Tribal Set-Aside grants in the future. Additionally, the two-phase grant application process has been workable. I appreciate the phases as it allows time to plan and gain the requested information from our consortium tribes. However, we would also support the development of the collection of key documents that would be housed in JustGrants. We've talked about this additionally at the OVW consultation so that no more undue stress on gathering standard documents is placed upon the tribes. Our hope is that JustGrants is the hub that we all hope it to be. I'd like to include that the application process with the two-phase system appears to be working, and we appreciate the extended due dates as they do help us getting to a completed application. But I just add to that, that the phase two work cannot get started, which seems to be the bulk of the work in developing the narrative and goals and objectives, that cannot get started in detail without knowing the award budget amount, as planning is so vital in that phase two stage. Finally, the idea of providing a telephone interview with an OVC program manager with a checklist, especially for those tribes resubmitting year after year would make a lengthy process. And I'm referring to here understanding the narrative, a more streamlined process that would be less repetitive as the adjustments, additions, or other program objectives could then be discussed with the interviewee being able to update the program's narrative versus writing a narrative that is duplicative language from the prior year, and then just adding anything new, just seems easier on everyone's part. For the 2020 Tribal Set-Aside, we are being asked to provide more justification on both our narrative and budget, as there are questions about duplication of services. We will provide the justification and explanation, but I'm wondering if a conversation could have been better, a better explained approach. So, I'm going to rewrite a justification to say the same thing in another way when a conversation may be easier for both grantee and grantor. As for the formula that was developed with a tiered population award structure, we support formula funded structure over a competitive funding structure every day, however, we're not quite sure that we understand the tiered structure as there continues to be leftover funds that do not get distributed. So, we would encourage that all the funding be given out to those tribes who are submitting applications, and we would support the idea of a bonus to those tribes that might be considered extreme, frontier, and rural as their need for resources may be great, especially this year as a result of the pandemic. But again, those who submit applications with a sound narrative and budget requests should be fully

funded. There should never be leftover funds. And if tribes elect not to apply for the Tribal Set-Aside, then utilize those funds to go out to the applicants via bonus system. When the VOCA funds go from a 5 percent budget to a 3 percent budget and there's leftover funds, it looks, looks as if the tribes don't need the funding, which is so far from reality. Last, in regards to technical assistance, the outreach by TA providers sometimes seems more like something we have to do and not something we need to do. I was asked how I collect my data. I said that I use the OVC provided Data Excel template, which the TA provider was not aware of. I emailed the TA provider a copy and then received it back from the TA provider a few days later. My belief is that the one area that really needs to be examined and made more efficient is reporting data, which the TA providers haven't been able to give much help with. And this may be due to the fact that they don't really have an understanding of the work, the actual boots-on-the-ground work that tribes and programs are performing. At our last TA meeting, I posed the question that I continue to struggle with, reporting data, not gathering it, but reporting it in the Performance Measurement Portal through the PMT. As we have three different OVC grants, I often struggle with what client data to enter on each report, as often it looks duplicated on each. However, we have multiple staff employed under multiple grants that provide a variety of different services. So there needs to be some understanding that one client may be assisted in different ways by different funding streams, even if the service is being assisted solely by an advocate. Also, I would say that the most cumbersome task in managing the OVC Tribal Set-Aside grant has to do with reporting and using the PMT and then uploading the reports into formerly GMS, and now moving to JustGrants. We would encourage a better reporting template with upload into one platform to better streamline this process. These are the more technical items that we would be more appreciated and practical. And I just want to say on this that, when we assist people, you know, the reporting is as if it's one, two, three after each item, but our assistance is really a collective kind of this approach. And the reporting is very kind of linear. So, it makes it very difficult. On behalf of the Cahuilla Band of Indians and the Cahuilla consortium I'd like to say thank you for allowing me to provide this testimony. And I will submit written testimony on our behalf. [speaks in Native language] Thank you.

>> Thank you so much, Samantha, for your testimony today. And we're looking forward to your written testimony. There's some really good suggestions in there.

>> Our next speaker today will be Tresia Coleman from the Native Village of Eklutna.

>> My name's Tresia Coleman. I'm a council woman for the Native Village of Eklutna. I am now learning about how to do this. So, I found it very hard. So, I thought this would be very helpful to me. And yet, so far, everybody before me has mentioned things that I'm worried about, like the reporting and the things that are coming back. And I'm just now learning, I'm not alone feeling like I'm not knowing how to do this. That's probably not the correct words I'm looking for, but I am having issues with trying to get funding without it being bounced back because of the services we've offered and the amount of employees we have to try to cover everything for our tribes and our people. As just now doing this, I'm so frustrated because I have experience and yet when we're doing these types of grants. I can't, I'm having issues navigating and at no time do I want to fail my people. And I feel like a conversation should be had, because I don't want to lose something that's helping people, any of our tribal members, any of our community. I'm a little nervous, I apologize, but I've spent years working with domestic violence and that kind of thing. I'm a survivor myself. So, it gets really frustrated when I'm trying to figure how to help them,

where I'm going to get services and how to do this reporting where it's not like, oh no, you've done this before, this isn't going to work this time. And that's all I have to say.

>> Thank you very much for that testimony. And we do appreciate that you found a way to connect with us in dealing with challenges with technology and your schedule and your location. We appreciate that you put the effort into being able to deliver testimony to us today.

>> Our next speaker today will be Amber Kanazbah Crotty of the Navajo Nation. You can now unmute your line and start your video. Please begin your testimony when you are ready by repeating your name and tribal affiliation.

>> [speaks in Native language] Good afternoon. [speaks in Native language] Amber Kanazbah Crotty. [speaks in Native language] I'm a Navajo Nation council delegate. I'm the chairwoman of our Sexual Assault Prevention Subcommittee. I want to thank the Office for Victims of Crime for providing this tribal consultation and for all of the programs and tribal leaders who have taken out their time to provide a consultation of the Navajo Nation as a government did not receive a Tribal Set-Aside grant in fiscal year 2020, what was offered and provided to support Navajo Nation victims was an award grant to, I believe what is considered like a tribal consortium, a non-profit that is based off of the Navajo Nation in one of our border towns called Capacity Builders. And so, I want to just take this time to say that a lot of the work that we do here on the nation has come on the shoulders and the grief and the sorrow of so many who have been victims of violence. But as we learn and deal with that pain, we also look internally for strength and the conviction that we have in using our language, our culture, our prayers, and our ceremonies to not only heal ourselves, but heal our communities, The Navajo Nation, as we lost Ashlynnne Mike in 2016, it triggered and it shifted the ground that we all walked upon. And collectively as mothers, aunties, grandmas, daddies, grandpas said that we were going to protect our most precious children who on Navajo Nation have the highest percentage of violence bestowed upon them, whether that is domestic and witnessing domestic violence, interpersonal violence, being a victim of or living in a home where there is sexual abuse, incest, and also being in homes that do not offer the support that they need as their parents, guardians, and loved ones, try to numb their own trauma and deal with that intergenerational violence. And so, with that in mind, we have collectively have tried to strengthen our internal support networks. And so, this Tribal Set-Aside funds in the past has been used, to my knowledge, to help with additional victim advocates, and hopefully for our prosecutors to build up their program so that they can prosecute specific cases. But in terms of this grant, I apologize. So, in terms of this grant funding, Capacity Builders, I believe, and this is where I want to make a strong recommendation is if there can be a section in the grant application that these consortium's have a direct connection with the native nations, that they are applying and identifying that they will partner with. Currently, that's not the case. And unfortunately, what that creates is a lost opportunity to partner and incorporate the nonprofits into what Navajo Nation and how we work with, not only our tribal programs, our state partners, as some of our Navajo Nation leadership is on the call, what New Mexico governor, and then it misses opportunities as we have these tribal consultations and provide recommendations to our federal partners. It's not clear at this point in terms of what is required from the granting agency, but I would request that there could be more coordination and more accountabilities to the people that they are funded to serve. Because in looking at, and in speaking with the program, without that direct connection, they're not integrated. And so, if there's training or services provided, there's little to no evidence that that

has helped Navajo Nation victims, whether they're here within our jurisdiction, in our boundaries or providing services to what we consider our border towns or surrounding non-Navajo communities. And so, I wanted to make sure that that was part of the conversation today. And I recognize the work and coordination from the NCAI Task Force in developing and cutting the ground for this Tribal Set-Aside. So Navajo Nation will provide our written recommendations to continue the Tribal Set-Aside, that it's not a limited timeframe, and we will also stand by in the recommendations today to assist the programs, to also build up their capacity. And as we have all experienced, unfortunately, in the past is when these allocations are given in, you know, a varying amount of time, if someone leaves or if there's a turnover, we miss the momentum on how we could provide services to the victims. And so, I appreciate the capacity building aspect of the Human Trafficking Center. And we look forward to working in collaboration as we continue through training and advocacy, help and assist our Navajo relatives and others who find themselves in a trafficked situation. And especially as we have outsiders who come in and try to exploit our system. So, thank you very much for the time. And we'll be providing our written response to this tribal consultation. And for all of our relatives out there who have been impacted by the virus, we stand with you in prayer. And we know the pain of losing a loved one. And we also hear the silent cries from our victims who have been held up and sometimes held hostage during this pandemic because they are groomed and they are meant to believe that no one is looking out for them during that time. And so, we're lucky enough to have shelter advocates who are rescuing these families and providing them the service that they need, and we will continue to work on our wraparound service. So, thank you very much.

>> [speaks in Native language], Amber, Tribal Leader Amber, for sharing your words today.

>> It looks like we do have a person who's wishing to speak. Jackie McArthur would like to speak. Jaymee, if you could take care of that for us.

>> Please begin your testimony when you are ready by repeating your name and tribal affiliation.

>> My name is Jackie McArthur. I'm with the Nez Perce Tribe in Idaho and I serve as a social services manager and have administered several OVC projects. The Tribal Set-Aside has been a nice change as far as access to services, technical assistance, and guidance outside of the CTAS process. So that's appreciated. But I also want to stress the frustration of the no cost extensions, we are not able to request extensions on the project period. And that's really unfortunate. And for actual victims of crime, we had a project that OVC required at least 50 percent of the budget be for victim services. And that was my first project hit with this new requirement. So that's really frustrating. And additionally, the PMT and then uploading it onto GMS, and now we're in Just Grants. I'm sure other tribes have this same issue is that we piecemeal our programs together and we have to manage multiple projects and where that's good on one hand, it would be good if OVC could keep that in mind while they're building their requirements and program infrastructure that we need to fit into. Every time that I have had to upload data on the PMT, every single time my data is lost and the help desk acknowledged that that occurs. And so, I have to upload it again. The Set-Aside project is good. We appreciate that. And just to encourage or advocate for our tribal nations to be able to have access to these funds and services without the administrative and barriers to them. And that's all I have. Thank you.

>> [speaks in Native language], Jackie. Thank you for offering your words for today's testimony.

>> I'd like to now welcome back Director Jessica Hart to make closing remarks on behalf of the Department of Justice.

>> Thanks, Katherine. I just want to echo everything that Katherine and Marcia just said. This was so helpful today. I think we heard some really great recommendations, great suggestions. I've been like busy jotting down everything that was being said. And I think we're excited to, we have tomorrow's consultation as well, but to sit down as a team and really go through some of these suggestions and make the program the best and streamlined as it can be. So, I really appreciate everyone who spoke today and everyone else who was on the line as well, just taking the time, being here, and just adding value to this process. And we can only make it better from here.

>> Thank you, Director Hart. We now have our official closing for this afternoon session from Maegan Ray. Maegan is from the Wailaki Pomo Round Valley Reservation in Scotts Valley Band of Pomo Indians. Please go ahead when you're ready, Maegan.

>> Awesome. Thank you, guys. I would like to thank everybody for being a part of today's session. I was honored to listen in and witness all the hard work and good medicine that you offered today. I believe that these conversations and ideas that you have created will carry forward and be able to help our people along the way. Truly this is generational work. I wanted to offer a song to my people. Northern California or the Wailaki and the Sugar Bowl Pomo. Up here we love their medicine and I offer this to you all. [native music] [speaks in Native language] Thank you, Creator. Thank you for everything you've given us. Thank you for all the blessings. Thank you for all the love. Thank you, guys.

>> Thank you, Maegan, for that moving presentation and for doing us the honor of closing our event today. On those beautiful notes, I send you all off. We are looking forward to seeing you tomorrow.