

Saint Regis Mohawk Tribe Shares Announcement of Federal Report on Tribal Consultation



L-R: Congressman Raul Ruiz (D-CA); Aaron Payment, Chairman, Sault Ste. Tribe of Chippewa Indians and First Vice-President, National Congress of American Indians; Thora Padilla, Mescalero Apache Tribe Natural Resources Director; Beverly Cook, Tribal Chief, Saint Regis Mohawk Tribe (SRMT); Eric Thompson, SRMT Tribal Chief; and Michael Conners, SRMT Tribal Chief.

Members of the Saint Regis Mohawk Tribal Council (SRMT) recently participated in a press conference at the U.S. Capitol to announce the release of a new U.S. Government Accountability Office (GAO) report, entitled *Tribal Consultation: Additional Federal Actions Needed for Infrastructure Project*. Attending at the invitation of Congressman Raul Ruiz, M.D. (D-CA) and Congressman Raul Grijalva (D-AZ), Tribal Chiefs Beverly Cook, Eric Thompson and Michael Conners spoke on the first-ever comprehensive review of 21 federal agencies' tribal consultation processes.

"We are grateful for the work of both Congressmen and pleased to share what we think constitutes recognition of the need for more meaningful tribal consultation through the release of this new report," said Tribal Chief Beverly Cook during the press conference. "The fight for meaningful consultation is beginning to show some positive results, but there is still more work that our Tribal Council knows must be done. We cannot stress however, how important it is to finally have advocates in Congress who actually listen and take action on what we have been trying to convey."

For the past several years, members of the Tribal Council have been reaching out to federal officials and agencies to voice Akwesasne's environmental concerns and issues pertaining to consultation. These efforts resulted in the convening of a roundtable discussion with tribal leaders on June 14, 2016, which included the Saint Regis Mohawk Tribe. These discussions resulted in Congressman

Ruiz and twenty-four members of Congress requesting an investigative report from the GAO on federal policies intended to protect tribal communities.

"The historical implications of the federal government's failure to fulfill its trust responsibility to tribal communities has been environmentally catastrophic," shared Tribal Chief Eric Thompson. Chief Thompson noted, "For years, the Saint Regis Mohawk Tribe has been raising serious concerns with superfund mitigation efforts at the former-General Motors site located immediately upriver and upwind from the Akwesasne community. While the U.S. Environmental Protection Agency sought the tribe's input, it did not take our recommendation for the complete removal of all contaminated materials into consideration for the sites cleanup."

In late 2017, the Saint Regis Mohawk Tribe submitted a 168-page testimony to the GAO that outlined the shortcomings of the federal government's consultation process. Throughout 2018, the tribe continued to work with the GAO in answering additional questions, reviewing the tribe's contributions to the report, and meeting with Members of Congress to help bring the report's findings to light. To ensure the GAO had adequate information to conduct their investigation, the tribe encouraged other tribes negatively impacted by federal infrastructure projects or superfund sites, without adequate consultation, to submit testimony.

In February 2018, the GAO released the first of their two reports, entitled *Superfund: EPA Should Improve the Reliability of Data on National Priorities List Sites Affecting Indian Tribes*. The report acknowledges that the EPA lacks reliable data on sites that affect tribal lands and lacks required documentation for its consultation with tribes. In addition, the report provides four recommendations that includes the Director of EPA's Office of Superfund Remediation and Technology Innovation to develop a regular review process and clarify guidance on tribal consultation.

The GAO recently released its second report, *Tribal Consultation: Additional Federal Actions Needed for Infrastructure Project*, which offers an expanded analysis of the duty of federal agencies to consult with tribal governments on federal infrastructure projects.

"Tribes have the inherent right to self-determination and the right to have a say in decisions that impact our community's lands and health," said Tribal Chief Michael Conners. Chief Conners added, "On behalf of the Saint Regis Mohawk Tribe, we extend our appreciation to Congressman Raul Ruiz and Congressman Raul Grijalva for the opportunity to contribute to the reports and towards improving the federal government's relationship with Indian Country." ♣