



Congressional Response **SENATOR TOM UDALL**

NATIONAL CONGRESS OF AMERICAN INDIANS | 2018 STATE OF INDIAN NATIONS

2018 STATE OF INDIAN NATIONS CONGRESSIONAL RESPONSE – February 12, 2018

Thank you, Jackie for that kind introduction. And for your hard work on behalf of NCAI day-in and day-out.

I applaud President Keel for his powerful remarks. NCAI is fortunate to have his leadership. I echo him in welcoming our 573 federally recognized tribes. Congratulations to our 6 newly recognized Virginia tribes. Their decades of work for official acknowledgment finally came to fruition last month.

It is a great honor for me to be here today. And it is a great honor to serve as ranking member of the Senate Committee on Indian Affairs. It is a tremendous responsibility -- that I take seriously every day.

Legislating is tricky business. And in this Congress, it requires compromise. You have to know when to give. And you have to know when to stand your ground.

As Vice Chairman, three core principles guide my Committee work: respecting tribal sovereignty, promoting tribal self-determination, and ensuring that meaningful government-to-government consultation happens when federal action affects Indian Country.

When I prepare legislation that affects Indian Country, I work to stay true to these principles.

This means –

- acknowledging that tribal sovereignty is written into the Constitution, reflected in treaties, and codified in federal law.
- listening to, consulting, and engaging tribes whenever federal legislation affects your interests.
- And making sure that tribes retain the authority to make decisions for themselves. For over 40 years, tribes have exercised their rights to self-determination and self-governance over federal programs under the I-S-D-E-A-A...Decisions made for Indians by Indians produce the best outcomes for the unique needs, cultures, and beliefs of their communities.

President Keel's address poignantly recognized the challenges Indian Country faces. But it also recognized your successes and determination in uncertain times. I appreciate that sentiment. I pledge that I will do my very best to elevate and achieve your legislative priorities.

We are just over the half-way mark in the 115th Congress. And the Committee is working in a number of policy areas. I want to discuss a few of them.

The first is the Violence Against Women Act, or VAWA. The 2013 amendments to VAWA were

groundbreaking. They restored tribal authority to exercise their sovereign powers to investigate, prosecute, and sentence non-Indians who assault spouses or partners in Indian Country. "VAWA 2013" was a critical step toward making sure that tribes have jurisdiction to prosecute certain crimes committed on tribal lands.

However, there is more to do. Tribes still can't prosecute non-Indian offenders whose domestic violence crimes also hurt children and law enforcement officers on tribal lands.

VAWA implementing tribes tell us that these specific crimes often occur together. And they asked Congress to address this gap. To that end, I introduced the Native Youth and Tribal Officer Protection Act -- a bipartisan bill that builds on the 2013 VAWA provisions. Public safety and its relationship to tribal self-determination in Indian Country is a top priority for the Committee. And we are working well together on a bipartisan basis to tackle these issues.

Second, the survival and continuing vitality of Native languages is of the utmost importance.

Last November, the Senate passed my Esther Martinez Native American Languages Preservation Act. The bill is named for an Ohkay Owingeh Pueblo traditional storyteller and language advocate. She dedicated her life to revitalizing the Tewa language. And my bill honors her and reauthorizes federal Native American language programs through 2023. It has wide bipartisan support. I am working with my House colleagues and encouraging them to take swift action. And I urge you to call your representatives and ask them to do their part to reauthorize this important program.

The principles I laid out at the beginning of this speech require the Indian Affairs Committee to elevate tribal priorities in all possible venues. The Farm Bill is one example.

Tribal lands, natural resources, foods, and economic development opportunities all are affected by Federal food policy. But for many decades now, Indian Country has been excluded from both the discussions that shape these policies ... and the policies themselves. That is unacceptable.

Last month, Chairman Hoeven and I convened a hearing on Native agribusiness opportunities. And we led a bipartisan roundtable to discuss the many ways Congress and USDA can support tribal efforts to emphasize traditional foods. I expect a robust dialogue between tribes, the USDA, and Congress on how Indian Country's priorities should be reflected in the next Farm Bill.

I'm pleased to be working with the Chairman on a bipartisan bill that does just that. For too long, Indian Country has been knocking at the door of each new Farm bill negotiation.

They have been asking for a seat at the table with states, counties, and other stakeholders - and asking for their due as sovereign governments. We need to all come together to push that door open and make room at the table.

Last week, I also re-introduced a bill to add federally recognized tribes to the list of governments authorized to administer Child Nutrition Programs. This would enable tribes to provide services directly ... without going through the states. It would be a small step toward combatting childhood hunger and obesity at the reservation level.

One Farm Bill initiative I strongly support is Promise Zones. A handful of tribes across the country have been recipients of these awards, which emphasize tribal economic self-determination. I will push to keep them working for Indian Country.

Let's not forget infrastructure. In an increasingly interconnected economy, we must include access to high-speed internet in our discussions to improve and strengthen our infrastructure.

I want to emphasize my support for President Keel's words about tribal energy independence. Transmission and energy development are two ways tribes can achieve energy independence. This is an ambitious goal - but I believe it is achievable.

Last year, we had the fight of our lives in Congress over health care. Native communities would have been hit hard. I made sure that my Senate colleagues understood that repealing the Affordable Care Act would be devastating to Indian Country. And I will continue to fight just as hard for fulfillment of the trust responsibility.

The Special Diabetes Program for Indians - or S-D-P-I - is especially important. SDPI has been wildly effective -- holding down the rates of diabetes, and dramatically decreasing the rates of kidney failure and limb amputation due to diabetes.

I held a roundtable in Albuquerque two weekends ago focused on SDPI. Fortunately -- with the assistance of my more-than-capable Indian Affairs staff -- we made sure SDPI was included in the budget deal. I am pleased to report that it is now reauthorized for 2 years. And I promise you that I will keep pushing for longer and increased authorizations for SDPI.

I am also fighting for resources to help Indian Country address the devastating toll of opioid addiction and substance abuse. We can win the battle against addiction. But we must invest real resources and action - not just lip service. We must ensure that anyone who wants treatment can get it.

I commit to working with Indian Country to push for tribal set-asides to combat and address opioid addiction and substance abuse . . . particularly as we head toward the next funding deadline over the next few weeks, and in any future budget deal coming out of the Senate.

Unfortunately, protecting public lands has been highly controversial and often highly partisan.

This administration has waged an unprecedented attack on public lands. Bears Ears National Monument in Utah, which is home to more than 100,000 Cultural and Archeological sites, has been ground zero for this fight. Five tribes -- the Navajo Nation, Hopi Tribe, Ute Mountain Ute Tribe, Pueblo of Zuni, and the Ute Indian Tribe -- worked for years to defend this sacred area, only to have the administration remove protections for 85 percent of the Monument in December.

After consulting with tribal leaders and organizations, I introduced legislation - The ANTIQUITIES ACT of 2018 -- that would reaffirm the boundaries set forth in the monument designation since 1996.

And in New Mexico, I am partnering with the Navajo Nation and the All Pueblo Council of Governors to push back against unchecked leasing around Chaco Culture National Historical Park. These leases impact tribal land, homes, ancient ruins and cultural sites. For a number of these parcels, the federal government is literally leasing the federal minerals out from underneath tribal lands without meaningful tribal consultation. That is unacceptable.

Whether in Chaco Canyon or Bears Ears, I'm doing everything I can in the Senate to partner with tribes to

protect sacred places for generations to come.

So much has been accomplished -- as President Keel said. And there is so much more to do.

Thank you all again for the honor of speaking here today.

And I commit to you -- to continue to try to do right by Indian Country, and to hold fast to the principles of tribal sovereignty, self-determination, and meaningful consultation in my work in the Senate.

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