

## “Sovereign Indian Nations at the Dawn of a New Era”

9th Annual State of Indian Nations Address

Remarks by Jefferson Keel, President

National Congress of American Indians (NCAI)

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### **Introduction: Toward a More Perfect Union**

*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 of the United States, and those listening or watching today from around the country and from around the world: I stand here, honored, to deliver to you, the State of Indian Nations address.*

After an exceptional year of bipartisan achievements to strengthen Indian Country, I am pleased to report that the state of Indian nations is strong, and driven by a new momentum. Once again let me say that again, the State of Indian nations is strong.

We stand at the beginning of a new era for Indian Country, and for tribal relations with the United States.

Previous eras were defined by what the federal government chose to do: the Indian removal period when tribes were forcibly removed from their homelands to reservations, the reorganization and termination era, the allotment era, even the recent promise of the self-determination era.

But this new era is defined by what we, as Indian nations, choose to do for ourselves. I am honored to be joined this morning by many tribal leaders who have worked hard to prepare our nations for this moment. I thank you for being here. We are poised to be full partners in the American economy, and in America itself.

We expect that in years to come—in seven generations—our children’s children will look back and say, “That was the moment when the future of Indian Country changed forever.”

Call it the Era of Recognition. Call it the Era of Responsibilities Met, or of Promises Kept.

Whatever it is called, it brings us closer than ever to the true Constitutional relationship between the United States of America and Indian nations.

It brings us closer to what the Constitution calls a “more perfect union.”

Today, I issue an invitation—to tribal leaders, to Indian people, to our partners in Congress and the Administration, and to all Americans—to join together in building this new era.

## **The New Era**

Why is this new era possible only now, instead of before?

Recent years have brought a new foundation, the self-determination era has brought a promising partnership between tribes and the federal government. We have demonstrated our capacity as self-determined governments that contribute to a stronger America. We have worked hard to reach this point.

But that alone is not enough to realize the promise of this new era.

Barriers remain—and we are eager to work with our federal partners to remove those barriers to the economic potential of our nations.

There is another reason why we are just now seeing this opportunity for a new era.

The state of the economy has played a significant role. These difficult times have made self-reliance into a necessity.

Today the country is entering more than a time of difficult budget choices. As the federal government contemplates fundamental changes in the priorities of government, Indian Country offers a bold opportunity.

Investing in self-reliant Indian nations is not only the Constitutional and morally right thing to do, Indian nations offer a great untapped source of economic opportunity for all Americans.

This is a great moment, when doing the right thing is also the smart thing to do.

## **The Promise of the Constitution**

I was encouraged earlier this month when the House of Representatives read aloud the U.S. Constitution in their session. America's founders recognized the inherent sovereignty of Indian tribes and the special relationship between tribes and the federal government, and they affirmed it by putting it into words in our Constitution.

Like all American people, we are afforded basic Constitutional rights. Moreover, we carry a special recognition, that tribes are inherently sovereign nations with in a nation, that tribes as stated in Article 1, Section 8, are in the company of “foreign nations” and “the several states.”

These basic rights, these inherent rights, are what we seek together to bring to all American people: “justice, . . . domestic tranquility, . . . general welfare, and . . . the blessings of liberty to ourselves and our posterity.”

The preamble to the Constitution speaks of a more perfect union. The new era for Indian nations is a profound step toward that more perfect union.

### **The Achievements of 2010**

I stated earlier that there has been much progress to make this new era possible. I'd like to review some of those successes from 2010.

The passage and enactment of the Tribal Law and Order Act, and the Indian Health Care Improvement Act were monumental. We thank those on both sides of the aisle who crafted legislation that holds the promise of safer, healthier and more economically productive Native communities.

But this work is not complete. Words are one thing, but actions are another. We call for these initiatives to be fully funded and fully implemented.

We were encouraged by the recent settlements of the *Cobell* litigation over the mismanagement of Indian lands, and the *Keepsseagle* settlement for discrimination against Indian farmers. Indian tribes have supported these overdue settlements because they will help us turn the page on the wrongs of the past and direct our energies toward securing a better future.

Finally, we welcome the United States' adoption of the United Nations Declaration on the Rights of Indigenous Peoples. This formally affirms our fundamental human rights. It is a great step forward in respect and recognition of Indigenous peoples throughout the world.

This very morning the UN Special Rapporteur on Violence Against Women is visiting tribal nations to investigate the challenges facing tribal justice systems.

Together, these achievements set the stage for a new era in Indian Country. This is a moment of opportunity, and we must look to the future to realize its promise.

### **Opportunity and Unrealized Potential**

The resilience and spirit that carried our people to this day is what will carry us forward to our next great moment. Our cultures are resolute and diverse. We see every challenge as an opportunity.

Indian nations face great challenges and we always have, but we hold great unrealized potential.

High unemployment is new to most Americans, but Native people have felt it for decades, often those unemployment rates are four to five times the unemployment rate of the country as a whole. But at long last, this new era represents a way forward.

One opportunity for tribal nations is energy development. Our deep relationship to the land and our reverence for the earth's natural resources provide a clear course for our communities.

Tribes care for approximately ten percent of America's energy resources, including renewable energy, worth nearly a trillion dollars in revenue.

And yet, only a handful of tribes have been able to successfully utilize these resources. In fact the 49 bureaucratic steps that deter energy development on Indian lands stifled the ability of the Three Affiliated Tribes of the Fort Berthold Reservation in North Dakota to access their considerable oil reserves, while oil rigs formed a ring outside the tribal boundaries. It took direct action by the Interior Department to streamline this process and allow the Three Affiliated Tribes to access its resources. We call on the Congress to apply this kind of concerted effort to unleash the potential of Indian energy resources across the nation.

Realizing the potential of energy resources offers immense promise for tribal communities, and the United States as a whole. To achieve the goals of energy independence and economic growth, the focus must turn to the potential in Indian Country.

Just last week, Energy Secretary Chu offered a promising jump-start to such investment. He announced \$10 million in support for energy efficiency and renewable energy projects in Indian Country.

Tribal energy development will mean long-term economic growth and development, and in turn the United States will become stronger. That is an investment worth making.

This is a good development and it is part of the solution to realizing our potential, but it is not the entire answer.

On this and other issues, barriers continue to stand in the way of progress for Indian Country and our entire nation.

Sometimes it's bureaucracy. Sometimes it's a lack of access to financing and federal programs. We call for tribes to receive the same treatment under the law as state and local governments on tax and financial matters. It is time for these barriers to be lifted.

The situation is similar for electronic communication, which is the backbone of the new information economy. Across the nation, broadband communication penetration is 65 percent. But in tribal communities, it's only 10 percent. Broadband is the pipeline to progress, and we need investment, but first we need an end to barriers that stand in the way of that investment.

As with energy, the result will be growth, jobs and opportunity—because our potential is already there. We've already seen what such investment can do. The Confederated Tribes of the Warm Springs Reservation, in Oregon, operate a telecommunications company that is using federal funds, plus grant and loan packages, to expand broadband. So far they are reaching 1,000 square miles of a reservation. They are connecting nearly 2000 people, 18 businesses and the tribal government, plus schools, health care facilities, and police and fire departments. This kind of investment is the foundation for progress throughout Indian Country.

Broadband is just one aspect of our infrastructure needs. In fact, there has never been sufficient federal or private investment to spur growth, or fund adequate services in this area.

There is also huge potential to invest in our youth. We seek investments in after school programs, quality education from pre-K through college, and job training programs. We have many bright

students, yet many of our Indian schools lack the curriculum or proper tools that enable them to compete for scholarships and other opportunities.

Our Republican and Democratic partners in Congress and the Administration share a vision for a more effective education system in America, and we encourage them to start in Indian Country. Our children have been waiting for generations, and today is always a good day to start.

These are some of the things that Congress can do to free the tribes to pursue self-reliance. There are other things to do, too—things that won't cost a penny.

Our largest assets – tribal lands – remain fragmented and caught in a web of stifling Bureau of Indian Affairs regulations and bureaucracy. Current trust policy is neither effective nor appropriate, and Congress must modernize the trust to reflect the role of tribes as decision-makers in the management of our own lands.

The Supreme Court's decision in the *Carvieri* case is threatening the ability of many tribes to restore their lands and build economic development and jobs. This must be fixed.

With the *Cobell* settlement and the pending establishment of the Indian Land Consolidation Fund, the federal government has an opportunity to make foundational changes to the trust that will improve administration and further self-determination. We thank the Administration and in particular, Secretary Salazar, for their leadership on these issues, but the work is not done.

We share the passion for self-reliance and more efficient government brought by many new members of Congress. In many instances, that is exactly what Native communities and Native people need: a government that respects our Constitutional sovereignty, a government whose leaders want to cut the red tape that blocks investment and prevents us from participating fully in economic life. This new era must be characterized by equal treatment of our tribal nations with other governments — the same rules, and the same opportunities for economic growth.

The federal trust responsibility does not have a political affiliation. At this momentous juncture, when a new era is rising, it is critical for Congress and the Administration to honor the special status of tribal nations – and our people – and honor the solemn promises made in treaties, executive orders, and acts of congress.

We urge Congress to sustain investments in tribal nations by holding Indian programs harmless and providing much needed funding for infrastructure, law enforcement, health care, job creation, and education. For the strength of our nations, and to achieve a more perfect union, now is not the time to step back from investments in tribal communities that hold promise for our entire nation.

The foundation is in place, but much work lies ahead. Tribal nations are united with our federal partners by the great ideals of democracy, equality and freedom.

There's something else that unites us, too. This address would not be complete without acknowledging the service of nearly 24,000 American Indians and Alaska Natives that are currently serving in the American armed forces today. They proudly serve. And in that alone, the state of Indian nations can be summed up in one word: proud.

As a veteran, I am keenly aware of this great commitment. Just as hundreds of thousands of other Indian people, I have stood for America as a citizen, I have stood for America as a brother on the field of battle, and I stand now as a warrior to defend the honor of our historic trust.

Since 2001, when our homeland was attacked, 77 of our people have died in Afghanistan and Iraq, and over 400 have been wounded. The bond between America and the Indian nations is not in doubt. We remain united, and in a new era we will build a more perfect union...together.

### **Conclusion**

Toss a stone into the water and the ripples are felt far away.

In the same way, the decisions before us today will be felt in tribal life for seven generations, and beyond.

Tribal governments understand that Washington is entering more than a time of difficult budget choices. Congress and the Administration are contemplating fundamental changes in the priorities of government.

This is a challenge, but Indian people and Indian nations have faced challenges forever. Our nation-to-nation relationship presents a unique responsibility and great opportunity—and that is the gateway to a new era of opportunity and self-reliance.

Today we call on our federal partners to clear the way for us to expand economic opportunity through entrepreneurship, so that we might compete.

Clear the way for us to develop energy on our own lands, build commerce and create jobs, so that we might contribute more the economy of America. We can create more opportunity for energy independence, and a larger recovery.

Clear the way for us to build public infrastructure for our communities, so that our children might thrive and our culture enrich all those around us.

Clear the way for us to build up our own communities.

When you invest in Indian Country, you will be astounded at the economic strength we bring to America. It is time to harness that power and realize the tremendous return on that investment.

The United States and Indian nations are partners and neighbors, we are bound by the Constitution, we are bound by our great and shared commitment to liberty—and that includes economic liberty.

The Indian nations can do the work—if the federal government will clear the way for us to exercise our liberty and thus make a new era and a more perfect union.

As I said earlier, the state of Indian nations is strong. The opportunity of the new era depends on governing wisely.

I want to thank you for being here today. God bless America and the Indian nations as we prepare for this new era, and we make this great and promising journey together. Thank you.

**# END #**