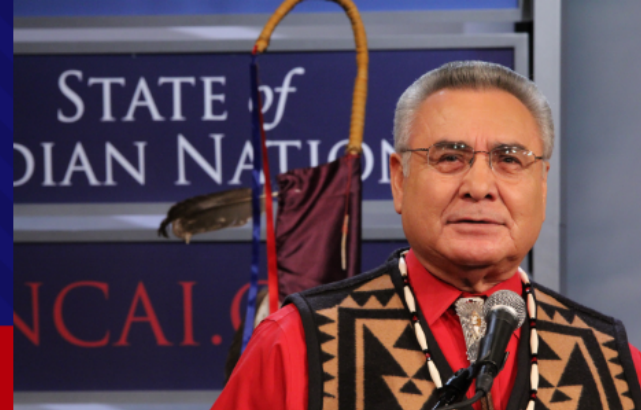


# President Keel

## STATE OF INDIAN NATIONS ADDRESS

### NATIONAL CONGRESS OF AMERICAN INDIANS



*Delivered by NCAI President Jefferson Keel*

*FINAL VERSION – February 11, 2019*

“Chokma” *Chokmashki ishlaka - Hash mohma ka sa yokpa ishlaka.* Greetings! It’s good you came and I’m happy you’re here.

I thank *Abba Binili, God*, for bringing us together in a good way for this historic dialogue between Indian Country and the United States. On behalf of the 573 federally recognized tribal nations, dozens of state-recognized tribal nations, and millions of Native people across this land, I welcome you, distinguished guests, and those watching around the globe to the 17th Annual State of Indian Nations address!

I am humbled to deliver this address. I consider it a great honor to serve Indian Country in this way.

I was also blessed to preside over our Annual Convention last October, where NCAI launched its 75th anniversary year as a difference-making organization *protecting* tribal sovereignty and *advancing* tribal priorities.

I stand here today to proudly proclaim to you, Congress, the Administration, and the world: The State of Indian Nations is **STRONG**, and we **GROW STRONGER** every day.

From our cultures and languages to our economies and political power, tribal nations are crafting a **GREAT RESURGENCE** that is forging brighter futures for our communities and generations yet to come.

Despite facing strong headwinds and resistance, we are elevating our presence and voice in this country’s public *and* policy discourse, at a time when it’s most needed. We are claiming our rightful place as the original pieces in the mosaic of America, and our rightful role as key contributors in charting its future course.

The signs of our resurgence are **EVERYWHERE**.

They are seen in sports and the arts, where increasingly we are sharing our stories and identities with mainstream society,

...from actor Wes Studi speaking his Cherokee language to the world at last year’s Oscars...

...to Onondaga lacrosse star Lyle Thompson turning an ugly display of racism into a teachable moment about dignity, empathy, and cultural pride...

They are seen in expressions of respect for Native people by those who mold America’s youth,

...from the State of Florida honoring Joy Prescott, a Seminole immersion school teacher, as teacher of the year...

...to Little League International’s decision to ban race-based mascots from all sanctioned competition...

Our resilience is seen in tribal nations’ building of robust economies, which provide jobs and family economic security to hundreds of thousands of Native people, and tens of thousands of non-Native people. Indian Country has a long way to go, but in more and more places, we are becoming primary drivers of economic growth, fostering a better quality of life for all.

Our unity is seen in our growing alliances, powerfully displayed in recent legal briefs defending the Indian Child Welfare Act. They saw 325 tribal nations, 57 Native organizations, 31 child welfare organizations, 21 states, several members of Congress, and other partners join forces to keep Native children immersed in their tribal families, cultures, languages, and communities.

Our strength is heard in the enduring power of our songs – prayers of tolerance and humility, sung with a good mind and enlightening purpose in the face of ignorance and arrogance.

It is seen in the mid-term elections. In North Dakota, New Mexico, Minnesota, and elsewhere, Native people, understanding the stakes, turned out to the polls like never before – despite determined efforts to keep us away. In many places, we *were* the margin of victory, showing we are a political force to be reckoned with.

And our resurgence is seen in the record number of Native candidates who ran for federal, state, and local office – and won!

On election night, I rose to applaud Peggy Flanagan, who as Minnesota’s new lieutenant governor, becomes the *highest-ranking* Native woman elected to executive office in the United States!

Like many of you, my spirit was stirred by Ruth Buffalo, who took the oath of office in North Dakota in her traditional regalia, honoring her ancestors. Ruth’s victory was pure, *poetic* justice, as she upset the state legislator who sponsored the bill to suppress Native voters by making them show IDs with residential street addresses.

And in our nation’s capital, I was deeply moved by the first two Native Congresswomen in U.S. history – Deb Haaland and Sharice Davids – at their swearing in, embracing in a moment of solemn reflection about their historic achievement and all who sacrificed to make it possible. They join Tom Cole and Markwayne Mullin to give Indian Country its largest Congressional delegation ever.

Casual observers of Indian Country’s resurgence may deem it an overnight phenomenon.

Nothing could be further from the truth.

Our success flows from the foresight and counsel of our ancestors.

It is driven by the core values and relentless spirit that have sustained our societies and cultures for millennia.

It grows today thanks to decades of planning, preparation, and hard work of so many tribal leaders, elders, advocates, youth, everyday tribal citizens, Native Vote coordinators, and our ever-expanding network of partners and allies.

Long before Wes Studi and Lyle Thompson came along, there was Chickasaw storyteller Te Ata, Osage ballerina Maria Tallchief, and Santee Dakota philosopher John Trudell, who showed the world that only Native people can truly define their own humanity and speak their own truths.

And before Deb Haaland and Sharice Davids rose to this moment, there was...

...Elizabeth Peratovich, a well-known Tlingit civil rights leader,

...Ada Deer, a Menominee who served as Assistant Secretary for Indian Affairs and ran for Congress...

...and Denise Juneau from Fort Berthold, who became the first Native woman elected to statewide office in Montana.

These leaders and many others cleared paths for Deb and Sharice to follow.

The truth is we’ve always been strategic planners and shrewd actors who adapt to and overcome the great challenges before us.

Today, as the first, distinct, *Indigenous* peoples of this land, we perpetuate our time-honored tradition of applying lessons learned from a closely held past to confront threats to our continued resurgence, ensuring our enduring vibrancy.

Indian Country owes our resurgence to tribal *sovereignty* and *self-determination* – the *inherent* authority, strength, and wisdom to *ably* tackle the great challenges of our time, just like our ancestors did before us.

Tribal leaders gathered 75 years ago to create the National Congress of American Indians to respond to the greatest threat of their time: the federal policy of terminating tribal governments.

Through tireless struggle, Indian Country overcame that threat, and in the decades since, NCAI has spearheaded tribal nations’ efforts to fend off the gravest threats to our *right* and *ability* to govern our lands, citizens, affairs, and relationships as *we* see fit, from safeguarding the civil rights of Native people to protecting where and how we practice our spirituality.

NCAI continues to answer that call, for the threats we face today are just as daunting.

Take the recent government shutdown, this nation's longest ever.

This pointless crisis wreaked financial havoc on millions of Americans, including a disproportionate number of Native people.

It represented a gross dereliction of duty by our leaders in Washington, who are sworn to uphold the federal government's *legally mandated* trust and treaty obligations to tribal nations by providing adequate, *stable* funding for programs that serve our people.

The shutdown cut particularly deep across Indian Country, disrupting access to vital services like healthcare, housing, and food distribution, and endangering public safety, from unplowed, snow-covered roads to unsupported children at high risk.

It also meant opportunities lost. The Quinault Indian Nation, for example, lost a \$1.4 *million* timber sale during the shutdown, just because it couldn't get a signature from the feds.

Yet like we've always done, tribal nations rose to meet a challenge not of their own making.

Many found creative ways to stretch their limited financial reserves to ensure employees supported by federal dollars could keep receiving a paycheck.

Others deployed innovative measures to help their citizens and other local residents make ends meet. The Pawnee Nation of Oklahoma, for example, kicked in its own money and established a GoFundMe page to provide groceries to those furloughed or working without pay.

The Mescalero Apache Tribe in New Mexico, meanwhile, offered affected workers jobs at its businesses.

The Shoshone-Bannock Tribes in Idaho culled from its bison herd to provide meat to workers unable to buy food for their families.

And the Navajo Nation's utility authority allowed furloughed employees to delay paying their bills until after the shutdown's end.

Tribal nations took these steps because as responsible governments, we take care of our communities, *no matter what*. We certainly don't manufacture crises to avoid doing so.

And with it likely to take months, perhaps years, for us to fully recover from this shutdown, Indian Country cannot afford – and America should *not* stand for – another one.

And no leader of the federal government should stand for it either. Each took an oath to protect the U.S. Constitution against all enemies, foreign *and domestic*. That solemn oath is to this country – not a party or an individual. If there's another shutdown, it should include the salaries and healthcare of everyone in Congress and the White House.

Indian Country faces another daunting threat in the Administration's effort to *undercut* the regulatory framework by which tribal nations place land into trust.

The Department of the Interior *cannot* be allowed to simply “make it up as it goes along” when deciding whether to take land into trust for tribal nations, ignoring decades of established precedents in the process.

The Department's recent “about-face” in rejecting the Mashpee Wampanoag's placement of traditional homelands into trust is especially troubling. If left to stand, it threatens to create a *class system* of “haves” and “have nots” among tribal nations.

Some tribal nations will be able to take newly acquired land into trust to protect sacred places; others will not.

Some will be able to regrow their land bases to empower economic growth; others will not.

They will be subject to the whim and conflicted interests of whoever is running Interior at the moment.

This not only ignores the Indian Reorganization Act's mandate of tribal *self-determination*, it is patently and arbitrarily *unfair*.

We demand Interior rescind its Mashpee decision and recommit to its earlier precedent regarding land-into-trust applications under the 2014 *Carcieri* “M” Opinion.

We also call on the DOI Solicitor to reinstate the Alaska “M” Opinion, which affirms the Secretary’s authority to place land in trust to benefit tribal governments in Alaska.

The federal government’s policy for tribal lands needs to put the interests of tribal nations first – and *no one else’s*.

Equally concerning to Indian Country is the rushed and *ill-conceived* reorganization of the Department of the Interior and Bureau of Indian Affairs, done largely without tribal input and against our declared wishes.

This effort has featured alarming changes made with no consultation or explanation.

For example, the abrupt “Thursday Night Massacre” saw vital, high-level administrators across the BIA reassigned to distant places to work on issues or with tribal communities they had little experience with. This left several regions without a permanent Regional Director for months on end, handicapping the Bureau’s ability to serve tribal nations on the government’s behalf.

This reorganization threatens to diminish the authority of BIA Regional Directors within Interior’s overall structure, and seeks to isolate the BIA from other agencies at Interior. This will, in turn, isolate and weaken the programs and services that those agencies provide Indian Country.

NCAI reiterates our call to the Administration to halt the Interior and BIA reorganizations so it can assess their negative impacts on tribal communities, and then integrate *tribal* priorities into a revamped restructuring plan.

We also demand Interior heed the call of Indian Country *and Congress* by creating an Under Secretary for Indian Affairs, so that *our* priorities can get their just due.

Another grave threat impacting not just Indian Country *but the entire planet* is CLIMATE CHANGE.

The science is settled. The evidence? *Undeniable*. Our world is gravely ill, human beings are the cause, and only we can administer the cure.

Climate change threatens our wellbeing, places, and ways of life in every conceivable way.

And by all accounts, Indian Country is feeling the wrath *sooner* and *worse* than other populations. From Shishmaref in Alaska to Isle de Jean Charles in Louisiana to Taholah Village in Washington, hundreds of tribal communities are losing homes to waters rising from global warming. Many tribal nations are relocating entire communities before they’re lost for good.

Climate change also erodes our ability to exercise our inherent and treaty-reserved rights to hunt and fish, by ravaging our subsistence resources and their life-giving habitats.

Pervasive droughts caused by changing weather patterns constrict our ability to harvest traditional foods and medicines, while our sacred sites grow ever more vulnerable to wildfires, flooding, and erosion.

And, as the Administration’s National Climate Assessment explains, tribal economies, which depend on our “self-determined management of water, land, natural resources, and infrastructure,” are being impacted “by changes in climate.”

Tribal nations have long understood Mother Earth’s delicate balance, and the sacred charge we have to nourish her as she does us. We developed finely tuned management practices to steward the natural world so it could continue nurturing all living things...

...from controlled burns to reduce wildfire damage...

...to water conservation strategies to offset prolonged droughts.

Despite significant legal and policy barriers that complicate our efforts to carry out this hallowed commitment to stewardship, tribal nations are *leading*.

From Blue Lake Rancheria in California to the Passamaquoddy Tribe in Maine to the Native Village of Kotzebue in Alaska, we are developing climate action solutions and coalitions that provide common-sense blueprints for the world to follow.

NCAI supports tribal nations’ climate action efforts, from advancing their consensus priorities at the U.N., to advocating for tribal water settlements in an age of increasing water scarcity.

We are leading on climate action because we recognize future generations will either revere us for our bold initiative in this moment, or condemn us for the doomed planet we've left them.

Simply put, we can no longer afford deniers. We need *doers* – doers committed to working together *as one*, to save our planet *for all*. We need the U.S. government to lead *with us*.

Yet today we find that government broken.

The shutdown is a sobering reminder of the failed state of our partisan politics. Given climate change and the other monumental challenges this country faces, America can no longer afford a government fixated on settling political scores and pandering to corporate interests. Indian Country certainly can't.

We must cleanse our governance of the politics of racism and fear, the rhetoric of winners and losers, false narratives about “zero sum” economics that fuel inequality – and all else that divides us.

Our leaders in Congress and the Administration must come together to place the fate of our children and grandchildren – *including Native ones* – ahead of rigid dogmas and their own campaign coffers. We must – and will – hold them to that standard.

While considered by some a lost art, bi-partisanship is the *only* proven path to meeting this nation's challenges. The recent Farm Bill is a prime example, of the good that comes to *all* when our leaders put nation before party.

The Farm Bill and recent tribal energy legislation also affirm that Indian Country's issues are *not partisan* issues. They are *America's* issues. They transcend political party. *Every* member of Congress and the Administration has a *duty* to faithfully execute the government's legally mandated trust and treaty responsibilities to tribal nations, no matter who voted for them on Election Day.

In 2019, performing that duty means...

...avoiding another shutdown...

...*fully* repairing the damage the last one caused, including doing right by not just federal employees, but *federal contractors* who serve Indian Country...

...and authorizing ADVANCE APPROPRIATIONS for the BIA and Indian Health Service, so we are insulated against partisan gridlock from here on out. As fellow tribal leader Aaron Payment said during the shutdown, we “pre-paid in full” with our lands for federal programs and services, and now the government's “mortgage payment is due.” From now on, we want that payment *guaranteed on time, every time!*

Performing that duty to uphold the federal trust and treaty responsibilities *also* means...

...enacting a *clean Carcieri* fix to bring long-overdue certainty to the land-into-trust process...

...stemming the tide of violence against Native women by strengthening the Violence Against Women Act, passing Savanna's Act, and including tribal nations in Victims of Crime Act funding...

...and protecting the Indian Child Welfare Act, for our Native families have suffered the agony of having our children ripped from us for far too long – an agony that, sadly, Indigenous migrant families along our southern border now share with us.

Performing that duty also means...

...ending the assault on our unique political status, notably allowing states to interfere in tribal provision of Medicaid services...

...investing substantially in tribal infrastructure – on tribal terms...

...Passing the Indian Community Economic Enhancement Act and Native American Business Incubators Act, which will strengthen our ability to build diversified economies...

...*properly* implementing the Farm Bill and 477 workforce development law...

...combatting the growing number of hate crimes against Native people...

...ensuring a *complete* count of Native people in Census 2020...

...and repairing the “Broken Promises” reported by the U.S. Commission on Civil Rights, by *fully* funding the federal government’s trust responsibility...

Finally, performing that duty means...

... committing to appointing federal judges who understand *and respect* the unique political and legal status of tribal nations...

...confirming a permanent IHS Director, when we’ve been without one for *four years*, which is outrageous...

...and ensuring the Interior Secretary doesn’t just pay *lip service* to tribal sovereignty, but upholds it *in practice*. The federal government’s trust responsibility is *not* discretionary!

In closing, to the U.S. government, I promise that:

NCAI will be there every step of the way, partnering with you and holding you accountable, just as we have since 1944.

To our elected leaders and the American people, I invite you to:

Become Indian Country’s allies! Learn *from us* about our histories, governments, and contemporary life! Engage *with us* to understand what respect for Native people entails, and how you can help us achieve our goals for thriving tribal cultures and communities.

To Indian Country, I remind you that:

The National Congress of American Indians is your D.C. watchdog. we have your back in protecting tribal sovereignty and fighting for your priorities. *Always have, always will!*

To tribal leaders, I implore:

Now more than ever, NCAI needs your voices, your guidance, your wisdom, your partnership, and your help if we are to collectively forge our chosen pathways to vibrant futures. Our people can afford no less in this time of great uncertainty – and great opportunity.

May God bless all of you, and may God bless Indian Country. Thank you.”