

United States Senate

WASHINGTON, DC 20510

COMMITTEES:
ARMED SERVICES
ENERGY AND NATURAL RESOURCES
INTELLIGENCE
JOINT ECONOMIC

May 10, 2017

The Honorable Ryan Zinke
Secretary of the Interior
Department of the Interior
1849 C Street, N.W.
Washington DC 20240

Dear Secretary Zinke:

I was disappointed to learn that you do not plan to hold a public meeting during your review of the Bears Ears National Monument and that you only met with tribal leaders for an hour during your trip to Utah. As you know, the previous administration held public meetings and conducted extensive public outreach before each decision to establish a national monument.

Moreover, I was disturbed by your statement regarding the accessibility of the regulations.gov website to members of the public who wish to participate in your review process. When asked why you were not holding a public meeting, you reportedly said that a public meeting is not necessary because everyone can comment at regulations.gov. When reminded that many Navajo families do not have internet access, you reportedly dismissed the comment and said, "Sure, there's tons of Navajo, and everybody, not just the Navajo, have access to regulations.gov."

In fact, internet access is far from universal in Indian Country. According to the Federal Communications Commission, 80 percent of New Mexicans—and 78 percent of Utahns—who live in Indian Country do not have access to fixed broadband internet. Across vast reaches of the Navajo Nation, even cell service is hard to come by. Moreover, cultural and historical practices bias a written comment process against those who come from an oral tradition. In many Native communities, traditional elders communicate solely in their native language and decisions on important issues are made only after extensive discussions. A respectful engagement process with tribal communities would include opportunities for public discussion and oral comment. Access to regulations.gov is unequal and heavily weighted toward urban, non-Native communities—those least affected by the decision of whether to shrink or repeal the Bears Ears National Monument.

Moreover, the announced comment period on the Bears Ears National Monument is only 15 days, providing extremely limited time for communities to weigh in on your review. The Pueblo of Zuni and the Navajo Nation, both located in New Mexico, are members of the Bears Ears

Inter-Tribal Coalition along with the Hopi Tribe, Ute Mountain Ute Tribe, and Ute Tribe of the Uintah and Ouray. The monument designation is also supported by the Pueblos of Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh, Picuris, Pojoaque, Sandia, San Felipe, San Ildefonso, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Ysleta Del Sur, and Zia. Members of many of these tribes are my constituents. They must be provided with sufficient, culturally relevant opportunities to participate in the monument review process. I ask that you extend the public comment period to 60 days, matching the comment periods for the other monuments under review, and hold a public meeting in the Bears Ears region to allow local communities to comment publicly.

The Bears Ears region, a spectacular landscape with its big skies and red rocks east of the Colorado River and south of Canyonlands National Park, includes thousands of historic and cultural sites with deep meaning to numerous tribes. I know you come to this office with a history of respecting and understanding tribal traditions and I hope you will work to ensure full engagement with tribal communities on the question of the monument's future before completing your review.

Sincerely,



MARTIN HEINRICH
United States Senator