

TRANSCRIPT OF TELEPHONIC CONVERSATION

June 9, 2020

**Harold Frazier, Chairman
Cheyenne River Sioux Tribe
Eagle Butte, South Dakota**

&

**Mark Meadows, Chief of Staff
Whitehouse
Washington, D.C.**

1 MARK MEADOWS: ...the President's Chief of
2 Staff calling from the White House.

3 HAROLD FRAZIER: Oh, how do you spell his
4 last name -- or your last name? I'm sorry.

5 MARK MEADOWS: It's Meadows,
6 M-e-a-d-o-w-s.

7 HAROLD FRAZIER: Oh, okay. And you're the
8 -- President Trump's Chief of Staff?

9 MARK MEADOWS: That's correct.

10 HAROLD FRAZIER: Okay.

11 MARK MEADOWS: Yes, sir. Uh, so I wanted
12 to -- just to chat with you just briefly. I
13 left -- left a meeting and, uh, and where I
14 guess this whole issue of the checkpoints was
15 brought up and there were a whole lot of
16 actions that were being discussed and
17 determined, and before we got into all of that
18 I wanted, I said, well, I wanted to call the
19 Chairman, and I know you don't know me but, uh,
20 as a member of Congress I actually had the
21 eastern band of Cherokee Indians, uh, in my
22 Congressional District, I had the very first,
23 uh, the -- the very first Congressional, uh,
24 office on tribal lands of any member, uh, of
25 Congress, and so before I get sideways with

1 anybody in -- in Indian country I wanted to at
2 least call you and have a -- a -- a discussion,
3 uh, you know, uh, Chairman, if -- if you don't
4 mind about how we can maybe resolve this issue
5 to your benefit to protect all your tribal
6 members and doesn't escalate it to the point
7 where I have got to get, uh, a whole bunch of
8 Federal people involved in -- in, uh, with a
9 sovereign nation, and so I'm -- I'm calling in
10 a spirit of cooperation and respect and I would
11 like to at least have a very brief conversation
12 with you if you don't mind.

13 HAROLD FRAZIER: Oh, yeah, sure.

14 MARK MEADOWS: So -- so one of the
15 questions I have, I guess, you know, from what
16 I understand, you got a couple of checkpoints
17 out there and, uh -- and the Governor has taken
18 issue of that, uh, just from a -- from a -- a,
19 I guess, a -- a -- a transportation side of
20 things, and the last thing I want to do is put
21 any of your tribal members at risk. Uh, at the
22 same time, you know, she's raised the issue so
23 that she -- she -- it becomes something that
24 I'm having to deal with where she's wanting to
25 get the, uh, uh, the Bureau of Indian Affairs

1 involved, the Department of Interior involved,
2 uh, suggest, uh, you know, some intervention in
3 terms of the Federal Government from a law
4 enforcement standpoint.

5 I don't think that that does the President
6 any good, I don't think it does you any good
7 and -- and bluntly, I -- I'm not involved in
8 South Dakota politics so I can't weigh in on
9 that, but what I wanted to know is is if there
10 is a way that we can work with you, Chairman,
11 to -- to do away with the checkpoints even if I
12 have to send at our cost some additional
13 testing -- some abid (ph.) I.D. to allow you to
14 do more rapid testing on -- on tribal lands.
15 Uh, I'm willing to do that. Also willing to
16 get Dr. Birx, who is the expert on all this, to
17 see if we can help it out because it sounds
18 like all you're wanting to do is try -- protect
19 your tribal members, and if that's the case,
20 you know, what I -- I guess what I'm asking is
21 can you reconsider taking down the checkpoints
22 if I send you some testing ability so that if
23 somebody is coming in to do commerce with, uh,
24 any of -- of your tribal members where we have
25 the ability to -- where you have the ability to

1 test them in a more rapid fashion, um, you
2 know, and I don't know how many test kits that
3 would require but certainly the Federal
4 Government can -- you know, it would be cheaper
5 for me to send you a couple of -- of testing
6 kits and -- and a way for you to do it than for
7 me to get the Government involved to try to
8 resolve a dispute that honestly I thought that
9 maybe you and I could resolve, uh, out of
10 mutual respect for one another and out of --
11 and you can check me out, you -- I can tell you
12 the eight billion dollars that you all got in
13 the CARES Act or you got part of that came
14 because I negotiated that at close to midnight
15 based on my longstanding love for, uh -- for
16 not only the Native American tribe that I had
17 the privilege of representing but my deeper
18 understanding of -- of more tribal issues, uh,
19 because I came into this not knowing anything,
20 and so is -- is there -- is there any way that
21 we can find a happy medium that protects your
22 tribal members and allows us to address some of
23 the concerns the Governor has raised?

24 HAROLD FRAZIER: I -- I -- you know, um,
25 uh, thank you. Um, you know, I -- I have, you

1 know, talked to Tara Sweeney, and, you know,
2 I'm awaiting a doc- -- a letter from her
3 explaining what she is proposing and -- and I
4 have every intention to give it 120 percent
5 effort to, uh -- and consult with my, uh, our
6 medical people to make sure or to ensure of --
7 of what she's proposing would work and, you
8 know, I mean, I'm willing to, you know, uh, but
9 I don't know, uh, uh, like, uh, concerns of the
10 Governor, exactly what her concerns are. I do,
11 uh, know that, uh, just kind of watching some
12 briefings, uh, from her and I -- I can assure
13 you this, that commercial traffic flows through
14 here, uh, pretty easily, uh, UPS flows through
15 here, and as far as medical, uh, there ain't --
16 I can tell you this, no ambulance has ever come
17 onto our reservation, it's ours going off the
18 reservation because we don't have the
19 healthcare facilities, and the nearest one is a
20 three-hour drive away so, you know, nobody is
21 being held up or anything like that. We
22 determined agriculture as essential so the
23 farmers and ranchers, they, you know, they come
24 through and stuff like that, so, you know,
25 things like that, um, you know, I -- so I don't

1 know what really her concerns are but --

2 MARK MEADOWS: Well, I guess she's had
3 some complaints of people coming to a
4 checkpoint on I guess there is one Federal road
5 and one U.S. road where there is a complaint
6 of, uh, some -- some checkpoints along the
7 highway that she's had complaints to the
8 Governor's office, and again, and I got this
9 put on my desk about an hour ago and -- and
10 they were about to get the Department of
11 Interior to come in and -- and look at taking
12 over policing on -- on Sioux lands, and I said,
13 oh-h-h, before we -- before we get all crazy
14 about it, I said, let -- let me call the
15 Chairman and -- and ask him if -- if there is a
16 way to find a way to take down these
17 checkpoints without it getting all escalated,
18 and -- and I'm just calling out of respect to
19 see if there is a way to do that, especially if
20 it's -- it doesn't sound like the checkpoints
21 are really providing a real function other than
22 maybe giving somebody a peace of mind on tribal
23 lands; is that correct?

24 HAROLD FRAZIER: No, not -- no, not
25 entirely. What our -- you know, our

1 checkpoints, we had a -- we got a -- oh, we got
2 a positive case and by these checkpoints we
3 were able to determine that this patient come
4 from Pierre, South Dakota, the state capital,
5 so we knew she was coming from a hotspot, a --
6 a hotel that had like five positive cases, so
7 when she came back through, uh, you know -- and
8 -- and the checkpoints are just a part of our
9 -- our program while we were monitoring her at
10 home, and I believe about like the fifth or
11 sixth day she started feeling sick, so, uh, the
12 nurses went and got her, brought her into the
13 facility, got tested, she was tested positive.

14 Uh, the second case, same way, we know
15 that, uh, uh, she went out to Pierre and Rapid
16 City, we know what day she come in and we know
17 who she was with as far as passengers, et
18 cetera, and we were able to immediately isolate
19 it. Uh, we have a third case and that one come
20 from being a primary contact with the number
21 two case, so these checkpoints are really -- I
22 really -- you know, um, our intention is not to
23 hurt anybody and -- and because of limited
24 resources medically and et cetera, we're --
25 we're doing this to, you know, try to save our

1 people, and there is a highway, it's a state
2 highway, 34, and it's on the southwestern side
3 of our reservation, and that thing is full of
4 traffic with, particularly with commercial, a
5 lot of, uh, truckers come through there and
6 stuff.

7 well, uh, we -- we looked at that highway
8 and we put our checkpoints off of it, we put
9 our two checkpoints going into a community, uh,
10 one, and then the other checkpoint, it's --
11 it's off the highway because, you know, there
12 is no reason for them to stop and -- and so we
13 -- we've considered a lot of, uh, uh, different
14 things, you know. We didn't try to, uh, be the
15 big guy on the block or anything like that and
16 -- and all these, uh, you know, they do serve a
17 good purpose and -- and it's mainly for health,
18 it's for tracking and monitoring, that's all --
19 that's the whole purpose of these checkpoints,
20 and I tell you what, uh, Mr. Meadows, if you
21 come here, I would probably say you would
22 probably at the latest, maybe a minute and a
23 half there. You're required to answer some
24 health questions, where you come from, where
25 are you going and what type of -- you know, if

1 you're just a motorist, travelist and it's
2 checked or if you're commercial ag, you know.

3 I could -- I don't know if this is your
4 cell phone but I could text a screenshot of our
5 health questionnaire that's asked to every
6 motorist that comes, and you will find that
7 it's not -- we're not -- uh, you know, it's
8 just like going through a, oh, a construction
9 on a highway. I mean, I went, you know, in
10 travel in my life and -- and get held up by a
11 flagman where I sat 20 minutes waiting for a
12 pilot car. I got videos where three cattle
13 trucks, it took them two and a half minutes for
14 three of them to go through and, you know, I --
15 so we're not holding up commercial traffic at
16 all. As a matter of fact, I -- I would offer,
17 Mr. Meadows, for you to come and visit us. We
18 have some B.I.A. roads that are currently
19 closed because the culverts are washed out and
20 these roads --

21 MARK MEADOWS: Yeah, yeah.

22 HAROLD FRAZIER: -- and it's hurting, it's
23 hurting our commerce but nobodys cares. You
24 know, we have over 1,700 miles of B.I.A. travel
25 roads. We receive 2.2 million a year. We --

1 we could use 25 percent for maintenance which
2 we do and it only leaves us 1.6 million dollars
3 to try to, uh, repair. We got number six
4 detours going up so we have six culverts
5 completely washed out on our roads, and the
6 Governor is aware of that, uh, you know, so it
7 would be -- it would be quite an honor if you
8 would come and visit our reservation, and, you
9 know, and take a look for yourself of what
10 we're doing.

11 MARK MEADOWS: Yeah, so my question is, is
12 so if they're just traveling on the Inter- --
13 on the highway and they're not stopping in tri-
14 -- on -- on tribal lands, do you still stop
15 them and do the questionnaire?

16 HAROLD FRAZIER: Yes, sir.

17 MARK MEADOWS: So why -- why would you do
18 that if they're just traveling straight through
19 and they're not stopping?

20 HAROLD FRAZIER: Because we don't know
21 that until we ask them, you know. I mean, if
22 you were coming, let's say, from East 212, and,
23 you know, you would be, "Where are you going,
24 sir?" "Oh, I'm going to go over to Rapid
25 City." You going, "Oh, okay", well, you know,

1 and "Have a good day."

2 MARK MEADOWS: So what you're saying, if
3 it's through traffic, you just kind of let them
4 through and don't -- don't necessarily do the
5 questionnaire?

6 HAROLD FRAZIER: No, we -- we make -- we
7 ask everyone to do the questionnaire and --

8 MARK MEADOWS: Okay.

9 HAROLD FRAZIER: -- that way then we know
10 who has come in, and, you know, and potentially
11 where it could be brought in, et cetera.

12 MARK MEADOWS: Yeah, but if they're not
13 stopping on tribal lands, I mean, they're not
14 -- they don't -- you don't run a risk of
15 contamination.

16 HAROLD FRAZIER: Yeah, but we don't know
17 that until we ask you, you know.

18 MARK MEADOWS: So is there a way to do
19 checkpoints without it being on the major
20 highways? Is there a way to do that?

21 HAROLD FRAZIER: It's -- it's going to be
22 pretty tough but I am open up for, you know,
23 you know, sug- -- you know, I'm willing to sit
24 down and that's what I told Tara Sweeney, you
25 know, I mean, and she offered some stuff --

1 MARK MEADOWS: So what would -- what would
2 it take to do the checkpoints but not have it
3 on the major highways? I mean, how -- how many
4 -- how many areas do you have where -- where,
5 you know, they would go do commerce there?

6 HAROLD FRAZIER: Well, sir, our
7 reservation is 3.2 million acres --

8 MARK MEADOWS: No, I know that. I'm very
9 familiar with tribal lands, like I say, I get
10 that but like -- like if you were doing it in
11 even my area where there is -- there's --
12 there's four or five areas where people go for
13 commerce, you know, and there's -- now, there
14 may be a whole bunch of back roads where, you
15 know, I'm coming in to -- to visit, you know,
16 my aunt or my grandparents or my kids or
17 something like that but that's a very different
18 thing because obviously, you know, you -- you
19 got a way to communicate with all your tribal
20 members that says if anybody is coming in from
21 out of -- out of, you know, out of the area off
22 of tribal lands, you need to ask them these
23 questions, but commerce is -- is very
24 different, you don't know if it's -- if it's me
25 or anybody else that's popping in, I -- I -- I

1 understand that.

2 HAROLD FRAZIER: Yep. No, I -- I -- you
3 know, and I -- I know Tara Sweeney said she was
4 going to send me a letter because she was --
5 had a proposal and -- and I think -- and in
6 that, you know, being honest, you know, I said
7 in all fairness it would be good for us to --
8 to look at it. I'm awaiting that letter and
9 once I get the letter I'm going to sit down
10 with our --

11 MARK MEADOWS: And I'm -- and that would
12 be coming from who, is that coming from the
13 Governor's office and (inaudible)?

14 HAROLD FRAZIER: The Assistant Secretary
15 of Indian Affairs.

16 MARK MEADOWS: The Assist- -- the
17 Assistant Secretary of Indian Affairs?

18 HAROLD FRAZIER: Yep, yep. And -- and --

19 MARK MEADOWS: Okay.

20 HAROLD FRAZIER: And -- and I said, the
21 sooner the better. That way they're -- I -- I
22 want to sit down with our medical estab- --
23 because that's the whole point. It's -- it's
24 not for law enforcement, you know, it is for
25 health.

1 MARK MEADOWS: Yeah, I think it was about
2 to be escalated in a different manner is the
3 problem. I mean, it's just -- it's gotten to
4 the point where -- yeah, I don't know that that
5 was the letter that you were going to get. My
6 understanding, you were going to get a 24-hour,
7 48-hour kind of, You better take it down or
8 we're going to come in and take over law
9 enforcement on tribal lands, and -- and when I
10 heard that, I said, Oh-h-h, just, you know,
11 let's slow down just a little bit.

12 Um, so what you're saying is you're
13 willing to consider alternatives --

14 HAROLD FRAZIER: Well, I mean --

15 MARK MEADOWS: -- on checkpoints?

16 HAROLD FRAZIER: Yeah, we're willing to.
17 And -- and I want to be honest, too, though, I
18 -- I want to -- you know, we want to make sure
19 that, you know, that the safety of our people,
20 of the residents of this reservation is being
21 adhered to because -- and one of the things, I
22 don't care, you know, what the statements that
23 they been making, the reality is when we
24 started all these plans back on March 10th, we
25 have included the local county commissioners

1 and also the mayors of these city -- these
2 state municipalities so it's not like as the
3 tribe we're dictating to anybody. And we met
4 with their leadership, we, you know, and -- and
5 then informed them with everything and, you
6 know, and, but yeah, I mean, we would be
7 definitely open but we want to see, you know,
8 what -- what -- what she is proposing as far as
9 alternatives to, you know, see if it will fit
10 our program, you know, and hopefully it does
11 and we can, you know, come to some sort of a
12 solution but, you know, I mean, in all
13 fairness, you know, it would be awesome to sit
14 down and see what they want to -- how they --

15 MARK MEADOWS: Okay.

16 HAROLD FRAZIER: And, you know, 'cause,
17 you know, when you negotiate things, you gotta
18 -- it's a give and take situation until we find
19 a result, you know?

20 MARK MEADOWS: Yeah, I -- I get that,
21 Chairman, but I guess here's what I'm saying.
22 I got to find, before this escalates out of
23 control, I got to find a solution to stop -- I
24 can't have checkpoints -- because here as much
25 as I know that the motives that you have is

1 good and right, I can't have checkpoints by
2 individuals on Federal highways. I just -- it
3 just -- it -- it creates a problem for me.

4 It would be -- it would be like my
5 Cherokee law enforcement, which is very
6 sophisticated, but if they're doing a
7 checkpoint and checking everybody that comes
8 down U.S. 441 which goes through tribal lands
9 there, I -- I -- I can't have it. I mean, it
10 just -- it just is not something that -- that
11 we can -- we can allow to continue, and so I
12 guess what I'm saying is I want to come up with
13 a creative way that respects your tribal
14 council, your position as Chairman and the
15 sovereignty of the Sioux Nation there and yet
16 at the same time understand that I have got --
17 I have got an issue with a Federal highway that
18 creates a real dynamic for me that becomes a
19 little bit harder for me to just look the other
20 way, and so if you will work with me, let me
21 have somebody reach out to you tomorrow and
22 then let's try to put this on the fast track
23 and see if we can come up with something that
24 -- that respects your -- your -- uh, your
25 sovereignty and yet understands that I have got

1 a Federal aspect of this that makes it very
2 challenging for me just to look the other way.

3 HAROLD FRAZIER: Okay.

4 MARK MEADOWS: Does that make sense?

5 HAROLD FRAZIER: That's fair. We're good.

6 MARK MEADOWS: Alright.

7 HAROLD FRAZIER: I mean, we're definitely
8 open to listening and, you know, and engage in,
9 you know, discussions on how we can find a
10 solution. But --

11 MARK MEADOWS: Alright.

12 HAROLD FRAZIER: But, you know, I mean,
13 you know, I'm -- I'm just letting you know
14 upfront, too, is we have a medical team that,
15 you know, is a -- is a major part in our
16 decisionmaking process here at home and -- and,
17 you know --

18 MARK MEADOWS: I get it, and that medical
19 -- that medical team just got a lot of money
20 from the Federal Government because I -- I
21 signed off on it right here so I'm not -- I'm
22 just telling you, I get it, but I have given --
23 I promise you, you will have gotten more money
24 from the Federal Government under this
25 Administration than any other Administration

1 for healthcare aspects as it relates to Covid
2 so I -- I'm hopeful that you have enough assets
3 from a financial dollar standpoint to do what
4 you need to do and -- and still understand that
5 -- that I -- I -- I can't -- I can't allow
6 checkpoints on Federal roads.

7 I mean, and I don't -- I would have to
8 look up exactly how much money we sent to you
9 but I can tell you that the eight billion is
10 the largest amount of money ever sent to Native
11 American tribes under any administration,
12 Republican or Democrat, uh, and I'm proud of
13 that but I also need you to -- to use that
14 money so that it doesn't -- doesn't create a
15 problem for me on -- on other issues because we
16 still have another 40 percent of the money to
17 go out, I know, I approved five hundred million
18 the other day to go to different, uh, you know,
19 tribes for healthcare that you -- you would
20 have already received some of the money there
21 but you had already received, probably have
22 received six- -- part of the 60 percent of the
23 eight billion as well and there is another 40
24 percent that I -- I have got to release so, uh,
25 just so I'm -- I'm hopeful that you have enough

1 financial assets to deal with this in a way
2 that we can -- we can work cooperatively and --
3 and, you know, take this off of yours to do and
4 mine to do if -- if we can but I'll -- I'll
5 have them reach out to you tomorrow.

6 HAROLD FRAZIER: Okay. I sure appreciate
7 that.

8 MARK MEADOWS: Alright. Thanks, Chairman.
9 Appreciate it.

10 HAROLD FRAZIER: Thank you. Good-bye.

11 MARK MEADOWS: Good-bye.

12 (Phone call ended.)

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