

OCT 05 2001

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9 ATEF ELZEFLAWY: My name is Atef Elzeflawy
10 and I represent the Las Vegas Paiute Tribe. I'm not a
11 member, however, I'm sitting here in Mr. Ken Anderson's
12 position. I think we have a few comments. One major --
13 one is again the government-to-government treatment
14 based on the POTUS executive order -- if somebody
15 doesn't know what the POTUS means, that's the president
16 of the United States.

17 The tribe feels that for so many years the
18 Department of Energy working on the Yucca Mountain did
19 not even think or consider that there is a tribe here
20 called Las Vegas Paiute Tribe. And so that's the major
21 comments and major concern with regard to providing
22 comments to you.

23 But with regard to the site suitability
24 report of the Yucca Mountain site suitability report, I
25 think that the tribe feels that the schedule is driving

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1 this program. A case in point is the 10 CFR 963
2 proposed rule has not been finalized yet. However, that
3 report is based on that kind of a regulation and they
4 strongly feel that this report should be put out after

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5 the proposed rule finalized and then you can address
6 that.

7 And then there is another point with regard
8 to the completeness of the work. They get bits and
9 pieces here and there. Some members read it and some
10 members don't, but they feel strongly that the full
11 story has not been told yet and because the pieces do
12 not fit together to solve the puzzle as one member said
13 it. And sometimes it's confusing, sometimes it's not
14 very clear and they strongly feel that the Department of
15 Energy should take initiative to come -- to send the
16 project manager from Washington, DC or something like
17 that to come to address the tribe or to address the
18 council of the tribe and tell them about what the
19 program is all about.

20 And that they also feel that sooner or
21 later they are affected. They feel that they are an
22 affected tribe. However, the Department of Energy has
23 not recognized the affected tribe status and I think
24 that's addressed in the law.

25 So bottom line is aside from the technical

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1 issues and I don't want to address it here is that the

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- 2 tribe again feels it's neglected, not treated as an
- 3 equal part in that particular program and that's all I
- 4 can say for now.

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9 ALEF ELZEFLAWY: I'm not going to go
10 around. I just want to make one other -- again my name
11 is Alef Elzeflawy from the Las Vegas Paiute tribe. I
12 just wanted to let the Department of Energy, the
13 managers understand how nice it was for the chairman of
14 our tribe and the vice chairman of our tribe to sit down
15 alone. I was with them along with the commissioner from
16 the NRC who flew all the way down here to see some of
17 the tribe. I think that sets an example for the
18 Department of Energy either or either Assistant
19 Secretary of Energy for the environmental programs to
20 leave Washington and come to really take this
21 government-to-government issues in their heart.

22 I have seen a man who is a member know from
23 the Department of Energy as a member of five votes for
24 the commissioner and when I worked for NRC back in 1983
25 to see the commissioner, you probably think that it's

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1 easier to see God than to see the commissioner, and for
2 the commissioner himself one of them and he promised
3 more will come to come all the way down here after six,
4 seven months after the chairman met us in the airport

5 for about an hour, that sets the example for the
6 government-to-government process.

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7 I want to put this in the record because I
8 think I'd like to add it to the Assistant Secretary of
9 Energy for Environmental Program for Lake Barrett
10 himself to leave his office and come down here and
11 listen and meet individually if he can with the chairman
12 or the chairwomen or the chairperson, whatever they are,
13 of some of these affected concerned tribes. I think he
14 will get a good idea about how these chair people
15 understand the simplicity of the issues and the
16 simplicity of the program. They will have one-on-one
17 discussion. They are going to present their concern and
18 I hope that they would have the same attitude as the
19 chairman of the NRC had six, seven months ago and the
20 commissioner Jeffrey Mayfield when he was here a couple
21 days ago. It was a pleasant conversation between two
22 people government-to-government.

23 So this program I do understand is a
24 tremendous program, but I think if Lake Barret would
25 come to have a single meeting with Calvin Meyers as the

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1 chairman and his assistant, they will be able to present

2 face-to-face conversation government-to-government
3 concern.

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4 And I don't want to take it beyond that,
5 but I want to put it into the record. The program as
6 you know is for a person like me I can talk forever
7 about some of the concerns regard to hydrology, geology
8 and all those other things. I'm not here being paid by
9 any tribe as an environmental consultant. I'm here on
10 my own time helping the tribe to understand.

11 When I was asked to tell them about what
12 all these programs are all about and when I mentioned
13 something about the performance assessment program, the
14 question was if we cannot predict what may happen in a
15 hundred years, how can we predict what is going to
16 happen for 10,000 years? And I have lots of words. I
17 cannot convey the simplicity, convince the people of the
18 Chemehuevi of the content. We may talk about it, but I
19 think there's a missing link between our trust
20 relationship as far as I convey it to the simplicity of
21 the mind. So I think building the trust is very
22 important. That's all I want to say.