On Sunday, October 9, 2016, the National Congress of American Indians (NCAI) kicked off its 73rd Annual Convention & Marketplace at the Phoenix Convention Center in Phoenix, Arizona with an all-day, National Tribal Water Summit co-hosted with the Inter Tribal Council of Arizona and the Native American Rights Fund. The Summit featured tribal leaders, tribal water rights experts, federal agency partners, and state officials discussing current issues tribes face to protect their water rights.

The first panel looked at some new frontiers in water rights litigation reviewing the Agua Caliente groundwater case in the 9th Circuit, the Gila River Indian Community 2004 water rights settlement which is the largest settlement to-date, and a judge’s perspective of the future of water rights litigation.

The next panel focused on settlements pending before the Administration and Congress, including the Hualapai Tribe and Confederated Salish and Kootenai Tribes settlements, as well as perspectives from Congress and the Administration on the current climate regarding approving tribal water settlements.

Department of the Interior (DOI) Deputy Secretary Mike Connor provided a keynote lunch address on the Obama Administration’s work on settling many tribal water rights, and looking towards finalizing a few more before the end of the year.

Panel three looked at what tribes can do with water settlements as economic development drivers and the issues of implementing agreements and building infrastructure. The final panel of the Summit looked at what tribes can do to protect their water rights from the impacts of climate change and drought.

Sunday was also a time for various NCAI task forces, workgroups, and partners to discuss and strategize on important issues to Indian Country. There were several federal consultations held by on the first day by the National Institutes of Health (NIH), the Indian Health Service (IHS), and DOI.

The day ended with an incredible Welcome Reception hosted by the Salt River Pima-Maricopa Indian Community at Salt River Fields at Talking Stick complete with a cultural dance on the baseball field and fireworks.
Monday, October 10, 2016, began with the First General Assembly and welcoming remarks from Inter Tribal Council of Arizona President (ITCA) and CEO Thomas Beauty.

“Sovereignty, like freedom, does not come freely. We must fight for it. As sovereigns, we need not ask state governments and authorities to establish laws and regulations—these powers are inherently with tribes,” said Beauty. “Over time, we have lost important parts of our sovereignty—this must be reversed. The price of maintaining our tribal sovereignty is constant vigilance. Without strong and vibrant sovereignty, we run the risk of becoming Indian Country in name only.

Welcome remarks were followed by the President’s and Executive Director’s Reports, the Tribal Supreme Court Project Update given by Native American Rights Fund (NARF) Executive Director John Echohawk, NARF Washington, DC Office Managing Attorney Richard Guest, and NCAI General Counsel John Dossett.

“During the 15 years of the Tribal Supreme Court Project, U.S. Supreme Court decisions in favor of tribes has risen from 18 percent to 40 percent,” said Guest.

The Supreme Court Update was followed by the new White House Senior Associate Director of Public Engagement and Intergovernmental Affairs, Tracy Goodluck who exclaimed, “It’s a good day to be Indigenous!” at the beginning of her White House Update remarks. Goodluck was followed by Indian Health Services Director Mary Smith who announced the rollout of a new Global Recruitment Initiative—a one stop job application site enabling qualified job seekers to now apply for one job across multiple locations.

Goodluck’s earlier comment helped set the tone for the afternoon as NCAI celebrated Indigenous Peoples Day with a press conference featuring Smithsonian’s National Museum of the American Indian Director Kevin Gover, independent journalist and Charles R. Johnson Endowed Professor at the University of North Dakota Mark Trahant, and NCAI President Brain Cladoosby. Check out more information about the press conference at www.ncai.org/news/multimedia-center.

The afternoon Second General Assembly was packed with Congressional and Agency representatives including Congressman Raul Grijalva (D-AZ), the new Department of Housing and Urban Development Deputy Assistant Secretary in the Office of Native American Programs Heidi Frechette, and Mike Andrews, Chief Counsel and Majority Staff Director for the U.S. Senate Committee on Indian Affairs.

Principal Deputy Assistant Secretary for Indian Affairs Larry Roberts took the stage in the late afternoon accompanied by IHS Director Smith as they announced the long anticipated Memorandum of Agreement between the Department of the Interior (DOI) and Health and Human Services (HHS) to provide space at Bureau of Indian Education schools and Office of Justice Services facilities for mental health providers.
“This will be a nationwide Memorandum of Agreement. We’re working with Pine Ridge Indian Reservation as a Promise Zone to provide mental health services in their schools. It was implemented in Oglala, and now we’re bringing it nationwide,” said Roberts.

Roberts went on to talk about his work to strengthen relationships between DOI and Indian Country, recognizing current accomplishments and areas where DOI can improve.

“We have reached our goal of restoring over half a million acres of land into trust for tribes. This work will continue into the next Administration,” said Roberts. “We’ve worked to improve BIE. Navajo Nation has its own education standards—exercising tribal sovereignty over these standards. We are working to implement the Indian Child Welfare Act (ICWA) regulations, which go into effect in December. We are building from the experience of the Acoma Pueblo to ensure there is not the sale and theft of cultural items. This is a whole-of-government approach…Whether it’s the HEARTH Act, whether it’s retrocession, whether it’s rectifying trust breaches, this Administration has worked hard to steer a ship where we’re honoring our trust responsibilities and not litigating against tribes.”

The Third General Assembly looked to address this very timely discussion as NCAI leadership was joined on stage by Smithsonian’s National Museum of the American Indian Director Kevin Gover, Sonosky Chambers, Sachse, Mielke, and Brownwell, LLP Senior Attorney Vanessa Ray-Hodge, Lummi Nation Councilman Jeremiah J. Julius, Gila River Indian Community Governor Stephen Lewis, Standing Rock Sioux Tribe Chairman David Archambault, and Ute Indian Tribe Chairman Shaun Chapoose.

“When the treaties were made, both the Indian Nations and the United States prospered. When their terms were betrayed, the Indian peoples suffered, and they suffered mightily,” said Gover. “We have steadily seen a slow return to the idea of tribal consent.”

In direct succession to the Federal Infrastructure Permitting and the Trust Responsibility panel, the US Army Corps of Engineers Deputy Commanding General Major General Donald (Ed) Jackson gave remarks about the future of the Corps and how they are looking toward the future relationships with tribes.

“We take our trust responsibility to tribes very seriously,” said Jackson. “We may not always get it perfect, but we’d like to try. We want to do it through our words and our actions.”

The Youth Honoring Lunch was packed. The NCAI
Youth Leadership Awards were presented by National Indian Gaming Chairman Ernie Stevens Jr. to Brian Weeden and Lisa Chavez.

Afternoon sessions on Tuesday carried on the theme of sacred places, as well as education, economic development, tribal self-governance, all wrapped up with the Native Vote Pep Rally featuring a cheering competition. The winner? Juanita Ahtone.

The Tuesday evening listening session on the issues with infrastructure project permitting kicked off a series of six consultations stemming from issues highlighted by the Standing Rock Sioux Tribe set the tone that consultation needs to be more than a checking the box exercise. Consultation must be a meeting between sovereigns, working in a partnership, to get consent, and move forward together. Representatives from various agencies echoed the concerns raised by tribal leaders that the processes must be improved and we must go from consultation to consent.

The consultation series is scheduled for Seattle, WA; Albuquerque, NM; Billings, MT; Old Town, ME; Minneapolis, MN; Rapid City, SD; and a Teleconference. Written Comments are Due on November 30, 2016 to email: consultation@bia.gov. To learn more about consultation times, dates, and location visit: http://www.bia.gov/WhoWeAre/AS-IA/ORM/TribalInput/index.htm.

Wednesday morning, we got moving early at the National Native American Just Move It! Healthy Lifestyles Walk, Run and Rally. Stretches and warm up were led by Sault Ste Marie Tribe of Chippewa Indians Chairperson Aaron Payment. Thank you to the NCAI Youth Commission for your inspirational signs!

Following the Health Walk, the Fourth General Assembly opened with remarks provided by Senator John McCain (R-AZ) who highlighted water rights, the importance of passing the Tribal Labor Sovereignty Act, and tribal self-governance.

“We must listen more to you, and get out of the way of tribal authority,” said McCain.

Honoring Nations took the podium next and awarded six communities including the Alaska Native Tribal Health Consortium (High Honors), Yukon Kuskokwim Delta Tribal Communities (Honors), Chickasaw Nation (Honors), Intertribal Nations of Wisconsin (Honors), Ysleta del Sur Pueblo (High Honors), and the Confederated Tribes of the Umatilla Indian Reservation (High Honors). Congratulations to all the programs on your success!

The day ended with an amazing Cultural Night hosted by the Gila River Indian Community at the Rawhide Western Town and Event Center featuring a traditional O’odham dinner, dance performances, and comedy act.
On Thursday, the Fifth and Sixth General Assemblies took up the morning and the afternoon with presentations and swearing in of the brand new NCAI Youth Commission officers, a presentation on the 50th Anniversary of the National Historic Preservation Act by Suquamish Tribe Chairman Leonard Forsman, and presentations by: National Indian Gaming Association, National Indian Education Association, National Indian Health Board, and the National Indian Child Welfare Association.

Bank of America Senior Vice President Alan F. Gordon, cultural dancers from the Gila River Indian Community and an honoring of Rodney Lewis, Pima-enrolled member of the Gila River Indian Community and former general counsel of the Gila River Indian Community.

Friday morning, the Seventh General Assembly closed out the 73rd Annual Convention & Marketplace with the Treasurer’s Reporter delivered by Jamestown S’Klallam Tribe Chairman W. Ron Allen, a video message from Department of Energy Secretary Dr. Ernest Moniz, and the final step in the resolutions work with Committee Reports and approval of the each Committee’s reports, review of resolutions, and final vote on resolutions.

Thank you to our wonderful presenters, sponsors, and volunteers who made this event possible! Visit the next page for other resources from the Convention and upcoming NCAI events.