



**2005 State of Indian Nations Address  
National Congress of American Indians  
Tex Hall, NCAI President  
February 3, 2005  
National Press Club, Washington, DC**



***“Healthy Communities: Strong Tribal Self-Governance”***

Dosha! Good afternoon – On behalf of the National Congress of American Indians and all of the Indian nations across this great land, I welcome you to the third annual State of the Indian Nations address. I wish to welcome and acknowledge our special guests and all of the gathered tribal leaders with us today.

Today, as President of the National Congress of American Indians, I am here to share a bold vision with you....a vision of hundreds of powerful Indian tribes governing their own affairs and enriching the lives of their own citizens. A vision of hundreds of Indian tribes protecting the future of our children, of our families, and of our elderly. We have been able to make strides towards this vision through our collective efforts and the strength of our Indian values.

While the great nation of America is home to more than 562 diverse Tribal governments , we as Indian people today all share the goal of working together as one people and putting our shared values first. We teach our children to work hard, to respect our elders, to listen first, to give to others, and protect our families. We believe that working and competing with pride and honor say far more about a person than do wealth and awards. Those are Indian values that we bring with us today, and those are values that will guide us in the future.

120 years ago, Chief Joseph reminded us – “Treat all men alike. Give them the same law. Give them all an even chance to live and grow. All men were made by the same Great Spirit Chief. They are all brothers. The earth is the mother of all people, and all people should have the equal rights upon it.” Those rights mean we have the right to equal health care, equal school facilities, and equal accounting of our trust property.

Two thousand and four was a historic year for tribal governments in United States. The opening of the Smithsonian Institution’s National Museum of the American Indian was a once in a lifetime opportunity for tribes to gather and celebrate our remarkable cultures and to once again steer Indian issues to the forefront of the American conscience.

The museum’s opening reflects an important reality – Indian tribes have become a part of the institutional fabric of the United States. While we maintain our own ways and our own cultures, we are forging ahead and building stronger tribal governments, stronger economies, and stronger bonds with our neighboring state and local governments. As we meet our own community needs, tribes are playing a critical role in the network of governments that protects and supports every American.

Two thousand and four stands out for another reason. As you may know, Indian people have a historical record of very low participation in federal and state elections. However, last year the NCAI’s Native Vote campaign energized Indian voters like no other time in history. Last year I promised the highest level of involvement ever in the political election process and I am happy to tell you that we achieved our goal.

From Alaska to Oklahoma and Oregon to Minnesota,, Indian voters turned out to the election polls in greater numbers than any other election in history. In South Dakota, more than 67% of reservation voters participated in the election. In Arizona, the Tohono O'odham Nation alone had 1,300 new registered voters and in New Mexico, 100,000 new Indian voters helped achieve record turnouts on the Navajo Reservation and many of the Pueblos. I want to thank all of Indian Country for helping turn out the vote in record numbers. I want to challenge Indian Country to bring out even more voters in 2006. As tribal nations, we are getting stronger, more comfortable with expressing our voice and using our power in shaping the national political landscape.

In many ways, tribal governments are exactly like state and municipal governments – providing critical services to citizens and helping shape a community's value system. Like state governments, we struggle to provide these essential programs – education to the youth, health programs to the elderly and to support programs for our veterans. Tribal nations cherish the values that all Americans cherish – family, community and country. Tribal governments are not new governments, but rather they are the oldest sovereign governments in the United States. We are a vital part of this country's conscience, its past, and its future. Contemporary tribal governments will continue to play its role, while exercising our sovereignty to improve the lives of all people living on or near our reservations.

#### ECONOMIC DEVELOPMENT

The Harvard Project on American Indian Economic Development at the Kennedy School of Government recently issued a very important report that proves that tribal self-governance works. It shows that economic conditions in Indian Country have improved dramatically over the past decade. In the early 1990's, average income for Indians on reservations was less than one-third the national average and unemployment was three times the national level. Educational achievement lagged far behind the national average. In short, conditions in Indian Country were bleak.

But by 2000, income levels rose by 33 percent and the poverty rate dropped by seven percent. The most fascinating thing about these numbers is that there is little difference between those tribes with gaming operations and those tribes with no gaming. Economic growth for Indian nations was almost three times the national average.

However, the report also makes it clear that the glass is only half full. Income average of Indians living on reservations is still less than half of the national average. Indian unemployment is still double the rest of the country. Thus, while improvements have been made, much work is left to be done.

If tribes are to continue to be successful, we must have access to all tools that are also available to other governments.

We need Congress's help in creating fair rules for tax exempt bond financing in Indian Country. Indian tribes must be able to raise funds like other governments. Indian tribes issue tax exempt bonds, just like states and local governments, to raise funding for schools, jails, roads and other important infrastructure needs. However, under current rules tribes are subject to a stringent "essential government function" test that no other government is required to pass. It is time to reassess this issue and create legislation with fair rules that allow tribes the same access to capital

as other governments so we can build economic projects that will address the needs of our poorest tribes.

One of the major keys to economic development in Indian Country is developing entrepreneurship and building partnerships.

Building on a long tradition of trade and commerce, these entrepreneurs, often operating in extremely difficult economic markets, have created business opportunities to benefit their families and communities. A new report on Native entrepreneurship by CFED and the Northwest Area Foundation shows most reservations face the same lack of access to markets and services that is devastating rural America. In addition, the lack of control over our trust lands and natural resources adds to our disadvantage. We must work with governments and private business to promote the development of our future business and community leaders.

Telecommunications plays a unique role in reservation economic development. The geographic remoteness of communities compounded by the lack of basic telecommunications infrastructure leaves many tribes at a disadvantage. An opportunity presents itself as the 109th Congress overhauls the 1996 Telecommunications Act. One of our top priorities will be to promote access of telecommunications services to Native communities and clarify the rules regarding tribal regulatory authority. NCAI's Telecommunications Subcommittee and the Native Networking Policy Center is committed to advancing these provisions.

The data from the Harvard study shows that when tribes are truly empowered to govern, our communities grow. The ripple of positive change in tribal communities will continue as tribes make decisions that will benefit their citizens. Strong, healthy tribal self-governance is not just good for the economy of tribal nations, but for the economy of the United States as a whole.

#### HOMELAND SECURITY and LAW ENFORCEMENT

During the recent election, the American public sent a resounding message to Congress: Homeland Security is the most compelling and significant issue facing our country today. All Americans – Native and non-Natives, alike – agree that defending our homeland is crucial. 9-11 sparked an urgent implementation of a national strategy designed to prevent another disaster from occurring.

In today's world, all of our governments have to work together when we are defending against terrorism, addressing crime, or responding to emergencies. These issues do not recognize political boundary lines, but they can be divisive when governmental responsibility shifts from one jurisdiction to another. We have to communicate with each other, and every government has to play its role in the network.

Tribal governments provide the primary law enforcement and emergency response services for more than fifty-six million acres of land. This is Indian Country, a critical two percent of the United States.

In addition, tribal lands encompass over 260 miles of international borders -- a distance 100 miles longer than California's border with Mexico. Tens of thousands of illegal immigrants cross these borders and disappear into the heart of our nation every year.

There is extensive infrastructure located on tribal lands that is critical to our nation's security – dams and hydroelectric facilities, oil and gas pipelines and, transportation corridors of railroads and highway systems.

The Homeland Security Act is currently providing state governments across the country with funding to enhance their ability to respond to threats. Tribes need to be respected as governments, as we fulfill our role in protecting our nation. We can not afford a weak link in the chain of homeland security. Tribal law enforcement has to be given the resources to play its role. Tribes need the Tribal Homeland Security Act to pass through Congress this year so that the federal government can directly fund tribal homeland security programs.

Another area where jurisdictional cooperation MUST improve is in the battle against domestic violence and sexual assault in Indian communities. Our women are abused at far greater rates than any other group of women in the United States. This is unacceptable and outrageous.

The Department of Justice reports that one in three American Indian and Alaska Native women will be raped in her lifetime -- triple the rate for the rest of the country. Here is the kicker. 9 out of 10 American Indian victims of rape or assault had assailants who were non-Indian.

Why is the rate of violent assault so high? Poor communication infrastructure and lack of authority given to tribal police.

A report from the Indian Country Law Enforcement Committee of the U.S. Department of Justice concluded that one of the major problems of law enforcement in Indian Country is the poor coordination between law enforcement bodies caused by the fragmentation of the criminal justice system.

If a violent offender is non-Indian, the tribe has no jurisdiction. Local law enforcement often don't have jurisdiction over crimes against Indians, which means we must foster better cooperation tribal police and non-tribal police . Our Native cultures have always placed incredible value on the woman. As life and care givers, nurtures and providers women have always been the most crucial element to a healthy society and healthy family. That respect and that value must endure for Indian Country.

Tribes need Congress to pass legislation to give tribes the authority and jurisdiction on domestic violence crimes committed by non-Indians and this must pass now in the 109th Congress. Related to this is the severe lack of resources for law enforcement in Indian Country. Current funding for tribal law enforcement and first responders lags well behind that for non-tribal law enforcement and funds to protect critical infrastructure is grossly inadequate. The Department of Justice, COPS grants program, however, has helped tribal communities hire 1,800 new police officers since 1999. Funding for approximately 253 officers will expire in FY 2005 and the long-term benefits of the program are dependent on permanent funding to sustain these positions. NCAI urges Congress and the President to ensure that federal and tribal law enforcement activities on Indian reservations are not curtailed as COPS funding expires. Tribal governments must be able to take control of law enforcement locally to improve responsiveness, strengthen accountability, and tailor services to meet community needs.

Tribal judicial systems are the primary and most appropriate institutions for maintaining order in tribal communities, yet they are severely under-funded to deal with these criminal justice problems of increased complexity of tribal caseloads and expanded jurisdiction. While the

Indian Tribal Justice Act promised \$58.4 million per year in additional funding for tribal court systems starting in FY1994, tribal courts have yet to see ANY funding under this Act.

Since Congress enacted the Indian Tribal Justice Act, the needs of tribal court systems have continued to increase without any corresponding increase in funding for tribal justice systems. In fact, the Bureau of Indian Affairs funding for tribal courts has actually decreased substantially since the Indian Tribal Justice Act was enacted in 1993. NCAI and tribes encourage the Dept. of Justice, Bureau of Justice Assistance to continue and expand the Tribal Court Assistance Program and to fund tribal judicial training and technical assistance programs nationally.

## COMMUNITY INFRASTRUCTURE

Housing overcrowding in Indian Country has decreased during the last decade, however, Indian families continue to lack adequate sewage and water systems, telephone lines and electricity, and basic infrastructure enjoyed by other Americans. Even with the improvements we have seen, Indian families are still three times more likely to live in overcrowded homes when compared with the general population. We saw an important gain in 2004 with the Homeownership Opportunities for Native Americans Act. However, congressional allocations to Indian housing for FY 2005 were the lowest in five years. We need help from Congress and the President on housing. Unfortunately, the indications are that the President will submit a budget that is going to severely cut important housing programs for Native Americans.

Another major issue Congress will again consider this year will be the new highway and transportation reauthorization legislation. Tribal economies, education systems, law enforcement and health care are all threatened by unsafe roads and bridges. Indian tribes suffer the highest traffic fatality rate in the Nation, more than four times the national average. The BIA allocates for road maintenance \$500 per mile versus \$5000 per mile for counties and states. We need equitable funding and program improvements to address the terrible reservation transportation conditions that currently hinder the development of tribal communities.

## EDUCATION

Education is another element in building healthier communities, where again we are making the most of diminishing dollars. The proportion of adult Indians on reservations with less than a 9th grade education declined substantially over the past ten years, but still we have only 50% of Indian students completing a high school degree. Our schools are doing what they can with the limited means they have, but we must have the federal tools and funding that we need, ensuring no child is left behind in Indian Country.

Success in Native education will come only when Native students are receiving a high quality education that not only prepares them for the demands of contemporary society, but also thoroughly grounds them in their own culture, language and traditions. In recognizing the challenges to address the funding for our current needs and the additional requirements of implementing No Child Left Behind, NCAI will continue consult with the Dept of Education and Congress to seek resources for programs serving American Indians. In Indian Country we face major implementation challenges and a one-size-fits-all approach will not work. There are challenges in areas such as providing school choice in remote areas, employing highly qualified teachers, and inclusion of native language immersion programs. In 2005 while all other programs were granted more dollars, the Office Indian Education that serves 90% of our students was flat lined.

The Bureau of Indian Affairs, which is responsible for 185 Indian schools, cut school construction 10% despite a well-documented backlog in education facilities and continues to underfund tribal colleges, despite the fact that they play a critical role in the long term development of our economies.

## HEALTH

The health disparities our tribal communities face need to be addressed immediately before another generation of American Indian and Alaska Native people lose their quality of life to debilitating health problems left untreated. American Indians and Alaska Natives have a life expectancy 5 years less than all other races in this country. Diabetes continues to be a devastating curse among American Indian and Alaska Native people. The mortality rates from diabetes for our Native communities are more than three times the national average. This is a statistic that can be reduced.

In spite of this disproportionate health care need, today the per capita expenditure for American Indian and Alaska Native medical services is less than one-third of the average annual expenditure for individual Medicaid assistance, and is even less than our per capita health expenditure for federal prisoners.

Today I am calling upon Congress and the President to provide enough funding to truly meet our health needs and to fulfill the federal trust responsibility by reauthorizing the tribally proposed Indian Health Care Improvement Act this Congressional Session.

## TRUST

The United States must honor its treaties and commitments to Indian Nations. The Federal Government has mismanaged tribal and individual trust accounts, and has yet to provide an accounting. This issue is becoming a quagmire for the Department of Interior.

Last year we were very pleased to work with Congress and the Department of Interior in passing amendments to the Indian Land Consolidation Act. This new law and the expected federal appropriations for land consolidation in FY 2006 will go a long way to addressing the fractionation of ownership that is at the root of the trust problem. There is a great opportunity in front of us for tribes and the Department of Interior to work together on land consolidation programs.

In this same spirit of cooperation, Indian tribes, the Congress, and the Administration have to work together to develop an overall trust reform solution – including the settlement of accounts and the future trust system. We can find an answer using trust principals to guide trust reform and respecting tribal sovereignty to ensure that tribal counsels have greater control over the natural resource decisions on their reservations. Tribes need to send a strong message to Congress that it is time to develop solutions to the trust problem.

## ENERGY

Indian Country's 56 million acres holds up to 20% of the United States potential energy needs. Indian tribes have also begun to tap the enormous renewable energy sources such as wind and

solar. Indian Country desperately needs for Congress and the President to support and enact an Indian Energy Bill this year.

## IRAQ

I must also take time to recognize and thank our loved ones overseas right now, our warriors who are fighting the war on terrorism. I want to also recognize our veterans across Indian Country and across America for their patriotism, devotion, and commitment to the mission of freedom.

Americans should know that since World War II, Indians have the highest percentage of military service of any ethnic group of people in our Country.

When I think of the war in Iraq, I am reminded of the basic principle that the United States cannot do good around the world unless we first do good at home. Much of the power that of the United States enjoys grows out of the power of our example. We can't tell people to make a more democratic world unless they think we are making opportunity and hope available to every American citizen. That means tribal citizens must be afforded the opportunity to attend safe schools, drink clean water, receive quality health care, and live and work in a safe community. In other words, the social crisis is not just an Indian problem – it is a world problem. America, you have to do better at home.

## CONCLUSION

Tribes want to be and must be engaged on policy issues facing the nation. As the debate on Social Security reform continues, Native Americans cannot be excluded from the discourse. Social Security is critical to American Indian and Alaska Native communities as a stable source of income. In addition to protecting our elders, tribes are engaged in protecting and preserving the environment. Across the continent, tribes have always depended on the gifts of fish, wildlife, clean air and water, as well as healthy forests and natural vegetation for their culture, sustenance and economies. Future generations deserve a clean environment and abundant natural.

Today Indian Country is moving forward and in the right direction. Our governments are stronger, more vocal and more visible than ever before. We do not shy away from any challenges. Nor do we rest on our successes. We have faced the worst that could be thrown at us and survived. We will ensure that future tribal governments will become stronger.

We are a people of action and hope. We have too much at stake to not protect our communities and our families. Native nations, like our homelands, shall endure. This country is the land of our ancestors and the land of our children. I cannot think of any place else on this earth where life is better. The beauty of our lands and the values of our people guarantee that.

On behalf of the member tribes and thousands of individual Indians that make up the National Congress of American Indians, I want to thank all of you joining us today. I have been proud to serve as NCAI's President. We have kept our promises and we have made a difference in the lives of our Native people for generations to come.

May the Creator continue to bless the National Congress of American Indians and may the Creator bless America.

Maa ca gi raac.