

# **Our America**

10th Annual State of Indian Nations Address  
Remarks by Jefferson Keel, President  
National Congress of American Indians (NCAI)  
Thursday, January 26, 2012  
Newseum, Knight Studios, Washington, DC

## **Acknowledgements**

I want to thank the Native service members and veterans who have joined us today. Many know the story of Indian Country -- the challenges we have faced, and the ones we face today. But very few Americans know the story of the hundreds of thousands of tribal members who have served in the United States military, as far back as the Revolutionary War. As a veteran myself, I want to thank Lt. Colonel Hunting Horse and the 24,000 active duty American Indian and Alaska Native service members serving today to protect the sovereignty of the United States and the tribal nations of North America. Thank you.

## **Strong Indian Nations**

My fellow tribal leaders, tribal citizens and American citizens, members of the National Congress of American Indians, members of the Administration and the 112th Congress, and those listening or watching today: I am honored to speak to you all, but especially to address representatives of the more than 5 million Native people and the 566 tribal nations of Indian Country.

The State of Indian Nations is strong. Our nations are strong. Our peoples are strong. Like our sovereignty, the strength of our nations, is our inheritance. The State of Indian Nations, as I outline it today, should be defined by what we commit to right now to make the state of Indian Nations even stronger in the years to come.

We all know tribes have faced a difficult history. We are rising from harsh economic conditions to contribute to a more prosperous tomorrow. Tribes have been doing more with less for generations, and I am here today to outline a path to overcome our shared challenges – to lay out specific economic changes and improvements for our tribal nations. Some of these changes require legislative action but many others can come from direct action by the Administration. Ultimately though, it will be the actions of Native people that can change their nations and communities.

Native people are the first Americans. Tribal nations are its first governments – one of three sovereigns recognized in the United States Constitution. And our America is a place where each member of the American family of governments contributes to a prosperous future.

## **Native Vote in this election year**

To achieve that vision, we need leaders who understand that Indian Country matters. Especially in a Presidential election year! We're all aware of the impact an election can have on Indian Country. And, in recent years, many have come to learn that the door swings both ways – Indian Country can have a significant impact on elections – and it can be game changing.

As grandmas on the Navajo nation and young people in Alaska Native villages go to the ballot box this November, they are standing on the shoulders of those who fought hard for that right. As students at Arizona State University and veterans in foreign lands cast their vote, they are reminding America that we matter.

In the 1940s, thousands of Native veterans returned home to a shocking reality: America had accepted them on the battlefield, but had no place for them at the ballot box.

Ira Hayes – a member of the Gila River Indian Community, who raised the flag at Iwo Jima – returned to the homeland he had defended, and was denied the right to vote. Miguel Trujillo from Isleta Pueblo, who enlisted as a Marine in the days following Pearl Harbor, returned home to New Mexico and was denied the right to vote.

These American heroes inspired the fight – all the way to the federal courts – for the right to participate in the 1948 elections. They expressed the power of the Native vote the first time they cast their ballots, and it's been at work ever since.

Stories like these have shown Native people that when it comes to Native Vote, we can and we must think big. Simply put, we will work tirelessly in 2012 to see the highest Native turnout ever.

We know it can be done. For instance, on the Fort Belknap Reservation in Montana, turnout rates are regularly over 80 percent. A survey of seniors at UCLA showed that Native young people participate at rates higher than any other group of students. This is especially important because almost half a million Native youth will be eligible to vote for the first time in the next four years.

Native people don't see the world in two and four year election cycles. We're focused on building stronger communities for generations to come. When we step in the ballot box, we want to vote for candidates who will stand with tribal nations to create a strong prosperous future. We are not mobilizing for one party or for one candidate. Indians don't just vote D for Democrat or R for Republican. For us, it's "I" for Indian. We are independent voters and we will continue to vote for the candidate who is strong on our issues, and cares about our priorities.

That's why today, I'm calling on all Presidential candidates to make sure Indian Country is at the table during the campaign and throughout your Administration. These specific actions should form the foundation of your Native policy platform:

First, we call on the President to send a Special Message to Congress on the importance of the Nation-to-Nation Relationship. In 1970, President Nixon sent a historic message to Congress on tribal self-determination. That message launched the self-determination era – the very framework that allowed tribes to prove our capacity as governments. All Presidents should do the same.

Second, we call on the President to fully implement the United Nations Declaration on the Rights of Indigenous Peoples. We specifically call for a review of all existing federal law to ensure they are in alignment with the Declaration.

Third, we call for an Annual Nation-to-Nation Summit and ongoing high-level meetings. This would institutionalize the current Tribal Nations Summit, a meaningful commitment to our nation-to-nation relationship that must be upheld by all future Presidents. We also call on the President to convene regular meetings on specific issues between tribal leaders and cabinet secretaries.

Fourth, elevate Native people in the federal government. It is past time for qualified Native people to be seated on the federal bench. The appointment of a Senior Advisor on Native American Affairs has advanced policymaking at the White House and we applaud President Obama for his leadership. With the importance of the Indian budget in the coming decade, we urge the creation of an office for Native American programs at Office of Management Budget.

And finally, we call upon all candidates to actively engage Indian Country in your campaign. We invite each candidate to visit Indian Country to outline your policy positions. We also urge the campaigns to make sure tribal nations are part of the discussion at the Presidential debates.

### **Opportunities for Congressional Action**

Between now and the election, we have a lot of work to do! For all of the partisan challenges of the past year, the Congress has found common ground on Indian policy. Under the bipartisan leadership of Senators Akaka and Barrasso, the Senate Committee on Indian Affairs has reached across party lines to develop legislation that promises to transform Indian Country. And in the House, Republicans like Chairman Don Young and Democrats like Dale Kildee have worked hard to educate their colleagues about the benefits tribal governments offer our nation.

There are some important things the Congress can do right now that can grow Indian economies and create jobs. Without spending a dime, the Congress can fix the problems created by the *Carciari* Supreme Court decision and offer certainty for land-into-trust transactions that are critical to Indian Country's economic future.

The Department of the Interior is already acting to streamline lease approvals for renewable energy development, and we urge the Congress to pass the HEARTH Act to expand leasing reform and to pass an Indian energy self-determination law.

Congress can also act on public safety legislation that will attract businesses to our communities. We urge passage of amendments to the Stafford Act that are supported by FEMA and would remove burdens from states and tribes in times of critical emergencies when lives are on the line.

Native women are the protectors of our culture, our families, and our future. We call on the Senate to pass the Violence Against Women Act Reauthorization and the SAVE Native Women Act— both of which would take critical steps to address the horrific rates of violence being perpetrated against our women.

The Native CLASS Act offers the chance to provide the kind of education our young people need to succeed today and build the economies Indian Country needs for tomorrow. Our young people must not be left behind anymore.

Congress must stand with us now to get these bills passed, but long term success depends on America keeping her promises. That's why NCAI, along with our partners in Indian Country are making available to you today our plan for the Indian budget.

This document outlines our vision for investing in the future of our America, and stabilizing the Indian budget. It will create reliable, safe domestic energy; it will build a 21<sup>st</sup> century education system; it will modernize our infrastructure; and, it will fund implementation of critical legislation like the Tribal Law & Order Act and the Indian Health Care Improvement Act.

Just as our plan holds hope for the future, the Budget Control Act poses great risks. The Act requires Congress to cap discretionary spending for the next 10 years. Much of the funding that fulfills the federal trust responsibility is categorized -- wrongly, in our view -- as domestic discretionary spending.

The trust responsibility is not a discretionary choice. It is not a line item. It is a solemn agreement that has been sustained over hundreds of years. Unless Congress acts to hold tribal programs harmless, then starting in 2013 we are facing ten to fifteen percent cuts across the board for the next decade -- cuts that will threaten essential services and affect millions of Native citizens throughout vast regions of rural America.

We are well aware of the budget challenges our nation faces. We live in Indian Country -- we know all about doing more with less. We urge Congress to stand up for the relatively small piece of the federal budget that belongs to tribal nations and our citizens.

### **Governmental flexibility**

Protecting the Indian budget is the first step but long-term success depends on tribal nations having the same opportunities to protect and preserve our communities that are available to state and local governments. We exercise jurisdiction over lands that would make us the fourth largest state. We run dozens of social programs previously administered by federal agencies or states. And, we protect reservation environments in the manner that states regulate off reservation lands.

Tribal governments have proven our capacity to grow our economies, educate our people, and manage our resources. We need the federal government to put decision-making power back in the hands of the people who live in Indian Country -- the people who know best because these are our homelands, these are our people.

The old way of doing things causes missed opportunities every day. The Swinomish Tribe, in Washington state, saw this first hand. The tribe had worked out a deal with Wal-Mart for a big new store on the reservation. This was a great deal -- a million dollars a year in lease revenue for the Tribe, and new jobs for tribal members and people throughout the community.

As with every lease on Indian lands, the federal government needed to approve it. The process took more than a year and by the time it was approved economic conditions had changed and Wal-Mart had made other plans. A million dollars a year for Swinomish, gone. All those jobs, gone. And this is not an isolated story. Many tribal leaders can tell you stories about business opportunities lost because of red tape.

This is why our federal partners have already proposed crucial lease reforms to free our economies. Tribal nations have proven our capacity. We don't need the government involved in all our business decisions, we need flexibility. And by creating it, we will remove the barriers that cost us jobs and opportunity. This is a goal I think we can all agree on, across the political spectrum, and it is something we can achieve with a change in policy, not an increase in spending.

That is the kind of solution Washington is crying out for and we in Indian Country are eager to answer the call.

### **Moment of opportunity**

Ensuring governmental flexibility will yield more efficient programs and spending, because decisions will be made by those in the best position to respond to community needs. It will also relieve administrative burdens at the federal level.

This message comes directly from tribal leaders. We went to them with one simple question: What can we do with what we have already – without asking for more resources – that will provide greater opportunity for Indians and create more impact for federal programs? Over and over, the answer came back: We need freedom at the local level to best use our limited resources. We know what's best because we live in Indian Country. We know where the needs are, and we know what works for our people. No one understands Indian life better than the Indian nations themselves. Give us flexibility.

The Standing Rock Sioux Tribe in North Dakota is delivering broadband services across their reservation because of governmental flexibility. The FCC's decision to designate Standing Rock Telecom as an eligible telecommunications carrier means they are the first fully tribally owned and operated broadband company that can receive universal service funds.

This designation has empowered Standing Rock to own and operate essential telecommunications infrastructure. This offers avenues for economic development, opportunities to preserve tribal languages and culture, and infrastructure for distance learning programs. That, is the kind of flexibility we need in Indian Country, when only one in ten Native people have access to broadband today.

The Reno-Sparks Indian Colony in Nevada opened a 65,000 square foot health facility in 2007 that showed the promise of tax exempt bond financing. Almost \$16 million in bonds funded a full service clinic that serves 100,000 people each year. This project created permanent jobs and built the infrastructure for quality health services.

Tribes were denied full access to this source of financing until the Recovery Act created a limited bond offering. Based on that experience, the Treasury released a report in December recommending they have the same access to bond financing available to our governmental peers. This will bring huge economic benefits to tribes and surrounding regional economies.

Education is another example where flexibility can prepare our children for the global market place. The Cherokee Nation's Language Immersion School formed an innovative partnership

with Apple Computers to integrate technology and the Cherokee language. They developed Cherokee language software for use on Macintosh computers, iPhones, iPods, and iPads. Students even chat online – in Cherokee – with students from the Eastern Band of Cherokee in North Carolina. This is a powerful example of tribal innovation and initiative—the type of innovation that vesting tribes with greater authority over our own programs unleashes.

Whether in economic development or education, healthcare or energy, the key to getting it right is the freedom to identify and tear down barriers to our success.

### **A new era for the trust relationship**

Tribal leaders carry with us a dream. It's a dream passed down from our parents and grandparents. It doesn't look forward to 2012 or 2016, it looks to the seventh generation. We see a future where the trust relationship actually works – works for tribal nations, and works for our federal partners.

Our ancestors knew that tribes could govern our nations like no one else. Today, we have proven it. Residents of rural Oklahoma are driving to our health facilities, because they offer the best services around. States and counties are turning to our traditional knowledge to best manage natural resources. Citizens of those states are coming to tribes for job opportunities and a good education at tribal colleges. And companies are coming to us to set up businesses on the reservation and bring American jobs home.

When we have the tools and freedom we need, we are creating businesses, delivering services, and leading the way. It's time to build our trust on that reality.

That trust also requires consultation, legally enforceable consultation. Without the power of legislation and accountability, “free, prior, and informed consent,” are just some nice words on a page. As President Obama himself said, when he announced his support for the UN Declaration – “What matters far more than words...are actions to match those words.” We call for action to make consultation count.

Enforceable consultation means we must talk about another idea – tribal consent. There would be a public outcry if the federal government tried to impose policy on a state without its consent. But the concerns of tribal nations are routinely overlooked, even when more than a dozen tribes are larger than some northeastern states. This must not stand.

### **Our America**

Our America is a place where all candidates know that we matter, and America sees it at the ballot box. It's a place where each and every President honors our unique nation-to-nation relationship, where Indian Country is always at the table – not just because it's the right thing to do, but because it's the smart thing to do. Our America is home to a Congress that works across party lines to free our economies. Our America is a place where governments keep their promises.

Our America is where tribal nations create economic opportunities, where people come to us for the best jobs. It's a place where tribes are on the forefront of new technology – high-tech

manufacturing, telemedicine, clean energy. Our America is where Indigenous peoples reach across borders and bring home economic opportunity for all Americans.

As the oldest governments in America, tribal nations understand what is required to overcome stark economic conditions. Perhaps more than any other time in history, our nations must stand together, empowered to make profound and permanent improvements in the lives of our people. Our nations are committed to the success of the United States of America. Let us realize that future together so that our nations thrive, today and forever.

**END**