

1 EVENING SESSION

2 7:30 p.m.

3
4 (The following was moderated by Ms. Donna Lucero)5
6 THE MODERATOR: Thank you very much for all coming
7 tonight.8 The topic this evening is how to influence policy
9 decisions, which I think is really extremely important to
10 the whole focus of the consultation for these two days and
11 obviously you must think it's pretty important too or you
12 wouldn't be here.13 We have heard throughout the day of what some of the
14 problems are, what is the reality of the current situation
15 in resource development, and energy impacts, and of the
16 current attempts that are being made to include minorities
17 and women in the whole process.18 There is a lot more that can be done, and I hope that
19 this evening we can focus on the -- some affirmative actions
20 that we can do in the future on our own as individuals and
21 as whoever we represent, and be positive and concrete in
22 suggestions that are made that not only we have seen can be
23 used, and can be used by others, but things that haven't
24 worked in the past and that we'd like to share failures too,
25 so that somebody else doesn't have to reinvent a bad wheel.

1 We had started out asking a few people to come to be
2 resource people tonight because of their obvious expertise.
3 But I have realized from the participation through ques-
4 tions and answers throughout the day, that the audience
5 really, each of you are resource people in your own field.
6 You each have a point of view that you brought to the con-
7 ference, hopefully it has hit against other points of view
8 and the real value, the reason that we wanted to have a group
9 smaller this evening, is because you didn't all have time to
10 speak out during the day and you all have points of view
11 that are very valid and need to be heard.

12 And I hope that you will bring these out tonight,
13 and really have much more communication, because that is
14 what is going to have some impact on policy making in the
15 energy area is this cross fertilization of ideas.

16 For the format this evening, I would like in a minute
17 to ask each of you to go around the room and introduce
18 yourselves and if you can limit it to 60 seconds or pretty
19 close thereto, state why you're here, and a concept that you
20 feel is important to deal with tonight from your point of
21 view.

22 And Ron Taoka from the staff will write this up on
23 the board so that we can refer to them, and then I'd like
24 for the resource people, all of you resource people in the
25 room, to contribute more in-depth your point of view once

1 we have gone around the room once.

2 First time introduce yourself and then from there on
3 we will use the chart so that you do not have to introduce
4 yourselves unless you would like to. Okay?

5 Are you willing to start, be the first one?

6 MS. HOLLIDAY: Not really, but I will.

7 MS. HOLLIDAY: My name is Gay Holliday, I'm from
8 Roundup, Montana. I am here representing the rural American
9 women. I participated in that conference this spring in
10 Washington, D.C., and because of that organization I was
11 invited to participate in this.

12 I am a rancher, and I serve on the governor's economic
13 advisory council.

14 MS. BRERTON: My name is Rene Brerton and I work for
15 senior citizens organization and I am rather concerned about
16 the lack of citizen involvement into the process that's
17 determining the energy impact. And also lack of corporate
18 responsibility in assuming the effects of energy.

19 MS. ANDREA VALESQUEZ: And I am Andrea Valesquez and
20 I'm here just to learn more about what's going on.

21 MR. RICHARD TUTTLE: My name is Rich Tuttle and I
22 work for an organization that works in four of the western
23 states that are being impacted by energy development. And
24 I'm interested in seeing more citizen participation through
25 community organization and direct involvement in policy making

1 decisions.

2 MS. DOROTHY SUTTON: My name is Dorothy Sutton and
3 I'm personnel manager for ecology consultants, an ecology
4 consulting firm that does environmental impact statements up
5 and down the front range and I've just been new in the field
6 and I'm really interested in learning about the energy
7 expansion and as a learning curve for any particular position
8 and in any way I can volunteer information or take back
9 information to my company that could, in turn, maybe direct
10 things in the proper directions that you're trying to set
11 today.

12 MS. MARGARET LIPPIS: I'm Margaret Lippis, I'm, I
13 work for the division of employment and training, I'm state
14 supervisor of, I have three hats, no, two hats. I'm state
15 supervisor of counseling and testing and also state super-
16 visor of women in employment.

17 MS. HESTER McNULTY: What state?

18 MS. LIPPIS: Colorado. And I'm interested in the
19 part of my job that deals with women in employment, as far
20 as nontraditional employment for women, and also innovative
21 ideas on how I can help women applicants who come into our
22 job service section.

23 MR. JAMES BOGGS: I'm Jim Boggs from the Northern
24 Cheyenne research project in Montana, and I'm a research
25 sociologist, I've been working for the tribe for two years,

1 a little over two years now, and as many of you know the
2 Northern Cheyenne Tribe is literally ringed in all kind of
3 energy development but it has a lot of coal on the reservation
4 itself, and there are just a lot of issues relating to local
5 communities in energy development areas that I'm interested
6 in.

7 MR. CARL WHITMAN: My name is Carl Whitman, I'm a
8 planner from three affiliated tribes, the three affiliated
9 tribes in North Dakota. I have been interested in these
10 alternative energies rather than systems that are -- I rely
11 on, exhaustible resources.

12 MS. DONNA DAVIDSON: My name is Donna Davidson, I am
13 a boomtown specialist working for energy industry, and my
14 interest is cooperation between industry and the communities,
15 and also grass roots power community control. But the
16 opposite side of the coin of power is responsibility, and
17 I'm very much concerned with getting local citizens and local
18 communities to be willing and capable of taking the re-
19 sponsibility that goes with the power.

20 MS. McNULTY: My real name's Hester, my nickname's
21 Tess, McNulty, and at the moment I'm natural resources coordi-
22 nator for the League of Women Voters of the United States,
23 and I've got to worry about the whole country but before
24 I started doing that, I was very active in the impact of
25 energy development in region 8. And I think that we have

1 3% of the population and that we just haven't found the way
2 to influence policy and it isn't enough that government
3 officials get in there to influence policy, we have to get
4 everybody here into citizen participation, government
5 participation, the whole ball of wax, if we're going to have
6 any meaning whatsoever or impact on Washington.

7 Right now, federal government's deciding leasing
8 policy and I heard today over and over again, how can we
9 make it slow down or maybe not happen all at once, how can we
10 influence it? So it's happening now, and the citizen
11 reaction has been like nil.

12 MR. BURMAN LORENSON: My name is Burman Lorenson,
13 I currently am the director of the federal regional council,
14 energy impact office, just prior to that I was the oil
15 shale coordinator for the State of Colorado in the socio-
16 economic coordinator for the State of Colorado.

17 My main purpose is to assist in mitigation of impacts
18 in boomtowns in the six-state area currently.

19 MS. HONEY ROBERTS: My name is Honey Roberts, I'm
20 representing the national organization for women. I and we
21 are interested, of course, on the impact of everything on
22 women. Including the mitigation of that.

23 MR. KENNETH LEDFORD: My name is Ken Ledford, I'm an
24 international union representative, I was asked to attend
25 this conference because of my stand on women's rights and

1 minorities' rights in the mine area.

2 MR. JOHN FOSTER: I'm John Foster, I'm with the
3 federation of 26 Indian tribes of the northern great plains,
4 I'm acting executive director and I'm also a geologist.

5 The name of our organization is Native American
6 Natural Resources Development Federation. I'm concerned
7 with the impact of natural resource development on Indian
8 reservations and I'm an advocate of solar and alternate
9 energy for use on Indian reservations. And I draw your
10 attention to some brochures out on the registration desk about
11 a conference we are sponsoring in Albuquerque December 5, 6
12 and 7, the title of that is solar and alternate energy for
13 Indian reservations.

14 MS. BETSY TOOKA: I'm Betsy Tooka, I'm a nonpaid,
15 interested citizen in this topic. I'm particularly interested
16 in the grass roots community organizing aspect of this
17 issue.

18 MS. MARY VOGEL: I'm Mary Vogel, I work for the
19 Colorado Civil Rights Commission, currently as compliance
20 review officer, looking at the implementation of the
21 governor's executive order on affirmative action in state
22 contracts, especially capital construction contracts.

23 Prior to that I worked with the civil rights commission
24 in exclusionary land use and housing project on A-95 reviews
25 of the community development block grant fund.

1 And I'm doing my master's thesis in urban and regional
2 planning on housing policy, especially policy in the area
3 of housing, finance and housing production.

4 The concept that I would like to see addressed is get-
5 ting decent housing built at affordable cost in a way that
6 addresses and begins to put a stop to the skyrocketing costs
7 of housing.

8 For low and moderate income people of whom, of course,
9 women and minorities are very disproportionate segment, and
10 some of the ideas that I have in this area are state housing
11 and pension planning much more utilization of public housing
12 authorities, housing cooperatives, community land trusts
13 and land banking.

14 MR. DONALD DUNCAN: My name is Don Duncan and I'm
15 legislative coordinator for the energy minerals division,
16 Phillips Petroleum Company, and we're relatively new into
17 the coal and uranium areas of energy and we're here mostly
18 just to get insight as to what some of the local needs are
19 and again as all you're concerned a while ago, we're con-
20 cerned with maintaining a close contact between our par-
21 ticular industry and the local needs and the people at the
22 local level.

23 MR. MANUEL QUINTANA: I am Manuel Quintana, retired
24 fireman. And I'm here just to see what I can learn about
25 what's going on in the world.

1 THE MODERATOR: Where are you from?

2 MR. QUINTANA: Sheridan, Wyoming.

3 MR. MARLO GONZALEZ: My name is Mario Gonzalez,
4 better known as Mario from the reservation I come from. I
5 am an enrolled member of the Ogalala Sioux Tribe, Pine Ridge
6 Indian Reservation, and I'm presently serving as the tribal
7 attorney for the tribe. I also serve as a state chairperson
8 to the South Dakota SAC.

9 MR. RAYMOND TSOSIE: I'm Raymond Tsosie, and represent
10 Utah International and Navajo Mine in New Mexico. I'm per-
11 sonnel manager for the company. My primary interest is to
12 try to be responsible for the affirmative action plan for
13 the company, for the mine there at Fruitland, and also
14 I'm responsible for the enforcement and compliance to the
15 union contract we do have with the operating engineers and
16 I'm mostly responsible for enforcing our agreement with the
17 Navajo Tribe by which we operate the mine, and that contract
18 is a provision for Indian preference and my job is to
19 enforce that contract.

20 And also the contract with the operating engineers.

21 MR. BARBAROSSA: My name's Omar Barbarossa. I was
22 asked to be a speaker here probably because of my past
23 involvements more than my current involvement. I was
24 assistant to the governor, State of New Mexico, for Manpower
25 and energy planning. I also did a special consultation for

1 EPA in the area of energy and environmental planning. I
2 did my graduate at UNM and the area of that was policy and
3 energy alternatives.

4 I'm currently project officer in the equitable
5 insurance and I'm in development and as it deals with
6 financing minority enterprise, which has nothing to do with
7 energy. But hopefully it will.

8 The concept I would like to address, and while I
9 concur with most of the concerns here tonight, is one that
10 I feel has been overlooked traditionally much like that of
11 the Native American in this part of the country, that is the
12 Chicano or the Espano or the Mexican-American or however
13 you want to phrase it. We call it La Raza, and of course
14 my concern is that we are the largest minority in this
15 area, we were the first settlers of this area, second to the
16 Native American.

17 I do not want to see another gold rush, if you will,
18 in which we're passed by as a people. So my concern is
19 policy in the area of energy as regards to Hispano y
20 Chicano.

21 THE MODERATOR: I'm Donna Lucero with the Colorado
22 Advisory Committee and President of the League of Women
23 Voters of Denver, and am dedicated full time to the propo-
24 sition that the more information citizens have, the more
25 they can work on their own without somebody else saying what

1 citizens want, to influence decisions in government at all
2 levels, and have an impact just as if government has an
3 impact on citizens, citizens can also have an impact on that
4 government, and since Mr. Foster got in a commercial, I
5 will take the same privilege, I have up here some
6 publications for sale from the League of Women Voters on
7 energy dilemmas and a packet of energy briefs and they're
8 each a dollar. And you're welcome to them.

9 MR. RON TAOKA: Ron Taoka, with the U.S. Commission
10 on Civil Rights, and I guess I'm just basically interested in
11 the problems that women and minorities are facing due to the
12 energy development in the west and I'd like to maybe find
13 out what maybe we can do or as citizens to maybe lessen the
14 adverse impacts on minorities and women in the west due
15 to energy development.

16 MR. CAL ROLLINS: I'm Cal Rollins, the research
17 writer for the U. S. Commission on Civil Rights, Rocky
18 Mountain regional office and I'm here to listen because I'll
19 be writing reports.

20 MR. FRED OSWALD: Fred Oswald, I'm a member of the
21 Utah SAC.

22 THE MODERATOR: Would you say why you care about
23 being at this conference?

24 MR. OSWALD: I think Utah is experiencing the same
25 kinds of energy problems that other states in the region are,

1 and although I'm from Salt Lake, and not as familiar with
2 some of the boomtown problems that other areas are having, we
3 still have our own problems and other things going on and
4 I think that it does have tremendous impact in the civil
5 rights area for minorities and women, and so I'm interested
6 in being here and very interested in what's gone on so far.

7 MR. MARTIN GARBOR: My name is Martin Garbor, I'm
8 assistant to the president of Phillips Petroleum Company,
9 also have a dual role of being the director of the external
10 liaison department for the American Petroleum Institute.

11 I'm here in dual capacity, basically to learn from
12 you all as to some of your problems that might be affected,
13 affecting some of our operations in the west, and at the
14 same time, hopefully to explain some of our problems in
15 trying to develop some of those properties.

16 THE MODERATOR: Thank you. You two are welcome to
17 come up to these two chairs if you would like, or you can
18 stay where you are.

19 MR. BARBAROSSA: I thought I voiced a concern.

20 MR. TAOKA: Hispanics?

21 THE MODERATOR: While this is an impressive group,
22 and I will ask the resource people that I had specifically
23 invited, Tess McNulty, Burman Lorenson, Martin Garbor and
24 Jim Boggs, to add your comments as we get into the issues
25 where you have a specific expertise. Do you mind? Okay.

1 And let's get on to our topic now, how can policy
2 decisions be influenced? By each of us here, how should
3 they be and how shouldn't they be? I'd like to hear from
4 the perspective of the industry itself as well as people who
5 are being impacted or have other concerns.

6 MS. DAVIDSON: Policy decisions about what, you have
7 something like 20 areas of policy decisions have been
8 mentioned, pick one to start on, please.

9 THE MODERATOR: This is a varied enough group and we
10 all need to carry something back to our state that we came
11 from that it really does need to stay as broad as energy
12 development, that is currently taking place. And impacting
13 on citizens in that state.

14 And if that is not too broad, it really will be helpful
15 to have some tools --

16 MS. McNULTY: You have the first question on how much
17 is going to be developed, which is your very first question.
18 Is how much is going to be developed? Then, after you find
19 that out, if you can influence that decision, then you get
20 to the next one is how do you handle the growth that that
21 level of energy development is going to create and how do you
22 create opportunities for women and minorities to get a piece
23 of the pie.

24 MR. OSWALD: I think there were several of the speakers
25 today who talked about the necessity of involving people in

1 the decision making and policy process. And how important
2 it was for individuals to be involved. And I think that raises
3 the question, a very serious question for me, because I see
4 it taking place in Utah and I'm sure it takes place in
5 other states, and that is, that as we have energy development
6 usually taking place in our rural areas, we have found that
7 those people who are living in those rural areas have been
8 very vocal about the fact that they want to be the people who
9 make those decisions, and they don't want either people from
10 urban areas or the federal government making decisions for
11 them.

12 And there was a comment at dinner tonight that if we
13 had any sort of a referendum in our rural areas about whether
14 we wanted to have development in those areas, I think it
15 would be overwhelming in terms of the response that they do
16 want that.

17 And I think if those local people were sitting and
18 hearing all of the factual information that we heard all day
19 today, they would, even after hearing all of the negative
20 things that happen as a result of development, would still
21 be very strong in voicing their opinion, and so I think first
22 of all we have to recognize that the people who are involved
23 in making those decisions in the very real sense are the
24 people who are living in those communities where those
25 decisions -- where those -- that development is taking place,

1 and I can't make the decision for them either because I live
2 in the same state, because I'm not living in that community
3 and I don't think that the government agencies or even
4 private enterprise can do that.

5 THE MODERATOR: Are you suggesting that there should
6 be some citizen input into the federal government deciding
7 what land they are going to lease for energy development?
8 And citizens having decisions at that level?

9 MS. McNULTY: Yes, they're coming out with their
10 whole leasing policy, there was a suit and RDC, natural
11 resources defense council against the department of -- it's
12 against whose office, then, the undersecretary of interior,
13 that's been settled.

14 We are now going into a leasing policy. And I think
15 it behooves this whole region and I would like to say that
16 one thing that I felt is we should add New Mexico to region
17 8, they don't like being with Texas and Arkansas anyhow.

18 MR. BARBAROSSA: Never liked it.

19 MS. McNULTY: It would give us more of a regional
20 voice to begin with, to tell them, yes, we're willing to have
21 energy development in that local community that wants growth
22 but we don't want it all at once. And we don't want you to
23 put two lease tracks in the same agricultural valley and
24 overwhelm agriculture. We want you to stage your leasing,
25 but nobody is out there saying that.

1 Once you get the federal government to have a leasing
2 policy of staging, then your experts here can better prepare
3 the communities for the growth that's going to accompany it.
4 But with 3% of the population we're not going to have a say
5 unless we get citizens, government officials, everybody.

6 THE MODERATOR: Are you saying Colorado's 3% of the
7 population?

8 MS. McNULTY: No, the whole --

9 THE MODERATOR: Region 8?

10 MS. McNULTY: Region 8.

11 MR. BARBAROSSA: The whole region, yes.

12 MS. McNULTY: You see where we're coming from?
13 Nowhere.

14 MR. BARBAROSSA: But we have what, 70, 64% of the
15 total energy development, see? You know, I hate to bring
16 some things to a head but there's some questions I think we
17 got to address before we start looking for some answers.

18 We say policy, are we talking about public policy,
19 talking about private policy, are we talking about, is that
20 all one kind of policy? Okay, because I think that needs
21 to be defined.

22 Also when you talk about private or public policy,
23 what policy are you talking about? And we say how can we
24 influence policy? I think before you go to that, we have to
25 look at things like who are the people who make policy? What

1 is their attitude? What is their view? You know. Who are
2 the vested interests, if there really are? What role they
3 play in development and in sharing of that development.

4 All those things relate to the policy of where do we
5 fit in if we're really talking about women and minorities,
6 is there really such a thing? Is it really a matter of
7 importance to the decision makers or policy makers? Those
8 are the kinds.

9 VOICE: The answer is no, isn't it?

10 MR. BARBAROSSA: I don't know.

11 MR. WILLIAM VEEDER: Oh, the people that made the
12 decisions don't give a damn about you or me or anyone else.
13 They make the decisions and it's rammed down your throat.

14 I'm sorry I popped off so quickly but when I hear
15 somebody's thinking that he's participating in making policy
16 and he's encountered the Denver Water Board or Exxon or Shell,
17 he's out of his mind if he thinks he's participating in the
18 decision making policy. He's crazy.

19 THE MODERATOR: That is the frustration that citizens
20 often feel from looking on the outside trying to look in.
21 And I'm sure --

22 MR. VEEDER: I'm not frustrated. I do not, you do,
23 you sue them.

24 THE MODERATOR: May I speak please?

25 MR. VEEDER: Go ahead.

1 THE MODERATOR: Policy makers in private industry
2 with a vested interest and with a lot to offer, developing
3 what is there for a local community, have a completely dif-
4 ferent view, and the part of this conference is for people
5 with stereotypes about people they've never met or talked
6 to, to have an opportunity to talk to each other now and
7 communicate, and please, could we hear somebody from
8 industry?

9 MR. FUENTES: I'm not from industry but I'd like to
10 make a comment.

11 THE MODERATOR: Before we move off the point, okay?
12 Is it on the point?

13 MS. DAVIDSON: I'll speak from an industry point of
14 view on this and that is the question of the federal leasing
15 policy and some of the other federal policies influence in-
16 dustry's decision very, very much.

17 The other thing is the matter of the regulations
18 constantly changing. I mean there are lots of times when
19 industry has just said wait a minute, regulations are going
20 to change, within the next year and a half, we're just going
21 to stand here and see if something falls out.

22 It becomes exceedingly costly for industry, if they
23 don't know what the rules of the game are going to be six
24 months from now. I think in some instances at the local
25 level, at the project site, industry does want more responsible

1 input from citizens. I know Phillips has had some good
2 relations down in the Crown Coin area but they go nutty be-
3 cause Crown Coin is an unincorporated community and there
4 isn't anybody who has the authority to respond to anything.

5 Who makes decisions in industry and how does this
6 affect some of these things? Well, decisions on major stuff
7 are made pretty high up in the echelons and a lot of that
8 is affected by simple economic factors. But at some of the
9 boomtown levels we've been talking about, industry is not
10 a they, some big cloudy thing, industry is individuals, and
11 the important decision makers for any community are the
12 project manager for that mine or power plant or whatever it
13 is, and his vice president, those are the two people who
14 sign off on budgets.

15 Those are the two people who say that we will put
16 so much money in for impact alleviation or we will not put
17 so much money in, those are the two people who say we will
18 go for Indian preference hiring, we will change it or we
19 won't. And I have seen companies and projects go from Black
20 to White and White to Black when one individual was replaced
21 and that individual was the project manager or his vice
22 president.

23 And if you can get to those people, I mean that's
24 where you can get some -- some input, I think Phillips'
25 people will bear me out on that, some of their experience.

1 MR. TSOSIE: I think my experience there at the
2 Navajo Mine has been that of the Navajos in the area have
3 made a lot of noise, and irregardless of the mine manager
4 saying the hell with the local people, he's kidding himself.
5 He's only saying that out of frustration.

6 At the same time, he's talking to me and saying,
7 what are they saying? You know, what shall we do? Most
8 often my recommendation is, suddenly I think we'll have to
9 give in to their demands. I mean we might have to delay
10 certain decisions on say local hiring, but you know, we
11 don't make it look like we -- we're submitting to them.

12 MS. DAVIDSON: You have to play the game, everybody's
13 got to come out without egg on their face, and this is a
14 lot of game playing.

15 MR. TSOSIE: I think that that's the way we've operated
16 there, and even locally, I think our managers are involved
17 in city government. There again they're -- they're the ears
18 of the -- of the mine.

19 MS. DAVIDSON: Project manager is key.

20 MR. TSOSIE: And they keep an ear on that, and he does
21 listen.

22 MS. DAVIDSON: Right.

23 MR. TSOSIE: And I do because he tells me to listen,
24 because he's, you know, to listen to him, to go in the
25 direction he wants me to go.

1 MS. DAVIDSON: But some of them, they're a whole pile
2 of individuals and some are very progressive and some just
3 have to be convinced every day.

4 MR. TSOSIE: And of course, you know, I was hired on
5 there because I was known to be outspoken and be very con-
6 frontive, and he told me he wanted somebody, well, of that
7 mind and that personality. And he welcomes it. But not
8 all mine managers are like that.

9 MS. McNULTY: Are we going to leave it to the mine
10 manager or are we going to have a national policy where
11 those New York offices of the energy companies are told that
12 there's going to be affirmative action in the coal fields
13 and the power plants and have it come down from on top so
14 we don't have the Black and White mine managers, the good
15 guys and the bad guys, but it's a policy of the companies.

16 MS. BRERTON: I would add that your definition of
17 responsible community input limits the people who are having
18 the most negative results of the energy impact, that being
19 low income citizens, whose voices are seldom heard because
20 they're not, quote, responsible.

21 And when energy assumes that type of parental attitude,
22 the results will always be the same.

23 MS. DAVIDSON: I obviously did not make myself clear,
24 I meant responsible in the sense of being willing to undertake
25 the proper community responsibilities for growth management,

1 which includes things like floating bond issues, land use
2 planning, more community, the community itself taking on the
3 responsibilities that it is properly supposed to undertake.
4 I did not mean in the sense that poor people are not re-
5 sponsible, poor people are not organized very often, and that
6 is one of the reasons that they don't get heard as much is
7 that their lack of organization into a strong vocal group
8 where you have strong minority organization such as La Raza,
9 they're hurt. They're hurt.

10 And they're willing to undertake responsibilities for
11 their own people. I did not mean irresponsible in the
12 sense of -- of -- well, apathy or wanting, I meant responsibility
13 in the sense of undertaking what they should do as con-
14 stituted local governments.

15 MR. GONZALEZ: Getting back to my initial comments, we
16 get out of context here. As Native Americans we've always
17 had to deal with affecting policy, public policy mostly,
18 because it seems like one follows the other, policy is made
19 in Washington, D.C., private industry and everybody down
20 below gears their policy to what the federal policy usually
21 is. But we have always been small in number, our population
22 is under one million people, and when you compare that with
23 the rest of the nation, we're less than 1% of the total
24 population of the United States, so we have absolutely no
25 political clout, in state government or federal government.

1 As a result, most of the major dams in the United
2 States, for example, have been built on reservations. Be-
3 cause we do not affect policy in Washington to prevent this,
4 so usually we get stepped on, and somebody in Washington
5 does make a policy decision, we've learned over the years
6 how to combat that and that's basically done by two methods.

7 One is educating the people in the east, eastern
8 seaboard and sometimes in the south to support us by putting
9 pressure on our congressmen, and going directly to those
10 congressmen and lobbying to get legislation or other types
11 of regulations that we need for our own protection.

12 But we haven't always been too successful, many times
13 we've lost, we've lost a lot.

14 An example is -- we have to be on our toes all the
15 time also. An example of where a bill has been passed where
16 we had no input is the Missouri River Commission, which is,
17 I believe, a ten-member board, Mr. Veeder knows a lot more
18 about this than I do, it's been in existence for six years
19 and it executes the policy for the Missouri River Basin to
20 use the water rights. All the states are represented but not
21 a single tribe has representation on that commission, and
22 yet we have a substantial interest in the policy of the
23 Missouri River.

24 We own a substantial portion of the water rights there,
25 yet we have no say in it. And that's an example, so we have

1 to go back now and get that bill amended to get an Indian
2 on the commission.

3 *
4 * But I guess in essence what I'm saying is that the
5 only way we've been successful is to educate the people back
6 east, locally, to support us, and actually go to Washington
7 and lobbying different congressmen to vote for or against
8 legislation.

9 THE MODERATOR: So you're saying a lot of policy that
10 you need to influence is being made through legislation,
11 national legislation?

12 MR. GONZALEZ: Yes.

13 MR. VEEDER: And isn't it true that legislation is
14 normally prepared and submitted and taken through the com-
15 mittees and ultimately passed by the energy cartels and the
16 big industrial giants that make the decisions and as I've
17 said before, you take it or leave it.

18 MR. BARBAROSSA: Well, you're talking --

19 MR. GONZALEZ: It's always a battle.

20 MR. BARBAROSSA: Yes, but it's a lobbying process,
21 we all have access to that, we may be outnumbered in terms
22 of monies, okay, certainly that, but on the other hand in
23 terms of numbers, we can make up for that.

24 And through this education that he's talking about,
25 if people become aware of what the policy is, how policy is
made, one very, very good avenue is through lobbying and

1 through collective lobbying, maybe everybody in this room
2 as a majority, maybe not all of us but as a majority to sup-
3 port certain ideas or certain goals in policy making, so
4 why couldn't we get together, band together, if you will,
5 to influence lobbying? You know.

6 MR. VEEDER: I'm with you. I'm with you.

7 MS. McNULTY: That's what I say.

8 MR. BARBAROSSA: So it's not only the big cartels that
9 you talk about, that's one access in this country, fortunately,
10 that we do have, that a cartel can not be the sole represen-
11 tative or the sole factor of legislation.

12 MR. VEEDER: Face the fact the Indians have walk-in
13 privileges in more senators' office and congressmen's office
14 than any group I know. That's a fact.

15 MR. BARBAROSSA: Then they ought to be making all the
16 policy decisions.

17 MR. VEEDER: No, no, the real problem, the real
18 problem, though, and it's a genuine problem, that when
19 Peabody, for example, which is now part of a conglomerate,
20 decides to spend a million dollars to influence strip mining
21 legislation, there is no way that you do much more than
22 stand out in the wind and cry. Now, I'm not a Cassandra
23 at all, I believe in the struggle, I've lived it for 40
24 years. But I'm saying to you that the fundamental way to
25 get to these things is to know who runs Exxon --

1 MS. McNULTY: Yes.

2 MR. VEEDER: -- and put the lights right on them and
3 say, we know this is a crooked deal, and we know you're
4 perpetrating it. See, I -- that's how I live.

5 THE MODERATOR: I think it's time to hear from our
6 industry or maybe I shouldn't say only industry representatives,
7 but we've got somebody, an assistant to the president of
8 Phillips Petroleum, really like to hear from you, Mr. Garbor.

9 MR. VEEDER: I'd be delighted to hear.

10 MR. GARBOR: Well, I'm not sure that I would disagree
11 entirely with Mr. Veeder. He has one option at his control,
12 he's obvious -- the Indians have a great deal of power today
13 and have used it over the years as it relates to the
14 legislative effort.

15 MR. GONZALEZ: What power is that you're referring to?

16 MR. GARBOR: Basically you have a great deal of
17 numbers, you have used them in Washington.

18 MR. GONZALEZ: Numbers, what do you mean, numbers?

19 MR. GARBOR: To influence congressmen.

20 MR. GONZALEZ: There's less than a million of us in
21 the United States.

22 MR. GARBOR: Well, you have open door, generally up
23 until recently I'd say that I would tend to agree with you
24 that there was a great deal of sympathy with the cause, you
25 know, from the oil and gas industry and the mining industry

1 too, I'll have to admit that we may not agree with the
2 tribes, the Indian people, even anybody on any issue. That's
3 not to say, though, that because -- and I think that's
4 inherent, it's inherent for a lot of different reasons.

5 We represent many other people than the obvious,
6 of course we represent stockholders, the corporation does,
7 the owners of the corporation, we also have to look at
8 selling a product which means we, in essence, have to con-
9 sider the consumer a little bit. If we didn't, that consumer
10 may not buy our product.

11 Many corporations today look at also the communities,
12 I think many of us, and I won't say all of us because there's
13 still a lot live in the dark ages, but many of us are very
14 concerned about what the communities where we live and
15 operate think also.

16 From the standpoint we realize we've got to do
17 business in that community, and that's, in essence, where
18 we're going to make a profit if we do. We've got to be able
19 to attract people to work for our corporation in that
20 community. Whether it's local people or whether it's people
21 that we might need to transfer into that community to do a
22 specific job.

23 MR. GONZALEZ: I tend to disagree with you that we have
24 any type of political clout. The fact is we have none. And
25 the only way -- and our struggle is basically one for

1 survival. It's not really an economic survival like the
2 boomtowns are facing, it's a cultural survival and once we're
3 extinguished from the face of this earth as a culture, we
4 no longer exist and that's basically what we're fighting
5 for, and as a result, we have so much at stake a lot more
6 than anybody else in this country, maybe with a few
7 exceptions, we have to devote a tremendous amount of our
8 resources, what little we have, in litigation, in lobbying,
9 in whatever, it's taken a -- like I think some of the
10 budgets of some tribes approximately one-third to one-half
11 of the total budget goes to attorneys' fees, lobbying fees,
12 and that's -- that's why we're able to get what little we
13 can done in Washington, D.C.

14 And that's the only political clout we have, other
15 than the good graces of the people back east who sympathize
16 with us, have somewhat of a conscience.

17 MR. VEEDER: But Judge, isn't it true that if the
18 secretary of the interior and the department of justice
19 perform their functions, and they don't as you and I both
20 know, that your problem will be greatly relieved and greatly
21 relieved, isn't that right?

22 MR. GONZALEZ: That's true but sometimes these people
23 are worse -- are our worst enemies because there's so many
24 conflicts of interest, for example the bureau of indian
25 affairs under the interior department, so is the corps of

1 engineers, so is the bureau of land management and sometimes
2 the secretary has to make a decision lot of times he sides
3 with these other bureaus against us. And --

4 MR. VEEDER: And with the big coal companies that call
5 the shots by and large for him.

6 MR. GONZALEZ: Yes, they have more political clout
7 with the secretary of the interior than we do.

8 THE MODERATOR: I think you may have hit the nail on
9 the head, though, when you said that you have used your
10 numbers to do community education to get to the community
11 education, to get to the constituents of legislators, and it
12 broadens your base considerably and of course it expands
13 the knowledge, too, that people need to be aware of on the
14 whole issue.

15 MR. GARBOR: Well, we might sit here and argue all
16 night about these type things, but, and I'm sure that there's
17 a lot of people in this room that I would disagree on a lot
18 of things about, but I would think that there would be also
19 a lot of people in here that might agree with me on some
20 things.

21 I would hope that this particular group might like
22 to look at some of those things we might agree on and what
23 we might not agree on, and --

24 MR. BARBAROSSA: What are those things?

25 MR. GARBOR: See if we might move towards some positive

1 thoughts as to how we might, to work for some solutions,
2 how you might understand our business a little bit better
3 and we might understand you a little bit better, to accom-
4 plish some mutual objectives.

5 MR. BARBAROSSA: Okay, you're saying let's be specific,
6 right?

7 MR. GARBOR: Pardon?

8 MR. BARBAROSSA: You're saying let's be specific,
9 I can give you some. Number 1, the question here that I
10 don't think has been addressed is one of we keep talking
11 about policy, and I hear things about, that we're going to
12 use the people to work and one thing I haven't heard dis-
13 cussed is, how do we become owners of energy companies
14 or subcontractors or leasors or developers or production,
15 you know, okay, how do we get in on that action? And don't
16 tell me there's no way to do it because you know someone's
17 going to do it. Okay? Now, if it's as democratic, okay,
18 and if it's open as we're saying it is, how come we ain't
19 getting none of that action?

20 And I'm putting it as blunt as can be, okay? Now,
21 we have a gentleman over here from the energy impact office.
22 Department of energy. I haven't heard him say anything
23 about how do we impact federal policy, or how do you feel
24 about what we said tonight.

25 We have a gentleman over here that represents industry,

1 one of the biggest companies in America, you know, how do
2 we become subcontractors with your company? Is it possible?

3 THE MODERATOR: Let him answer about eight of your
4 questions before you ask any more.

5 MR. GARBOR: I get a little nervous when we say the
6 federal government owns this and the federal government owns
7 that, the federal government doesn't own anything.

8 MR. BARBAROSSA: I never said that.

9 MR. GARBOR: Well, there was some reference to it
10 today in the opening session, I believe Mr. Sherman said
11 the federal government owns 50% of the coal in this area and
12 the lands. The federal government doesn't own anything.
13 We, in this room, own this, the people own it. Federal
14 government manages it for us. And from that standpoint we
15 already, all of us here in this room, own a piece of it
16 and none of us may be very happy with the way it's being
17 managed.

18 And that's up to us to affect that. But I think those,
19 you're asking some questions that are very good, how do you
20 become more active? How do you get more of the piece --

21 MR. BARBAROSSA: We're active, I want to participate.

22 MR. GARBOR: -- of the action in it. And I can't
23 speak for every industry, you have many, many organizations
24 here, we have a representative of Utah International, which
25 is a very large corporation also here. There are some

1 companies that are more progressive than others. I can give
2 you some insights I think, from our corporation, the cor-
3 porate structure, how it works, whereby it's just like any-
4 thing, if I wanted to influence somebody or something, I'd
5 learn all I could about that organization before I'd start
6 in after them.

7 I would become as knowledgeable as I could to find
8 out how the decisions are made, why does a corporation or
9 why does an individual go one direction versus another?

10 There's obviously a reason for that. It's very dif-
11 ficult to try to affect that decision without knowing a
12 great deal of the background behind it. And I think it's
13 inherent upon all of us to learn as much about each other
14 as we can, so that we might be able to affect that decision
15 a little bit better.

16 THE MODERATOR: Is there a way that a woman or minority
17 could serve on the policy making board to give impact before
18 -- is that a naive question?

19 MR. GARBOR: No, it's not, Phillips Petroleum Company
20 has a woman on our board of directors, a Black woman.

21 MR. VEEDER: Stock, is she --

22 MR. GARBOR: A Black woman.

23 MS. McNULTY: You solved two problems with one person.

24 MR. VEEDER: How much stock?

25 MR. GARBOR: I couldn't tell you exactly.

1 MR. VEEDER: She wouldn't be there if she didn't own
2 stock?

3 MR. GARBOR: No? Well, she -- she owns some, but not
4 a great deal. She's the wife of the current dean of the
5 -- of Michigan State University.

6 MR. VEEDER: I'm delighted, but I'll lay you ten to
7 one the only way you guys make decisions in the big cor-
8 porations is how much money am I going to make and my friend
9 over there who says we'd like to participate --

10 MR. GARBOR: Sure we do. Sure --

11 MR. VEEDER: But just let me finish, but we're a bunch
12 of citizens here and I'm a very conservative guy. But I
13 know cockeyed well that I couldn't influence your decision
14 in regard to Phillips Petroleum, I know that. I know that
15 I couldn't influence General Motors, I know that.

16 I was raised in the State of Montana where the
17 Anaconda Copper called every shot, every day, every way and you
18 either turned copper color or you left and I left. So let's
19 not kid ourselves, the only way you're going to participate
20 in this thing is have enough dough to buy into the decision
21 making area.

22 THE MODERATOR: Let's get back to our focus --

23 MR. VEEDER: I think we should but --

24 THE MODERATOR: Is an affirmative design that we can
25 use to walk out of this and use in the future. Let's not keep

1 discussing the problems but how it can be done.

2 Mr. Garbor, you have said find out all you can about
3 who you want to influence and go at it -- about it from that
4 way. Could you give me more of an answer about how someone
5 could get on a policy making board so that they could be
6 privy to a decision before it was made instead of reacting
7 to it afterwards? Do they need to be voted in?

8 MR. GARBOR: Well, as far as the -- you know, the
9 board of directors, that's right, and that's a very difficult
10 thing to accomplish. And -- but I'm not sure that you --
11 this particular group really needs to do that before you can
12 affect the policy decision of a corporation. I think you
13 need to look at the various organizations as far as the
14 individual development that they might be looking at, and
15 try to learn as much about that as possible. I'm always
16 amazed, groups similar to this seem to not feel they have
17 enough information about what the corporations are doing in
18 their own locale.

19 I sometimes wonder why. In the first place from our
20 industry, we're very regulated, and I can only talk from the
21 oil and gas -- well, I shouldn't say that, from the minerals
22 side too, my own corporation. It's not too difficult to find
23 out quite a deal about specific developments or planned
24 developments. We file reports with many different government
25 agencies. For instance, if we were to develop an oil and gas

1 field, the USGS, specially in the west it's generally
2 federal lands, has all kinds of reports on that. The depart-
3 ment of energy does. We file environmental assessments,
4 we file environmental impact statements. If the various
5 corporations are responsible citizens, generally they'll go
6 in and visit with some of the local government people,
7 specially if they have to move people into that community.

8 We're in the process, Phillips is, of developing
9 a major complex down in New Mexico, many of you might know.
10 Up in the northwest corner. Right next to the Navajo
11 Reservation.

12 We have been actively visiting, not only with the tribe
13 and the local tribal chapter there, but also the local
14 community, communities, the state, and the federal officials
15 for months and months.

16 We've got real problems that have to be solved,
17 problems such as where do the people live? Where are the
18 work force coming from? We've spent extra efforts on those
19 two subjects, and the only way we could possibly develop a
20 project like that is with the cooperation of all people in
21 that area. We recognize that.

22 Because anything we do in that particular area, we
23 are creating a boomtown in northwest New Mexico. But in
24 essence, it is with full cooperation of the local community
25 there. We've helped them in financing, we've helped them

1 develop housing, we're in the process of doing that, we've
2 helped them develop additional school capacity, medical
3 capacity, recreational facilities, all this is being con-
4 structed right now.

5 But even here, we wouldn't have been able to do it
6 without cooperation of the local people. And some of the
7 local people, quite frankly, have been more aggressive
8 than others. And I think that -- that's very positive
9 from our standpoint.

10 When a corporation like ours comes into an area we
11 may have three or four different directions to go do developing
12 it. Some of the -- the cities down there were very positive
13 and aggressive on trying to acquire our corporation in to
14 come help develop the housing in their area. They saw
15 benefits. And we worked closely with those people. But it
16 has been through joint efforts and I think that's where our
17 type organization can be very beneficial, you've got to
18 learn something about our objectives, but working together
19 I think we can solve some of these problems that people are
20 concerned about, like boomtowns.

21 MR. VEEDER: But the lady asked the question, how
22 do you get in the -- the policy making process? And the
23 policy making process is accomplished, you're talking about
24 these little peripheral things, when the policy making
25 determination is made we're going to put a half billion

1 dollars out here, see, that's the decision, that is the
2 decision that this lady is talking about. Not whether you
3 have water supply, the thing that is really interesting to
4 us and at least to me, Mr. Phillips Petroleum, is when you
5 make the decision to invest a billion dollars in the middle
6 east, and it drains all of our money out.

7 Now, that is beginning to make policy, that's an
8 extremely important element. But we can't participate in
9 that.

10 THE MODERATOR: I don't mean to put Mr. Garbor on the
11 defensive and I really appreciate the fact that he is here,
12 I think many people who have been frustrated in this area
13 by having been impacted on something, as nebulous that
14 they can't get a finger on, tend to think of industry
15 people as having horns, and at least now you know one
16 gentleman who does not have horns.

17 MR. VEEDER: I love them all.

18 MR. GONZALEZ: I'd like to comment before we go on to
19 another subject on what he just stated. When you get in-
20 volved with tribes, actually the tribe should be making
21 these decisions and some, some corporations do have good
22 PR, but when you start pumping money into the tribal economy
23 like that you start dividing traditional people against
24 assimilated people, and it's kind of a buying, buying your
25 votes with the council when you start paying this element,

1 you know, so much, and it looks good like you say, and
2 we're doing this or we're building recreational areas, we're
3 doing that, but you have internal tribal conflicts with
4 the traditional people are saying we don't want these
5 things and assimilated Indians are saying yes, we want these
6 things, these are good, and so it's destroying the cultural
7 aspect.

8 MR. TSOSIE: The only thing on that is it happens
9 to not only the Indians, I think you know, industry is also
10 selling themselves to the, you know, to the -- to the rural
11 white areas also, I think the same is true, I don't think
12 there's any difference there, I don't see it.

13 MR. GONZALEZ: That lady that spoke this afternoon
14 talked about dividing and conquering, I think that's the
15 same effect.

16 MS. DAVIDSON: I would like to comment on that, and that
17 is the problem of cultural continuity with the Indian tribes,
18 is the same that has been faced by a number of ethnic minorities
19 who have immigrated into the United States.

20 The Jewish people have faced it for several thousand
21 years. It's something that only the Indians can deal with
22 and if we look at history it's a generational process.

23 And it has to be resolved among the Indians as it was
24 resolved among the Jews and other ethnic groups, to what extent
25 do they make the behavioral pattern adaptation to modern life,

1 I mean you're all pretty good at -- most everybody likes
2 television and washers and dryers and things, you know, and
3 to what extent, how, how perhaps, do you maintain your
4 cultural continuity and how does one tribe maintain its
5 as compared to another tribe with its heritage. And --

6 MR. WHITMAN: I think --

7 THE MODERATOR: Yes, let's hear --

8 MR. WHITMAN: -- I'm surprised to hear a sociologist
9 talk like that. I think she knows better than that. I
10 think it's easy to view this concept of melting pot,
11 conform, for people like the Irish or the Jewish, to come
12 here and melt in. What is not really looked at is in the
13 first place, is that this whole concept of American Culture,
14 quote, really stems from the Anglo Saxon-type of culture,
15 so that the Jew or the German doesn't make as much of an
16 adjustment to fit in.

17 The other thing that enters in is that anyone who
18 is dissatisfied with their community tends to leave that
19 community. In other words, the rationale is any other place
20 must be better than this damned place so they come here
21 psyched up to make a change. To melt in.

22 The other thing, the way I look at it, the third thing
23 is that it's all right for her to say this, that they could
24 come here and adjust to the American way of life, the Irishmen
25 come here, becoming American. But the thing, what she doesn't

1 really see in depth, is that once we assimilate, the Indians
2 assimilate, our culture is gone for good. The Jew or the
3 Irishman can always go back to his country, and you know,
4 it's there. Ours is gone.

5 THE MODERATOR: And also you didn't make the choice
6 to leave it because the United States assimilated you.

7 MR. WHITMAN: We didn't leave America. We're quite
8 satisfied with our ways, this is why we stay.

9 MR. VEEDER: Sir, do the Indians compare to any
10 other minority?

11 MR. WHITMAN: No.

12 MR. VEEDER: Nor should they be compared to any
13 other minorities.

14 THE MODERATOR: Let's hear from some other people
15 today, please.

16 MR. WHITMAN: There's one other thing I want to
17 mention. I heard her say something about economics. I heard
18 Martin here say something about profit. Really, this
19 economics is all hands of scholars that try to explain this
20 whole concept of economics as a discipline in terms of
21 consumer, producer, the market, price, being determined
22 by supply of demand and the law of useful unit and maximum
23 demand and on and on, but really, when you start ripping off
24 all that jargon, really at the bottom of economics is profit.

25 Anything that shows a profit is economic. And this

1 is what he's saying. Now, we -- we're talking about how
2 do we change policy and I think the Indians have already
3 taken a step to do that by -- by forming that council of
4 energy resource tribes. We're saying this is our mineral
5 resource, we got to have something to say, we don't like
6 what you're doing. We want to share in some of that profit.
7 To that extent we are assimilated.

8 MS. DAVIDSON: And that is also a mechanism for keeping
9 your lands and your cultural traditions.

10 MR. DUNCAN: I'll make a specific suggestion and maybe
11 talk about a specific measure and that's, I've kind of worn
12 both hats, I've worn the industry hat and before that I was
13 a member of the Indian affairs committee of the house interior
14 committee and also served with an Oklahoma Congressman for
15 a number of years, and got a chance to look at both from the
16 viewpoint of the full committee at energy legislation growth
17 from the viewpoint of the subcommittee at some Indian affairs
18 concerns, of course they were by far, you know, they were
19 specific concerns, not a broad spectrum.

20 But my suggestion from my experience would be, and
21 it sounds simple but it's -- it really is simple, it's
22 organize, know what your objectives are, and go to Washington.
23 We're talking about boomtown legislation, does anyone know
24 what the energy, energy impact assistance act is? That's
25 probably the most influential piece of legislation that will

1 be up in the next session of congress, in terms of what we're
2 talking about at this conference.

3 I would know that thing inside out, I would tear it
4 apart, I would look at areas where I wanted to have an input,
5 things that I thought would meet the objectives if I were
6 a minority or if I were a woman or if I were a local
7 community.

8 We talk about number. I've not worked for a congressman
9 yet that wasn't scared as hell of numbers. And I think you
10 can have an influence there. The interior committee has a
11 number of eastern members of congress on it and I think you
12 have had input there. I'm not saying you're home free
13 with everything, we all know better than that. But I think
14 inroads have been made in the last three or four years.

15 But Senator Hart,, as you know, has led the fight
16 to 1493 and before it was over he had something like 47 co-
17 sponsors in the senate. There's a specific thing a local
18 community can look at, through meetings like this you can
19 get together, you can discuss each other's problems,
20 similarities, things you would like to look at in terms of
21 that bill in the next session and the most important thing
22 and this where you usually talk and then you end up going
23 back to your community and you know, you split apart, and
24 that is look at it and keep generating this communication
25 and look at the objectives that you want in that bill that

1 meet your similar needs and go after them.

2 You can talk about corporate policy all you want and
3 I know there are problems there, but the surface mining,
4 we're influenced by the surface mining regulation, clean
5 air, we're influenced by the clean air act, we didn't pass
6 those, we worked on them but jees.

7 MR. BARBAROSSA: Yes, you did.

8 MR. DUNCAN: There's several things I would have
9 changed in there had we, had we worked on them. But I
10 think you're fooling yourselves if you think that local
11 communities, minorities, women, by banding together can't
12 have an influence in these committees and that is where the
13 policy is set.

14 MR. BOGGS: You know, there's a crucial issue that
15 really came out in the first session this morning, that I
16 kind of thought we'd address and we've gone all the way
17 around it. But there was a real difference apparent in the
18 speakers there. There was some people felt like, you know,
19 energy development in the west in the way it's being con-
20 templated on massive scale was inevitable, and probably
21 you're right and the thing to do is cash in on it, you
22 know, so the question in terms of influencing policy and so
23 forth was, well, how minorities and women cash in on it?

24 But there was another point of view which questioned
25 whether or not, in fact, that kind of development on the

1 scale and speed that's being contemplated, was necessary and
2 desirable to begin with, and whether, you know, if you're
3 really looking at the long term benefit of women and
4 minorities, whether or not there can really be substantial
5 gains made if development does proceed along those lines.

6 And maybe the better route instead is the alternative
7 energy route, conservation and stuff like that, there might
8 be a lot more jobs, longer term benefit, you know, by going
9 that way. And --

10 MR. DUNCAN: That's getting back to knowing what
11 your energy projections are going to be.

12 MR. BOGGS: Yes. You know --

13 MR. DUNCAN: Have an input at that level.

14 MR. BOGGS: That is really astounding me more and
15 more, this really isn't my area and I don't know too much
16 about it, but the scale of the energy development being
17 contemplated for this area, it is just incredible.

18 And you know, when you start talking about things like
19 gasification, there was one Stanford research study that in-
20 dicated that the entire coal basin could be used up in 40
21 years under a scenario they were thinking about. Generating
22 plants every 27 miles or something like that. You know.
23 In the northern plains area and this kind of thing.

24 Well, these are, I mean the scale of this thing is
25 tremendous, and I think when we're talking about policy,

1 you know, we really ought to consider which one of these
2 two routes we're going to go, whether we're going to go for
3 the large scale massive development, which by the way is
4 being pushed both by government and industry, that's another
5 point, you know, there is a real unity here between govern-
6 ment and industry to develop western coal.

7 Or whether we ought to be considering some of these
8 other options.

9 MS. McNULTY: That's where I came from to the -- from
10 the beginning is that we have a say right now in leasing
11 policy, and I think that the Indian tribes, by organizing
12 into the energy tribes, have done a fantastic job but you
13 can't do it alone.

14 We've all, in this region, got to get together, as you
15 said, and be one massive influence on congress and yet if
16 we belong to organizations that have eastern chapters, mid-
17 western chapters, we -- the conquer and divide is going to
18 get us, you just have to get back to our numbers of 3%.

19 And I think we've all got to get into the act and say
20 we don't want massive development, we're willing to take a
21 certain amount, a reasonable amount of energy development
22 and we want it to be stable so it doesn't overwhelm the
23 region all at one time.

24 But we're not getting there the way we're doing it now.

25 MR. GONZALEZ: We're beginning to realize this in

1 Missouri River Basin, that if the Indian tribes and citizens
2 of the states don't band together we're going to all lose.

3 MS. McNULTY: That's right.

4 MR. GONZALEZ: Because lot of the water that we have,
5 like in the Missouri River, will be channeled, to Wyoming
6 to be pushed on a coal slurry and as a result, we'll lose
7 our water rights, the state's citizens would lose their water
8 rights and everybody's going to lose.

9 MS. McNULTY: Water is another crucial factor and
10 we've got to write water up there.

11 I was coordinator for a conference, we toured your
12 Utah International Mine, we also toured the Navajo irrigation
13 project. There's not enough water to keep your -- the Navajo
14 irrigation project and coal gasification and somebody's
15 got to make a decision, are you going to keep the irrigation
16 project on the Navajo Reservation, which hires many Navajos,
17 or aren't you?

18 And that is in essence a federal decision, sooner or
19 later.

20 MR. TSOSIE: No coming back, he says that the re-
21 sources are the federal government's or those put it back upon
22 us. I'm just going through that, you were placing that back
23 upon us by saying it was ours, as the people, well the
24 Indian people lately have begun to say this is ours. When
25 they begin to say this is ours, they began to -- begin to

1 influence policy in the true sense.

2 I think the citizens of states in this region need
3 to think in terms of the resources being the citizens',
4 ours. And in that fashion, I think that's when they will
5 begin to truly affect the policies that are being made
6 by corporations and also at Washington level.

7 MR. OSWALD: If I could make an observation? What
8 I'm hearing tonight and I think I heard during most of the
9 day, is that someone, a few minutes ago, made the obser-
10 vation about that they felt that private industry was being
11 successful in avoiding their responsibilities because they
12 were able to divide and therefore conquer.

13 And I think the reality is, and as pointed out in the
14 federalism papers, that the nation is a nation of various
15 interest groups, as we talk about developing policy, I think
16 what we're seeing even in this room tonight is that there
17 are a number of interest groups in here who have, who have
18 very different interests, and as a matter of fact, we do not
19 speak with one voice here.

20 I think that our government knows that, and one of the
21 reasons the government is able to do what they do is because
22 there's so many interest groups that they're able to make up
23 their own mind or if you choose the squeaky wheel may get
24 the grease, or in case, as has been said, lately, tribes
25 getting together, they've been able to influence simply

1 because of the pressure they've been able to put on, but it
2 seems to me that even if private industry wanted to do a good
3 job in this area, and if they had their ear to the community,
4 they wouldn't be hearing one voice, not even from women and
5 minorities.

6 MR. BARBAROSSA: Nor should they.

7 MR. OSWALD: They're going to be hearing lots and
8 lots of different controversy and as was said in the first
9 two speakers today, one was advocating that we go ahead and
10 develop and move into boomtowns, developing because what we
11 need is jobs for minorities and women and the next speaker
12 said what we need to do is take a new look and try to
13 avoid boomtowns because those things are bad for minorities.
14 and women, and so the first two things we heard today were
15 diametrically opposed.

16 MR. BARBAROSSA: Was that a minority saying that or
17 was that a woman saying that? Things I keep hearing here
18 are being said by White males. Wait a minute, some of the
19 things in the areas of policy, okay? We're not all going
20 to speak with one voice but I said earlier, we do have
21 common goals. We do have --

22 MS. McNULTY: Have to find that commonality.

23 MR. BARBAROSSA: -- now we keep talking about the
24 private sector and the private sector, I asserted earlier,
25 there's a gentleman here from the government, department of

1 energy, I haven't heard any view or any comment about how
2 they feel, the department of energy ostensibly under the
3 president's magnificent bill is going to readdress the whole
4 question of energy.

5 THE MODERATOR: He's listening.

6 MS. McNULTY: He's federal regional counsel.

7 MR. OSWALD: I haven't heard those common goals.

8 MR. BARBAROSSA: Well --

9 MR. TUTTLE: I'd like to take a shot at paraphrasing
10 those goals because it sounds to me what everybody's saying
11 here is that, what I'm here to learn is how do you exploit
12 all these natural resources equally with everybody else.

13 I want an equal piece of the exploitation. Seems to
14 me that what we should be talking about is how do we not
15 exploit, these natural resources or the people that are
16 involved with these natural resources.

17 How do we set up a policy and how do we influence
18 policy that is not going to be detrimental, for instance to
19 existing communities because I know existing communities in
20 Wyoming, for instance, where responsible industry people have
21 knocked the hell out of Rock Springs. They've knocked
22 the hell out of Gillette and they -- and you're sitting there
23 saying well, communities' residents have to learn to be
24 responsible like we companies are.

25 You haven't been responsible and the government's not

1 responsible either. And the responsible avenue you're taking
2 is yes, let's exploit, but let's exploit equally. Well,
3 why do we have to exploit? Why isn't there a balance and
4 why can't we, when we make our policy decisions, realize
5 that the, for one thing the people existing in the communities
6 in the west have first say over who gets exploited and who
7 doesn't get exploited, the people on the reservations, it
8 would seem to me, who own a lot of these minerals that are
9 going to be exploited, have the right to first of all
10 profit if that's what they want to do, or not have those
11 things exploited.

12 And that's what I think we should be addressing, is
13 how do we create a situation so the community people can
14 make reasonable decisions based on their perspective of
15 what's reasonable. And combat this mass exploitation they
16 hear all you people saying I want to participate in.

17 MR. BOGGS: You know, beyond that, I was kind of
18 interested in Tess in you saying that that Hughes case had
19 been resolved because that was an EIS, as I understand it
20 to address federal leasing policy, and there should have been
21 -- there should be a comment period, you know, before --

22 MS. McNULTY: Both sides have basically agreed that
23 once the EIS is done, that then the leasing program will
24 go on and I've already got the alternatives for leasing, low,
25 high and medium, and the medium is scary enough.

1 MR. BOGGS: Well, the thing that I kind of wonder
2 about on something like that, you know, like the policy
3 comes out from Washington, energy independence, we're going
4 to exploit the coal, that seems to be a given, and I think
5 you know what you're saying is absolutely correct, that to a
6 large extent, a lot of what's being said here is being said
7 in the context of that as a given.

8 MS. McNULTY: But it doesn't have to be as big a given,
9 that's how we can influence it.

10 MR. BOGGS: It doesn't have to be and I'd like some
11 questions to be raised like this maybe, kind of off the wall,
12 I don't know, but one thing that gets me about these studies,
13 for instance again gasification, it's not actual now, it
14 takes absolutely immense amounts of capital to get one of these
15 damned gasification plants going.

16 MS. McNULTY: And water.

17 MR. BOGGS: And water and everything else. Okay,
18 if you're talking about a gasification scenario like in this
19 Stanford Research Institute study I mentioned, that would
20 use all the coal in the Fort Union Basin in something like
21 40 years, the supply liquid fuel to keep on running our
22 cars and everything else we're used to, what the hell's
23 going to happen to the country after that? You know. After
24 we've poured our capital down the tube, in these extremely
25 capital intensive, highly centralized technologies, what's

1 going to happen after that? Well, now these, it seems to me,
2 are the kinds of fundamental policy questions that ought to
3 be addressed. Yes, that ought to be addressed in something
4 like this EIS.

5 MR. TSOSIE: When the only thing it's going to happen
6 anyway.

7 MR. BOGGS: You're doing that at the expense of
8 making an actual sacrifice area out of, you know, the west,
9 and that includes the tribes, the ranching communities,
10 everything else that's out here.

11 MS. McNULTY: When Vice President Rockefeller was
12 out here a few years ago, I went to a session and I'm always
13 sorry that what tribe stood up or who the representative was,
14 but he turned around and looked at all of us and said, now
15 you all know how we felt when we saw the White man coming
16 over the hill. And we all are in this together. And I
17 think what we have to do is determine the policy that we
18 get a reasonable level of energy development without being
19 totally sacrificed, how minorities and women can profit from
20 that reasonable level, and how, I think you have to influence
21 federal policy first, the federal energy policy first.

22 Then get the states and the feds and the locals
23 together and then work to make your community.

24 MS. BRERTON: I think your process is just backwards.

25 MS. McNULTY: The reason it's backwards, usually I say

1 go the other way, but you can't when the federal decisions,
2 they're going to be made because they are federal lands
3 and the whole policy is theirs. So I think you have to --

4 MS. BRERTON: But I work with a lot of federal
5 legislation and I worked for a year and a half on gas
6 regulation. And I spent 25% of my time and I lost, I lost
7 big, I lost 25% of a year and a half of my time because I
8 focused on the wrong point. And I'm willing to say let's
9 back up and let's not put all our eggs in one basket.

10 MS. McNULTY: Oh, no, there should be local --

11 MS. BRERTON: But I think you know the thing that
12 we're missing is the way to involve real people in that
13 process and we don't do that. And we always talk about
14 doing it, but when push comes to shove we lose, and it's
15 because we don't look at how to involve real people in that
16 process.

17 By the people who are here, I mean I think we had
18 probably maybe one or two real nonemployee types here at
19 this, this conference.

20 MR. BARBAROSSA: What do you mean by that?

21 THE MODERATOR: I'm not employed. I work full time
22 but I don't get paid.

23 MS. BRERTON: No, I mean if we're listening to real
24 people, we're listening to like people who are being affected
25 firsthand, and it seems to me that we just -- we need to

1 change that process.

2 MR. BARBAROSSA: I know what you're saying, everyone's
3 doing it from a vested interest.

4 MS. BRERTON: Right, we'll go home from this con-
5 ference and I don't think we'll have a hell of a lot of
6 solution to anything.

7 MR. TSOSIE: I don't know, I think I'm real people.

8 MS. BRERTON: You know what I meant, I'm still alive
9 and breathing too, but unless I can figure out ways to
10 involve community people in effectively making their own
11 decision, --

12 MR. BARBAROSSA: Aren't we community people?

13 MS. BRERTON: I don't know, I don't think we are. No.

14 MR. TSOSIE: When you're saying that, you're just
15 pushing that responsibility off on somebody else, I think
16 we have to deal with it.

17 MR. LEDFORD: I deal with people, being a union
18 representative I deal with people, I hear their complaints.
19 I see their problems. When they, especially women and
20 minorities and they're trying to get employment in the mines.
21 I would like to know what the civil rights commission or
22 whatever agency would have control over this, what they can
23 do to correct the situations that exist now. So that the
24 people can work in these mines that are already in existence.
25 Is there anyone here that can answer those questions?

1 And I'll tell you, I have quite a few Indians come
2 into my office in Sheridan, I have an awful lot of women
3 that are seeking employment. The only way that the 23 out
4 of 500 people got the jobs in the Decker Mine, for instance,
5 was for five women to file charges against the company with
6 the equal opportunity agencies. If it hadn't been for that,
7 it hadn't been for some pressure being put on the companies,
8 I doubt if there'd be over one or two women working in the
9 mines right now.

10 I would like to know what can be done to insure that
11 the people that the minorities and the women can seek employ-
12 ment and be assured that they can have that employment.

13 MR. DUNCAN: Well, I'm from the Colorado Civil Rights
14 Commission, and I think, well, what's -- that helps us get
15 to a point that I wanted to make anyhow, utilization of
16 current policy that we do already have, seeing that it really
17 is implemented, and enforced in a way that really serves
18 some of our needs. One of the things I was going to speak
19 to was the housing and community development act which is
20 another act that we should know inside out, but it won't
21 really address mining necessarily.

22 I'd like to talk to you more about that, afterwards.

23 One thing we are creating at the Colorado Civil
24 Rights Commission is a new section on, it's going to be
25 called preventive services section, which will deal much more

1 contract compliance review in employment, and real enforce-
2 ment of affirmative action that is already in existence.

3 Perhaps the mining industry gets some state contracts
4 and you know we could really sort of go at it from that
5 perspective because we do have the governor's executive
6 order on affirmative action.

7 MR. LEDFORD: I would say that if they had the threat
8 hanging over their head that if they would not live up to
9 their affirmative action program as it was presented, and
10 agreed on, that they stood the chance of, a very good chance
11 of having those coal leases pulled.

12 MS. McNULTY: Amen.

13 MR. LEDFORD: I believe that you would find that
14 these coal mines.

15 MR. TSOSIE: I always perceive these affirmative
16 actions things to be just so much because there's no enforce-
17 ment.

18 MS. BRERTON: You know, in a more humorous manner,
19 I was thinking today when you were talking about that that
20 if it weren't for the fact that that was located in Sheridan,
21 perhaps a more visible way to do that would have been to
22 take 100 women in there and to use the showers and the rest
23 room and I think that would have changed the policy damned
24 quick.

25 MR. LEDFORD: I'll tell you the only thing that

1 changed their policy was having public attention focused on
2 the problem.

3 MS. BRERTON: Exactly.

4 MR. LEDFORD: The Kewitt Company, I'm not saying this,
5 first of all I've been a supervisor for that company, I
6 disagreed with how they -- with their policies, with the way
7 that they tend to do things. I switched to the other side
8 and it's usually the person that is in a union they offer
9 him a good deal and he goes for the company.

10 It's just backwards with me. I could see that I didn't
11 want any part of what they were doing and I wanted to go
12 about, set out and make some changes. And the only way to
13 do that was to get in there and represent the people.

14 I believe, I honestly believe that this is a
15 company policy, rather than individuals working on their own.
16 Because whenever you have a company that owns two mines,
17 close together, and you have the same problem in both mines,
18 it's got to be higher up than that local foreman. And I
19 think that you have got to go after that coal lease, you have
20 got -- hold something over their heads that's going to make
21 them want to do what's right.

22 Now, with the federal mine safety, with the NLRB,
23 if they catch them doing something wrong, the process of
24 correcting it is such a lengthy thing that it just drags on
25 and on and on. And then, when it finally comes to a conclusion,

1 they get a slap on the wrist and away they go again.

2 MS. SUTTON: Aren't the new guidelines on EEO
3 stated that they have made a commitment to shut companies
4 down?

5 MR. LEDFORD: But the hearings, and the process of
6 getting to these things, charges were filed in mid 1977,
7 by five women against Decker Coal, Big Horn Coal, and I
8 helped the women get the -- everything filled out even
9 though they didn't belong to the union that I represent. They
10 come in my office and they told me what the problem was,
11 but it was they've had hearing after hearing, the company
12 has submitted a plan, it's been rejected by the EEO, and
13 send it back and say correct this, and it's been going on
14 like that for a year.

15 MS. SUTTON: I have a feeling the newest guidelines
16 July 1st are going to bypass the process a little bit more
17 quickly and go to shutting people down, you might just look
18 into them, I haven't been able to get my hands on the thing.

19 MR. LEDFORD: Another problem is that -- I'm sorry.

20 MS. ISHIMATSU: I'd like to ask Mr. Ledford.

21 Chiz Ishimatsu, Uta Advisory. And what would you
22 have done, I mean if a new company were coming in, at the
23 onset, what sort of policies or what kind of methodology
24 would have prevented this kind of inequity that's currently
25 occurring, would you suggest?

1 MR. LEDFORD: Well, I can tell you what -- are you
2 talking about what policies that I would suggest when they
3 were starting up?

4 MS. ISHIMATSU: Yes, I think for the -- we know the
5 current things are existing and the problems that have
6 occurred, but in the future, should a company, such as this
7 mining, coal mining company, come, what would be the best
8 vehicle or one of the ways to prevent the kinds of occurrences
9 -- what kind of policy, company coming in making employment
10 announcement, what are the kinds of processes that you --
11 would you see that might be utilized instead of the existing
12 ones?

13 MR. LEDFORD: I think that what I heard this morning
14 about jobs for Coloradans, where you hire your local people,
15 this would solve part of your boomtown situation.

16 We have a lot of people in Sheridan, for instance,
17 who, for -- since 1972, have been trying to get on at the
18 mine. They're qualified. They have the -- they have some
19 good qualified Indian people, we have some good qualified
20 -- well, just about any nationality that you want to name
21 up there right now. And the companies have gone outside
22 the area to hire people.

23 I'd like to explain why and how this all happened.
24 Back in 1972 when Decker Coal was starting up, that they
25 now have up there, they were afraid of the United Mineworkers

1 coming in and getting into the mine. Now, United Mineworkers
2 had a history of strikes and demanding high royalties and
3 so forth, so the company went off on the, you would say
4 a shopping spree to try and find a union that they could
5 get along with. The one that didn't charge too much royalty,
6 one that they could kind of dictate policy to and so forth.

7 And they apparently made some kind of an agreement
8 or they -- they settled on Progressive Mineworkers. This
9 was before I was in the Progressive Mineworkers, and I
10 disagreed with the way everything come about. They couldn't
11 take a chance on hiring any of the people from the Sheridan
12 area because either they knew or were related to people that
13 belonged to the United Mineworkers since there was a United
14 Mineworkers mine there, so they brought in a whole bunch
15 of people from different areas in order to control the vote.

16 So that they could control a union.

17 This is -- this is where I disagreed with them, that's
18 where I went into the union and I probably fought as much
19 of my international as I have with the company because I
20 disagree with some of their policies, and they have wanted
21 to fire me over some of my views and in backing women and
22 minorities and it's like having a tiger by the tail, you
23 don't know where to let go, but I would rather -- I would
24 rather go down fighting for what I believe is right for the
25 people, than to turn and go the way the company and some

1 other people want. So I -- in answer to your question, I
2 think that first of all they should make sure that they
3 have used up all the resources in that area as far as the
4 labor market.

5 MS. ISHIMATSU: Would you like to see that policy
6 maybe instituted on a local or a state level maybe as a
7 policy?

8 MR. LEDFORD: I think to be effective it's going to
9 have to be at least a state level where the state has some
10 control over the leases.

11 MS. McNULTY: Or at the federal leasing level.

12 MR. GONZALEZ: I don't want to get off the subject
13 but I'd like to address a question to the representative
14 of energy.

15 MR. LORENSEN: There isn't one here, by the way.

16 MR. GONZALEZ: Or general counsel for the department?

17 THE MODERATOR: He's next.

18 MR. GONZALEZ: Well, what I was wondering is
19 seems like we've been talking about topics which affect
20 individual interest groups, but there are some areas where
21 we're all affected, like atomic energy development.

22 For example, President Carter proposed in his energy
23 legislation that the United States would enrich all the
24 uranium and sell it overseas and then we would buy back
25 the used uranium and bury it here in the United States.

1 And that affects all of us, with that spent, used
2 uranium is going to be buried, because it could have a
3 disasterous effect on those communities, if it -- if it
4 isn't contained properly.

5 For example, Dixie Lee Bell, the former head of the
6 department of atomic energy commission.

7 MR. BARBAROSSA: Dixie Lee Rae(Phonetic).

8 MR. GONZALEZ: Dixie Lee Rae, I don't know where I got
9 the Bell from. She's presently the Governor of the State
10 of Washington, is advocating putting it in the middle of
11 the State of Washington, and there's been adverse reaction
12 to that. And I read a little piece in one of the newspapers
13 the other day that they finally found a spot in New Mexico
14 where they're going to start burying spent uranium.

15 MR. BARBAROSSA: No, no, we don't want it there.

16 MR. GONZALEZ: It was a little article in the paper,
17 hidden in page 20.

18 MR. BARBAROSSA: Put it in Texas.

19 MR. GONZALEZ: But why this is so important is that
20 if it isn't properly contained and leaks out, it could
21 cause whole populations to die off from exposure to
22 radiation.

23 So I look at the department of energy as one of the
24 key departments that we're going to have to start influencing.

25 Do you have any suggestions as to how we could

1 influence the department policy?

2 MR. LORENSEN: Yes, I do.

3 THE MODERATOR: Would you first state your name and
4 claim to fame?

5 MS. McNULTY: Who you really are?

6 MR. LORENSEN: Well, again I'm Burman Lorensen,
7 and I'm in a dual role which I really didn't explain. I'm
8 what's known as an intergovernmental personnel type, and
9 I'm on loan from the governor's office in the State of
10 Colorado to the federal regional council for the express
11 purposes of attempting to mitigate impacts in six states.
12 And the six states of the region.

13 There may be a lot of reasons why I got the opportunity
14 to do that, but amongst other things I was one of those
15 privileged few who had that power you're talking about or
16 a portion of that decision making process.

17 I was a member of the governor's energy policy
18 council in Colorado for a couple of years, and we discussed
19 a lot of the things that were on the table that you talked
20 about, we have a lot of the governor's cabinet, the
21 department of natural resources, the department of health,
22 various elements of our state government. And we talked
23 about what was going on around us and we tried to figure
24 out how we as a state could learn some kind of power against
25 the federal agencies one way or another, and if any of you,

1 the ones who are in Colorado, probably are aware of Governor
2 Lamm's comments about the federal government and a wanting
3 of the decision-making power.

4 One of the things we were very concerned is what
5 one of our sister states was doing like California, there
6 was a referendum up a couple years ago about the very thing
7 you're talking about and they decided that, whether they
8 ought to have atomic power, uranium plants and so forth.
9 We saw various pictures of scenarios of, if that were the
10 situation, what would it mean in terms of generating power
11 plants, coal generating power plants and how many would
12 there have to be and what would be the impact of the rest
13 of the western states?

14 And we weren't too happy about the idea that Cali-
15 fornia might not like those, uranium power plants, because
16 of what it would do here.

17 MR. GONZALEZ: Are you stating that we could influence
18 policy on a local level by influencing our state legislatures?

19 MR. LORENSEN: Well, I'll get there in a minute.

20 We, as a state, hadn't figured out how to do it until
21 we started making confrontations with the federal agencies.
22 The keynote speaker today, Harris Sherman, went to the
23 regional -- the department of interior, BLM, started making
24 inquiries, well, how do you make your decisions? It's
25 back to the various parts that I've heard bits and pieces of,

1 one gentleman says you've got to know how to -- what to
2 attack. And one of the basic elements of these type of
3 decisions is, who's the big controller of land out here?
4 Who really? BLM. They make life and death decisions
5 over what happens in the states. We're concerned. So we
6 figured out, well before we go working them over pretty
7 good, maybe we'd better find out how they make their
8 decisions and we were all busy being educated because, well,
9 when I came I was a planner-type to the governor's staff.
10 And I didn't know much about the federal government just
11 to be flat honest about it.

12 I didn't even know what tools the state would have
13 for that matter. And we sit there in the same quandry
14 that you all find yourselves in, and all the outside de-
15 cisions.

16 We finally decided what the key elements of the pro-
17 grams were, one was the federal mineral leasing policy,
18 and we decided to take out after it. We decided how to get
19 at those decision making processes. And one of the things
20 that we decided, well, we know the federal government
21 listens to the local people to some extent, if you get a
22 congressman, and maybe it may be a strange thing to say
23 but it's true, I saw one, I saw three companies close down
24 in Craig, Colorado, when the county commissioners said now
25 wait a minute, you guys aren't helping us, we're talking

1 industry, the way you ought to, we're getting problems here,
2 we got water, sewer, it relates to housing. If you don't
3 have water or sewer you can't have any housing.

4 The question came, well, how at that level do you get
5 into the decision making process? They, the first thing
6 they did was come for governmental help from Craig and
7 they got the governor on the phone. And the governor sent
8 me out there to find out what was going on. And it was part
9 of my duty anyway.

10 Eventually he showed up out there. But then our --
11 the state joint budget committee got involved, and what
12 happened there was that there was a tour of energy sites in
13 Colorado by a joint budget committee. The local people
14 said, look what they're doing to us.

15 One of the members of the joint budget committee and
16 for the people in Colorado, it was Joe Shumaker, who was
17 head of the joint budget committee then, started asking
18 some nasty questions in return.

19 The local people says, look at that crummy mobile
20 home park up there, haven't got any streets that are any
21 good, doesn't have curb and gutter, and Shumaker says, who
22 makes the regulations? And they said, well, we do. Well,
23 who allowed it? Well, we did. And pretty soon he got the
24 message that the local people had allowed themselves to get
25 into the position they were in.

1 Now, that didn't negate the need for money, but that
2 was the next step in the process. Some of the suggestions
3 back were, you better go to industry since they're the ones
4 bringing in these people and so forth, you know, there's
5 something we can all do, but the first place you start out
6 at setting down the rules is the local level.

7 So first thing they did was try to get industry to
8 come to a meeting and that was collective industry, there
9 were power plant, two coal -- four coal companies, approxi-
10 mately. And industry people didn't seem to, you know, they
11 come and listen for a while and finally the county
12 commissioners and the city fathers of Craig just says, we've
13 got to do something, and the ones that had the local control
14 was the county commissioners, and they -- they just told
15 the company, we'll have a moratorium on you fellows until
16 you come to the bargaining table with us.

17 That happened. And believe me, all the industrial
18 representatives came. There was a period of two or three
19 months where they were negotiating back and forth, they
20 allowed the moratorium to lapse, and eventually came the
21 state government's turn to be put on the red carpet.

22 And what occurred there was they called the governor
23 again and says we've got some problems, governor, that we
24 can't solve, we want you to come and listen.

25 So a bunch of us state types got on a plane, went out

1 there, and set down, and that was with the industrial repre-
2 sentatives, the hospital director, the school district director,
3 the mayor of the town, the various people, and there was a
4 process going on, I'll identify the process when we get
5 done but there's a process going on.

6 And so the governor says, well, what do you want?
7 What can we do? And they began to identify the -- what they
8 could do.

9 The community was in the process of creating what
10 they call the front end funding committee. They now more
11 commonly call it in Colorado impact committees, one in Wyoming
12 the -- called priority board, they all hold similar-type
13 names but they do the same function.

14 Eventually it came down to putting some pressure
15 on the companies. The local community identified about a
16 half a dozen projects, and by the way, every one of those
17 projects are completed now, because the local people began
18 to organize themselves very clearly.

19 And it worked on the governor, it worked on industries
20 and I can't -- I can't figure out why in the world it wouldn't
21 work on the federal government.

22 One of the things that went in was that we said as
23 state people that we were not going to be the only ones trying
24 to respond. Everybody had something to bring to the negotiation
25 table. And the people that came to that negotiation table had

1 to have some resources to apply to the solution. Industry
2 at this point had said a lot of nice things but eventually
3 it got down to one thing, state put in, I think a \$670,000.00
4 expanding one elementary school, the state legislature,
5 Colorado State Legislature, in their wisdom, says can't
6 use any architectural fees. Well, now that's one of those
7 hangups.

8 But they says, we'll provide it for the expansion of
9 the school. Then everybody cast about, well, how are we
10 going to get that? How are we going to get the architectural
11 fees and the design fees? And eventually it occurred to
12 some people in general, including some of the local people,
13 that maybe industry could help.

14 So the next thing that occurred was the governor
15 says, you tell me who their upper management is, give me
16 their phone numbers and I'll make a call.

17 And shortly after that, that call developed into, in
18 the case of that one school, \$5,000.00 for architectural
19 fees. It can happen. You can use the strength of your
20 governor, and your people, if you're organized and you know
21 what to ask for,

22 And that goes all the way down to the minority level
23 within the community. We were not dealing with the particular
24 segment that related to jobs, but we were dealing with
25 identifying needs that the community felt like expressing.

1 And eventually came around to a more formalized
2 mechanism to allow the people in decision making roles to
3 know exactly what the local citizens wanted. And in Colorado,
4 they have about 17 or 18 of these impact teams now.

5 If I hadn't been here I'd have been in Sidney,
6 Montana, where they are creating their first and part of the
7 process that goes into that is identifying your decision
8 makers in the community, somebody has something that can be,
9 or they can be a spokesman for a particular group, and it
10 can be the minorities, or whatever fashion it comes about.

11 I remember in Rifle, Colorado, they had two groups,
12 not one so unusual but one that was, they had the youth
13 represented in their community through an impact team. And
14 everybody's got responsibility in an impact team, the first
15 responsibility comes from industry.

16 They must let you know their best guess of what's
17 going to happen in that community and when it's going to
18 happen.

19 When the workers may arrive, how many, how long are
20 they going to be there, without that type of information
21 you're left in the dark and even if you make a decision it
22 may be totally wrong. Then the next thing that occurs
23 from there is that you provide that information to the
24 community at large through community providers, who's
25 providing the water service, who provides the police

1 protection, who provides the ambulance service, etcetera.

2 And from this type information, they try to make
3 some determination of what their future needs are going to
4 be, and you're trying to catch this in advance. If you
5 catch it in the middle, you know, you're just scraping and
6 running and going as fast as you can, the frustrations are
7 great, however, if you do it too far in advance nobody takes
8 it for real.

9 You've got to see the energy company begin to come down
10 the road before it will work. If it gets too far in advance
11 it's just a big game, pretty soon everybody tires of it and
12 forgets it and throws it on the back shelf.

13 The process from there is, after you've determined
14 what's going to come and you do it at the community level,
15 after you determine what you think is going to come from
16 the best industry information that you have, you compare that
17 against what you have already and you begin to identify
18 gaps in your needs. Whether social workers or clients.

19 The next process is to begin to prioritize that list,
20 when do you have to have it? And that's about the time
21 you get everybody around the negotiation table, state has
22 some funds, the federal government has a lot of programs
23 that don't necessarily identify impact as their primary
24 mission but they all have services of one kind or another.

25 So the idea between industry, local governments, state

1 government and federal government, is to sit around the
2 table after you've identified your gaps and begin to prepare
3 for when it's going to get in line and if that means jobs
4 for women, maybe that better be a part of the process.

5 And you can get at that decision making, it's not
6 impossible, I've seen a lot of communities do it. Where it
7 hasn't been done and where the people will not take the
8 trouble to do that type of thing, then the decisions are
9 made by somebody else, somewhere else. And I think I've
10 talked enough.

11 THE MODERATOR: Thank you. That was very meaty.

12 One last speaker and then I would like to try to
13 sum up. You discussed --

14 MR. TUTTLE: I've got two things that I'd kind of
15 like to say, number 1 is that historically what you find
16 is that when resources are made available, for instance
17 like this new coal legislation, impact legislation,
18 that's coming into the area traditionally what you find is
19 that the people who get the resources, the money that's made
20 available through that impact legislation, are industries
21 and government. And they're expected to form some kind of
22 a coalition to develop policies for other people.

23 I'd like to make a recommendation possibly and
24 a definite policy statement that we could make that instead
25 of directing these resources to companies and government who

1 both have a vested interest in seeing how those policies
2 are formed, that the resources be directed into grass roots
3 community organizations, and backed up with the training
4 for those grass roots community organizations to learn how
5 to affect policy.

6 Instead of giving those resources to people who will
7 determine what the policy will be based on how they view
8 the community. So I don't know if that's very clear, maybe
9 somebody else could clear it up.

10 MS. McNULTY: The coastal zone management act, for
11 coastal zone planning had that sort of thing written into
12 it, that there had to be citizens involvement and it was
13 funded. In the planning process.

14 As I -- I saw Senator Hart's bill this year, it
15 was Senator Haskell's bill, I don't believe that citizen
16 participation element was written into it so strongly, so
17 what you really want is a citizens participation element
18 in the inland assistance act, similar to what was required
19 in the coastal zone management act.

20 MR. TUTTLE: Well, just that the U.S. Civil Rights
21 Commission make out of this whole conversation that we've
22 had, I've heard both industry and everybody else say what
23 has to happen is communities have to organize, if that's
24 true they need resources, the one guy from Phillips Petroleum
25 said the Indians could walk into their congressman's office

1 and had an open door. Well, that open door may be 3,000
2 miles away and they don't have the resources to go down to
3 the grocery store.

4 Let's make the resources available so that we do have
5 the opportunity to impact policy.

6 MR. BARBAROSSA: Isn't there a citizens participation
7 element in the department of energy through the community
8 relations.

9 MR. LORENSON: To a limited extent. There is an
10 assessment process that goes on in the Hart-Haskell bill.

11 MR. BARBAROSSA: Did that pass?

12 MR. LORENSON: And the assessment part includes local
13 government. But it doesn't necessarily specify that, what
14 goes into the local element.

15 MR. BARBAROSSA: Like EPA or --

16 THE MODERATOR: Let me try to --

17 MS. McNULTY: The coastal zone management --

18 THE MODERATOR: I have heard a lot of resources
19 being mentioned tonight and I think there's a lot of things
20 that still need to be said and perhaps they can be said just
21 as well over a drink or coffee or on our feet at this point.

22 We have had two hours of sharing ideas in a larger
23 forum and let me try to summarize, in my own very simple way,
24 what I can without being an expert at all in energy.

25 First of all, the levels at which people can impact

1 on policy are, first level, the federal government in the
2 leasing policies, energy policies and energy legislation, and
3 through federal agencies and their activites.

4 Certainly at the state level through state policies
5 and state agencies as they work with energy development.

6 At the county and local levels of government, through
7 the land use policies, provisions of services, whether it's
8 through a bond issue or through the local budget, and at the
9 industrial level at the national board, the president, their
10 lobbyists, at the district level if there is such a thing,
11 or regional level and through the local manager and his vice
12 president.

13 Tools to impact on these levels. Lobbying in the
14 public interest, community education, so as to provide both
15 numbers and a louder vocal sound, information, both prior
16 and current, through open records, helping to provide in-
17 formation through the environmental impact statements, in
18 public hearings, use the affirmative action policies, use
19 organized public pressure to require compliance and review
20 that, pressure on elected officials, and agency officials,
21 personal contact with policy makers, lawsuits, is a tool.

22 Impact on local regulations, identification of policy
23 makers and spotlighting their activites, money for impact
24 mitigation is a tool, impact teams, cooperation and
25 negotiation can be tools, that can be used, citizen

1 participation requirements and legislation in general.

2 Did I leave out anything major?

3 MR. WHITMAN: I think there's one thing I'd like to
4 say. I think people here need to be reminded, several years
5 ago in a gathering like this, the oil man, they're too
6 damned arrogant to come and sit and listen to a bunch of
7 citizens like this, I think it's significant that he's here.

8 Before they were invisible, they were in kind of a
9 laissez faire kind of an operation.

10 MS. McNULTY: But they left early.

11 THE MODERATOR: They had another meeting and they will
12 be back at 10:00 but I'll tell them they can find you.

13 MR. WHITMAN: But anyway, what I'd like to remind
14 you is I think the fact that he's here and they're now
15 very visible.

16 MR. BARBAROSSA: And participants.

17 MR. WHITMAN: Is that we have had some say in the
18 policy already, otherwise he wouldn't have come.

19 THE MODERATOR: That's right.

20 I'd like to thank you all for coming and please con-
21 tinue the conversations on an individual basis or whatever,
22 but the meeting is officially closed.

23

24 (Consultation adjourned until 9:00 a.m. November 3,
25 1978)