

Tribal Leader Roundtable: A Sit Down with the President

Representatives from all federally recognized tribal nations were invited to Washington, D.C. last month to attend the third White House Tribal Nations Conference. President Obama met directly with twelve tribal leaders from across Indian Country. In this month's Tribal Leader Roundtable we spoke with five of the tribal leaders about their experience meeting with the President. Here is what they had to say...

Colley Billie, Chairman Miccosukee Tribe of Indians of Florida Miami, FL



Colley Billie

Tribes in the Eastern Region, and a growing voice throughout Indian country, have listed enactment of a “clean” legislative Carcieri fix as our top priority in 2012. I was very encouraged by the President’s remarks earlier that day when he stated, “In the wake of the Carcieri decision, we’ve asked Congress to restore the Secretary of the Interior’s authority to take land into trust for federally recognized Indian tribes.” This tells me that he shares my strong view that a Carcieri fix is urgently needed. Failure to enact this legislation will risk irrevocable damage to tribal sovereignty, tribal economies, public safety, and the federal trust responsibility.

In Carcieri, the Supreme Court construed the IRA to limit the Secretary’s authority to place land into trust for tribes “under federal jurisdiction” as of 1934, overturning 70 years of past practice. This ruling jeopardizes the ability of tribes to rebuild their communities and provide critical programs and services to their members. Carcieri has further delayed the already severely backlogged trust application process. The case has created legal uncertainty that has made it increasingly difficult for tribes to secure financing for economic development projects that would create jobs in these tough times. The decision also raises significant public safety concerns as it opens the door to challenging convictions for crimes that occur on Indian lands. Further, Carcieri has generated legal disputes over trust acquisitions in which the United States, at taxpayer expense, is a defendant.

Even though Indian Country is doing all we can to urge Congress to enact a Carcieri fix, there are some in the Senate, due to parochial interests, who are unfortunately stymieing progress on it. I believe it will take the President’s leadership to ensure that this legislation is passed.

This legislation simply restores the status quo ante. Addressing the Carcieri decision now would not only cost the

federal government no money, it would actually save precious taxpayer funds; while creating sorely needed jobs in tribal communities.

Rodney Bordeaux, President Rosebud Sioux Tribe Rosebud, SD



Rodney Bordeaux

The tribal summit is an opportunity. This is the first President that actually has called a summit and had members of his cabinet available to visit with tribal leaders. I don’t think that’s ever been done by any sitting President during my lifetime, or even before, so it was an opportunity and I was glad I was there and honored to be selected to talk. I think with opportunities like this, if we just seize upon them and keep moving forward, something positive can happen. The President made a commitment to us and I think the challenge is out of there for us to educate Congress and even the Supreme Court about who we are. They have a tendency to overlook us because of our small numbers, but I think the opportunity presented by President Obama gives us some visibility in Washington.

For the Rosebud Sioux Tribe, the number one issue is economic development – creating job opportunities for our people so that we can develop our economy and keep our money within the reservation instead of having it go off to border towns. Education is also a high priority – providing our students with a quality education so that they can be not only productive tribal members but also productive citizens of this country. Another big issue is health of course – especially with the Indian Health Service and the problems we’ve had with them in providing quality care. Even though there have been increases in the past, when President Obama came on board, they were inadequate because we still have some huge disparities in our health care – especially when you talk about diabetes, suicide rates, heart disease, injury, and a lot of the accidents on our reservations.

We asked the President to hold us harmless from the coming budget cuts because of the Budget Control Act. He said it's going to be a challenge since those are mandatory cuts. He asked us to prioritize our needs – so we're going to have to take some cuts in the coming years. It is up to us to really tighten up. We really need to develop our economy so we can lessen federal dependence. We need to start supporting tribal businesses, instead of taking our money elsewhere. We have a small casino that provides some good income and it helps our area but we need to diversify and not make gaming our only cash cow. We have other businesses. We have a grocery store that is struggling, but is providing some needed employment, and it's a business that shows our people, 'Hey we can do this too.' There are other opportunities that we have to pursue, especially small business development on our reservation. The State of South Dakota has a hard time attracting corporations to our state, let alone us. We have to prepare ourselves for the future and part of that is developing our economy and making sure our students are getting educated so they can be productive members of society and take over our leadership roles.

I talked about state encroachment on Indian trust lands, where the state is coming in and taxing Indian businesses that are trying to get set up on our trust land. We're trying to do a wind farm. We have a huge potential for wind energy on our reservation and the state imposed a nameplate tax on any of the propellers or housing for the wind propellers – negating our TECO taxes. These developers want to come in but if they see the state taxing them and the tribe taxing them, it scares them off. So the state is a roadblock to us, even though they say they support Indian tribes. In particular, South Dakota has shown their resistance to our development of wind energy, green energy, by imposing a tax that they have no right to do. So I asked him to look into that.

We also have a big pipeline that's crossing through our treaty territories called the Keystone XL Pipeline, which is coming out of Canada through our treaty lands in South Dakota. I told the President he has the authority whether or not to sign the Presidential permit allowing that to happen. I sat right next to him, so I was able to say, "Mr. President, I really recommend you not sign that permit because not only did they not consult with our tribe, such as happened with our 1816 treaty lands, they went around some of our trust lands that are within our former reservation area." We lost a lot of our lands to Indian Settlement Acts that were imposed upon our people in the early 1900s without our approval. We were weak at the time and the federal government allowed our reservation to be opened up. So those are treaty lands as well as reservation lands that they're going to cross. We also have a big aquifer called the

Ogallala aquifer, that runs from Southern South Dakota to Texas, and if that pipeline should ever erupt, spring a leak or have a rupture in the line, it could cause some devastation to our drinking water.

The other four leaders were able to talk on other areas – private sector development, private sector investment. But I think for a lot of the tribal leaders, the bottom line was economic development.

Tracy "Ching" King, President Fort Belknap Indian Community Harlem, MT



Tracy "Ching" King

The meeting with the President went very well. He was sincere in responding to a lot of the issues that we brought to the table. I believe all of the tribes were pretty well satisfied. We talked about some of the most important issues, including budget cuts which were a big concern, as well as a number of other concerns including education and gaming. With regard to gaming, the main concern was to

make sure that whoever has gaming compacts with the states, that their budgets are held harmless of any cuts or any possible legislation that would come out to negatively impact those compacts with states. Another big issue was the Keystone XL Pipeline. A lot of us were concerned about the environmental impact, especially in the great Sioux nations where the pipeline goes through the Ogallala Aquifer. This was something that we were very concerned about – environmental studies that we felt weren't there.

Some of the major issues to discuss for the coming year include the budget formulation process for both IHS as well as BIA. These budgets represent 40-60% shortfalls throughout most of our tribes in the nation. Some of the things that are not currently factored into the budget are inflation as well as cost of living – especially in our area (North Central Montana) where it's remote. The weather factors as well as the distance factors are not incorporated. So, for example, when we have emergencies way out in the middle of nowhere, this creates enormous additional costs to our tribe.

We must also address the disparity of the health issues like cancer, heart trouble and diabetes. We need funding to help with training our youth to become entrepreneurs. We really need to look at education and make sure our Indian kids are

going in that direction, rather than suffering and looking at the shortfalls of how we are going to do this or that. Finally, we must take care of our veterans. Native people represent 9% of the population in Montana, but we have 30% of the veterans. That's a very high number. The VA and IHS sometimes treat our veterans terribly. It's kind of like the Williams sisters playing championship tennis and the Native veteran is the tennis ball. One of the Williams sisters has VA on her shirt and the other one has IHS and they just kind of hit the ball back and forth. And so we have to work harder to get our Veterans help. In my experience with my own daughter, when she came back from the Iraq war, she had trouble with the VA. I just wonder, for the veterans who have no representation, what they go through. We must get past this tennis ball back and forth.

**Steve Ortiz (Mon-wah), Tribal Chairman
Prairie Band Potawatomi Nation
Mayetta, KS**



Steve Ortiz

The meeting began with the President making remarks that funding would be tight due the fact that four wars needed to be paid for during his Administration and asked Indian Country to support the efforts he has made for land into trust, a 700 percent increase over the previous Administration and Consultation Polices established by government agencies.

The President then announced he would pick five out of the twelve to speak as his time was limited. I was one of those chosen to listen. The President committed to meeting with tribal representatives annually to keep the concerns of Indian Country a priority. The President listened more than he spoke.

The tribal leaders who spoke requested budgets that affect Indian Country be held harmless from cuts. The XL Pipeline was discussed, as well as it's impact on the tribal lands it passes; the Arctic waters that need to be protected (the last sanctuary for fish left on the face of the earth); subsistence harvesting for tribes needs to be protected; water rights protected; and consultation by government agencies needs to continue.

The President left me with a feeling of being proud and a sense of personal fulfillment that, as President, he is doing all he can for Indian Country while dealing with those that are opposed to him and the efforts of his administration. One topic left undiscussed by the tribal leaders during the meeting with the President was Indian gaming.

**Ben Shelly, President
Navajo Nation
Window Rock, AZ**



Ben Shelly

One of the most important issues facing the Navajo people today is the creation of jobs. I would like the Obama administration to develop and maintain a sustainable economy. We asked the administration to support ongoing projects and to guarantee equal treatment by allowing tribal governments the same tax treatment as state and local governments. We need policy changes that will enable the Navajo Nation to manage Navajo Trust Land

without federal intervention. Some financial programs need to be strengthened for Indian Country too. We need the Foreign Investment Program, New Market Tax Credit and the U.S. Department of Treasury's Native CDFI program to be improved to help the Navajo Nation. We need direct funding for our roads, law enforcement and health programs. In addition, we asked the federal government to compose long-term plans that would outline planned funding for the Navajo Nation. We also asked the Obama administration for continued support for the Navajo Gallup Water Supply Project, an \$870 million project that will provide water for nearly half of our 110 chapters. The primary reason we brought these topics to the forefront is because we want to create jobs. Each of these topics is a part of the road to economic prosperity and job creation.

Looking to next year, the priority is still job creation and job protection. I anticipate working with the U.S. Environmental Protection Agency to ensure that proposed regulations and rules don't harm the economic viability of our natural resources. We have Navajo people employed at power plants and mines that could be affected. In addition, we plan to work with the Department of Interior to explore unique ways for us to build assets on trust land.

I am keeping an eye on the federal budget. Federal budgetary monies are likely to become scarcer. We need to ensure plans are in place so our services for the Navajo people will continue without glitches. Competition for federal money is only going to intensify in the future. While we look for the federal government to maintain their trust responsibility, we recognize that the Navajo Nation and other Indian Nations need to become more self-sufficient.

Lastly, we plan to work closely with congressional leadership to ensure that our gaming interests are not overshadowed by the state's interest. Gaming is a tool that can lead to a self-sufficient tribal nation, but it's only one tool. The Navajo Nation has used gaming as a resource and plans to make use of all available resources to ensure that we gain prosperity for all our people. ♣



HHS Secretary Kathleen Sebelius



Housing and Urban Development Secretary Shaun Donovan



Interior Secretary Ken Salazar



Education Secretary Arne Duncan



The White House Tribal Nations Conference Underway...



President Obama is joined onstage by his adopted Native American parents, Hartford "Sonny" Black Eagle and Mary Black Eagle

