

# Embassy of Tribal Nations

NATIONAL CONGRESS OF AMERICAN INDIANS, EST. 1944 • EMBASSY OF TRIBAL NATIONS, EST. 2009



ANNUAL REPORT • OCTOBER 1, 2008–SEPTEMBER 20, 2009



National  
Congress of  
American  
Indians

A TREATY OF PEACE, FRIENDSHIP AND  
MUTUAL ASSISTANCE

*ARTICLES OF A TREATY AND AGREEMENT MADE  
AT SANTA FE, NEW MEXICO, ON THE SIXTH DAY  
OF DECEMBER, 1947, BY AND FOR THE INDIAN  
TRIBES OF THE UNITED STATES, REPRESENTED BY  
THEIR DELEGATES AND TRIBESMEN, WITNESS:*

**ARTICLE I**

The Indian Tribes of the United States, signatory to this treaty, solemnly contract one with the other that all offences or acts of hostility by any one of the contracting parties against the other be mutually forgiven, and buried in the depth of oblivion, never more to be in remembrance.

**ARTICLE II**

That a perpetual peace and friendship shall from henceforth take place and subsist among the contracting parties, through all succeeding generations; and if any of the parties is engaged in a struggle for the protection of its rights, liberties, or property, the other parties shall come to its assistance in due proportion to their abilities, till their adversaries are brought to reasonable terms of accommodation; and that if any of them shall discover any hostile designs forming against the other, they shall give the earliest notice thereof, that timely measures may be taken to prevent their ill effect.

**ARTICLE III**

Whereas the enemies of the Indian have endeavored, by every artifice in their power, to spread abroad the opinion that Indians are incapable of, or uninterested in, maintaining the institutions of self-government, therewith the more easily to destroy those tribal councils, courts and ordinances, whether surviving from ancient days or more newly established, that now protect Indians against exploitation, now, therefore, to obviate any such opinion and to counter any such attack, each of the contracting parties undertakes to assist, by any path that is open, including voluntary financial contribution, in the defeat of all encroachments upon the Indians' rights of self-government.

**ARTICLE IV**

Whereas the enemies of the Indian have likewise endeavored, for many generations, to spread abroad the opinion that Indians are shiftless wanderers incapable of wisely managing and developing, or uninterested in

maintaining, their lands and resources, held, tribally or individually, under aboriginal tenure or under treaty, statute or executive order, the purpose of such propaganda being to render easier schemes for separating Indians from their possessions in the name of progress, now, therefore, to obviate and such opinion and to counter any such attack, each of the contracting parties undertakes to assist by any path that is open, in the defeat of all encroachments of the Indians' right of property.

**ARTICLE V**

Whereas the enemies of the Indian have in all generations taken advantage of the differences among the Indian tribes and Nations to sow seeds of suspicion and discord and thereby to obstruct that unity which is a first requirement in the protection of Indian rights, now, therefore, to counter any such attack, the contracting parties agree that whenever any difference arises among them with respect to land boundaries, the treatment of the members or citizens of one party by the courts or councils of another, or any other matter of controversy, then measures shall be taken to resolve such differences in a council of the parties concerned, if such efforts fail or lag, any of the contracting parties not involved in the dispute shall, when called upon to do so, settle or assist in settling the said dispute, with justice and honor to all, so that all may abide by and hold fast the chain of friendship entered into.

**ARTICLE VI**

That in all deliberation held pursuant to this treaty, the councilors shall be governed by the great binding law which has governed the deliberation of the Six Nations for more than four centuries which prescribes that in all councils of government self-interest shall be cast into oblivion and that the councilors shall look and listen for the welfare of the whole people and have always in view not only the present but also the coming generations, even those whose faces are yet beneath the surface of the ground – the unborn of the future Nation.

In witness whereof, the parties have hereunto set their hands and seals, at the times and places hereunder set forth, through their duly appointed and duly authorized chiefs and delegates, whose credentials, along with the original of this treaty, shall be deposited with the archivist of the United States or other suitable place of safe keeping.



**O**n April 11, 1948, tribes from around the country signed NCAI’s Treaty of Peace and Mutual Assistance. This was an historic treaty and a pivotal moment for tribes in the United States as they came together as one. Peace between our nations was cemented by this treaty of friendship and was facilitated tribe-to-tribe by this great organization.

The treaty, a hand printed scroll, buried in the “depths of oblivion” all offenses or acts of hostility of the past. It also called for “perpetual peace and friendship,” and pledged unity in the “defeat of all encroachments upon the Indians’ rights of self-government.”

Eighteen Pueblos of New Mexico were actually the first tribes to sign the treaty, and appropriately so as written in the summer 1948 edition of NCAI’s Washington Bulletin: “It is especially appropriate that the Pueblos should be the first Indian groups to sign the treaty, for behind these Indians, is a tradition of organization.”

During the first ceremonial signing of the treaty on that spring day in 1948, Father Patrick Veale delivered the benediction. “Father, you have asked your children to live in peace and as brothers,” he said. “Today, Father, you have seen one group of your children try to follow your words.”

This historic symbol of unity among tribes still rings true today as we all come together to protect our cultures and the rights of our peoples. This must remain a symbol of our unity and our work in our respective communities and in Washington, D.C. On the opposite page, you will find the complete text of the treaty to remind us of the importance of Indian Country working together to accomplish the many initiatives before us as a community.

**JOE A. GARCIA, PRESIDENT, NCAI**





**W**hen I first began my tenure at NCAI in the fall of 2001, I looked through strategic plans from past leaders of NCAI who had documented their vision of a Hall of Indian Nations in Washington, D.C. I remember thinking what a great vision that was for this organization and for Indian Country as a whole. From those earlier dreams came the idea for an Embassy of Tribal Nations—a place where tribal leaders could come to Washington and gather to work for all Indian people.

And now it has come full circle. NCAI purchased a new home for tribal nations in our nation's capital, near Embassy Row. NCAI's Embassy of Tribal Nations is not only a home for tribal leaders in Washington, but also a symbol of our sovereignty as Indian Nations in the United States. It is my hope that the Embassy will enhance our presence in Washington, D.C. and facilitate an even stronger government-to-government relationship with the federal government.

To have our own home in Washington, D.C. sends the message that tribal nations are serious about working closely with Members of Congress and federal agencies on issues important to Indian Country. We eagerly recommit ourselves to continue our work on behalf of tribes in our new Embassy.

I want to take this opportunity to thank the many donors who have helped make the Embassy a reality. Whether as individual donors or tribal donors, it is you who have helped make this dream come true. On behalf of the NCAI Executive Board and staff, thank you for your support, and we look forward to your visit to NCAI's Embassy of Tribal Nations.

**JACQUELINE JOHNSON PATA, EXECUTIVE DIRECTOR, NCAI**







# Initiatives:

## Building on the

**N**CAI, the oldest and largest Indian organization in the country, works closely with tribes and Native organizations to share information and to act as much-needed eyes, ears, and voice for tribes in Washington, DC. NCAI is the leading advocacy organization in the nation's Capital and has worked relentlessly to ensure a bright future for generations to come by taking the lead to gain consensus on a healthy and promising vision for Indian Country. NCAI works hard to take charge at the leadership level to promote strong tribal governments and address the many human, economic, and safety needs throughout our Native communities.

NCAI is organized as a representative congress on national priority issues and is a membership driven organization—our members directly determine the issues and priorities we work on. Membership votes allow tribes to have a deliberate, strong voice in the many decisions that affect Indian Country.

Members of Congress call on NCAI to provide testimony before various committees on the many issues affecting Indian Country. NCAI leaders and staff also provide educational briefings to Members of Congress and their staff to ensure Congress is up to speed on Indian Country issues and understands the sovereign status of tribes and the nature of their relationship with the federal government.

NCAI has embarked on an ambitious education and outreach initiative to inform the mainstream media and the general public on Indian Country issues.

NCAI's Native Vote Campaign has proven to be successful, bringing record numbers of Native Americans to the polls in the 2004, 2006 and 2008 elections. The Native Vote program will continue to make certain a Native voice at the polls and an influence on policy that will impact America's Indigenous peoples for generations.

In 2001, NCAI launched a campaign to establish an Embassy of Tribal Nations in Washington, D.C. that benefits tribes and tribal organizations in many ways, including: enhancing the presence of tribal sovereign nations in Washington, D.C.; increasing public awareness of tribal governments and NCAI; improving the efficiency



# wealth of tradition.

and work environment of NCAI operations and activities; housing for and better coordination with our sister organizations; increasing the value, long-term equity and stability of NCAI assets; and solidifying long-term investment and savings for NCAI. The dream of an Embassy in our Nation's Capital has become a reality with the recent purchase of a building near Embassy Row that now houses NCAI staff and is a home to tribal leaders in Washington, D.C.

In 2003, NCAI launched a broad and comprehensive research and policy analysis consortium. The NCAI Policy Research Center, is a "think tank" focused solely on issues facing tribal communities. Guided by a tribally-driven agenda, this consortium of research bodies and primary researchers is equipped to gather and assess data on conditions and trends in Indian Country, and serves to support and inform the policy development efforts of tribal leaders, tribal organizations, Congress, and the Administration with timely, credible data and analysis.

NCAI has also led and participated in a myriad of coalitions with other national and regional Indian organizations, business interests, environmental and civil rights groups, and legal and other professional organizations, among others to attain the goals of NCAI's broad-based membership.

The founding members of NCAI stressed the need for unity and cooperation among tribal governments and people, for the security and protection of treaty and sovereign rights and for the betterment of the quality of life for Indian people. From its modest beginnings with some 100 people, NCAI has become the leading Indian membership organization, now serving a diverse network of nations with a combined citizenry comprising more than three quarters of the American Indian and Alaska Native population.





# Legacy: Weaving the

## EMBASSY OF TRIBAL NATIONS CAPITAL CAMPAIGN

**B**y far, this has been one of the most extraordinary years in the history of NCAI, with the establishment of the Embassy of Tribal Nations in Washington, D.C. As a result of our Capital Campaign fundraising efforts and the generous donations by tribes, corporations, and individuals over the past 5 years, we have finally fulfilled one of the long-standing visions of our founding fathers. Past and present leaders have stressed the importance of having a lasting presence and our own place to call “home” in Washington, DC. Throughout the years, this home has varied: from humble, sparse offices to cramped quarters and limited space for our growing staff.

6 Yet, an Embassy of Tribal Nations is more than just bricks and mortar and having a permanent address in our Nation’s Capital. It’s about enhancing our image and standing as governments within the family of governments. An Embassy stands for so much—preservation of our collective Native voice, representation and a seat at the policymaking table, sound financial decision-making and longevity of our operations.

In 2004, with the wise vision and blessing of our Board, we initiated our Capital Campaign for the Embassy. Despite the competing challenges and demands throughout Indian Country, our Campaign has been a huge success from the beginning. From the original \$1.0 million challenge pledge from the Shakopee Mdewakanton Sioux Community to those who contributed when the hat was passed around the General Assembly in the middle of our conferences, support has been strong, steady and heartfelt.

Early this year, we were able to capitalize on these efforts and the real estate market conditions in Washington, DC. While things didn’t move as smoothly and quickly as we would have liked, in the end, we successfully negotiated a fair price and purchased our Embassy building in April 2009. Staff moved into our new location at





# voice of Nations.

1516 P Street NW at the end of May 2009, and NCAI President Joe Garcia flew out to provide a special blessing as we embarked on this milestone in our history.

NCAI is grateful for all those who have assisted to make the Embassy become a reality this year. In addition to those who have contributed, we want to acknowledge our fundraising Board, including W. Ron Allen, Joe Garcia, Juana Majel-Dixon, gaiashkibos, Susan Masten, Veronica Homer, Billy Frank, Jr., Mel Tonasket, and John Gonzales. This group of distinguished and visionary leaders (many who have served as NCAI President) did the heavy lifting and hard work to make the case for this cause. Their efforts have paid off and we are proud to have such a distinguished place to call our own now and for future generations to come.

“We think it is important to support this project so that out Indian nations can have a stronger voice in the policies and practices of the federal government. Our voices need to be heard by those who are in positions of power and who make decisions which impact Indian Country.”

GLYNN A. CROOKS, SHAKOPEE MDEWAKANTON SIOUX VICE-CHAIRMAN

SHAKOPEE MDEWAKANTON SIOUX COMMUNITY  
DONATED \$1 MILLION AT NCAI EXECUTIVE COUNCIL WINTER SESSION 2009

Students and faculty from the Native American Community Academy in Albuquerque, NM visited the NCAI Embassy of Tribal Nations on June 24, 2009.





“We’re pleased to be able to assist NCAI with this important project. NCAI’s advocacy on behalf of tribes has been of immense benefit to the Fort McDowell Yavapai Nation and other tribal governments. The purchase of its own building will augment NCAI’s ability to serve its member tribes while increasing the political presence of tribal nations in Washington.”

RAPHAEL BEAR, FORT MCDOWELL YAVAPAI NATION PRESIDENT

FORT MCDOWELL YAVAPAI NATION  
DONATED \$1 MILLION AT NCAI ANNUAL CONFERENCE 2006

**TO ALL WHO HAVE CONTRIBUTED TO THE EMBASSY OF TRIBAL NATIONS, THANK YOU.**

AS OF JULY 30, 2009

**EAGLE • \$1,000,000 +**

Shakopee Mdewakanton Sioux • Fort McDowell Yavapai Nation

**BUFFALO • \$100,000**

Chickasaw Nation • San Manuel Band of Mission Indians

**BEAR • \$50,000**

Prairie Island Tribal Council • Mississippi Band of Choctaw Indians • Senator Ben Nighthorse Campbell • Dave Anderson (Famous Dave’s of America, Inc.)

**WOLF • \$25,000**

SeaAlaska • Santo Domingo Pueblo • Redding Rancheria • Jamestown

S’Klallam Tribe • Siletz Tribe • Hobbs, Strauss, Dean & Walker • Ute Indian Tribe (\$20,000)

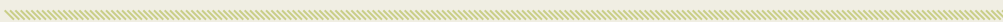
**WILD HORSE • \$10,000**

Little Traverse Bay Band of Odawa Indians • Tohono O’odham Nation • RuralCap AK, LPC • W. Ron Allen • Central Council Tlingit and Haida Tribes

**WARRIORS • Up to \$10,000**

Red Lake Band of Chippewa Indians • Ak-Chin Indian Community • San Manuel Tribal Administration - Golf • Aqua Caliente Band of Cahuilla Indians • Soboba Band of Luiseno Indians • Little Traverse Bay Band of Odawa Indians • Keweenaw Bay Indian Community • Coeur d’Alene Tribe • Pakenta Band of Nomlaki Indians • Sault Ste. Marie Tribe of Chippewa Indians • Sisseton-

Wahpeton Oyate of the Lake Traverse Reservation • Iowa Tribe of Oklahoma • Quileute Nation • Coquille Indian Tribe • Oneida Tribe of Wisconsin • Swinomish Tribal Community • Seneca Nation • Pakenta Band of Nomlaki Indians • Absentee Shawnee Tribe • Miami Tribe of Oklahoma • Osage Gaming Revenue • Oneida Tribes of Wisconsin • Wiyot Tribe • Table Bluff Reservation • Yavapai-Apache Nation • Hualapai Tribal Nation • Mescalero Apache Telecom • San Carlos Apache • Gila River • Confederated Tribes of Umatilla Indian Reservation • Flintco Construction • Key Bank • Andrew Masiel-Luiseno Consulting • Pine Hills Golf Course & Supper Club • Society of American Indian Government Employees • 7 Cedars Casino • Cherokee Nation





Enterprises • CVC Investments • Rolling Hills Casino • Inaba, Inc. • Washoe Tribe of Nevada and California • Native Village of Afogaak • Dayon Limited • Faegre & Benson Foundation • National Indian Gaming Association • Fortune Bay Resort Casino • Coochise Consulting, LLC • Gila River Telecommunications • Thomas Harvey • Kevin Seneca • Norbert Seabrook Hill and Mary A. Hill • Leslie and Larry Lohse • Robert L. Blankenship • Richard Guest/

Loretta Tuell (for Gabrielle) • Irene and Brett Masayesva • Lloyd Miller and Heather Kendall Miller • Phil Hogan - Metronics • Patricia Powers and Thomas Harvey • Dennis Metrokin • Jackie Johnson Pata • NCAI Employee Contributions • Mark D. Lebeau • Vernita Herdman • William Stroud • Wally Jones • James Roberts • JD Finkbonner • Michele Metz • Joseph Beebe (Veterans) • Sandra Beesley • Brian Richmond • Patricia Zell • John

Ramano • Jamie Gomez • Mellor Willie • Rev. Marlene Helgemo • Herman Agoyo • Ralph/Sharon Eluska • Valerie Taliman • Lavina Bowers • Stephanie McGillivray • Wahlesdah S. Dick • Zeki Gunay • Raphael Bear • Mid-Year Cultural Night Collection • Marie Riebe • Beverly Newell • Bill and Virginia Martin • Ken Bill • Gail Toensing • Gail/Robert Green • B. Brown • Janice Anderson • MB Dorch • Madeline Soboleff Levy

“NCAI has been at the forefront fighting the issues that face Indian Country.... We should be able to give back to the very organization that has stood up for tribal sovereignty for so many years. We are glad to stand behind NCAI. ... We are proud of the work NCAI has done over the years, and we wanted to show our appreciation by donating and supporting NCAI’s endeavors....”

JAMES RAMOS, SAN MANUEL CHAIRMAN

SAN MANUEL BAND OF MISSION INDIANS  
DONATED \$100,000 AT NCAI ANNUAL CONFERENCE 2008





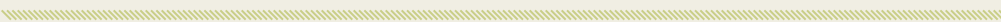
## **OBAMA TRANSITION EMBRACES TRIBAL ISSUES**

The beginning of 2009 was dominated by an unprecedented and tremendously successful effort to ensure that tribal government issues were addressed during the Presidential Transition. The effort started in early 2008, when NCAI began a process to develop an Indian Country Transition Plan. In collaboration with many partners, NCAI developed briefing papers on all of the major issues affecting tribal communities. The draft Transition Plan was integrated into the NCAI Annual Meeting, and resulted in a resolution and broad tribal support of the Plan.

The foresight of tribal leaders proved to be instrumental. Immediately after President Obama won the election, NCAI was able to swing into gear with a fully developed plan. NCAI also collected hundreds of resumes of qualified Indian and Alaska Native candidates and shared them with the Obama transition team. NCAI helped to orchestrate high level meetings between the transition team and tribal leaders, and participated in dozens of briefing sessions with the new Administration as it took the reins of power. One of the highlights included Secretary of Interior Ken Salazar's meeting with tribal leaders during NCAI's pre-inauguration strategy session.

The focus of our transition efforts was to elevate tribal issues, advance tribal self-government, and ensure that key positions were filled early. NCAI was very pleased with the swift appointment of Larry Echohawk as Assistant Secretary of Indian Affairs, Dr. Yvette Roubideaux as Director of the Indian Health Service, Kim Teehee as Senior Policy Advisor for Native American Affairs at the White House Domestic Policy Council, Jodi Gillette as the White House Deputy Associate Director for Intergovernmental Affairs, and many other critical Native appointments.

NCAI's transition efforts also paid off in a somewhat unexpected fashion with the American Recovery and Reinvestment Act. The Obama transition was highly focused on developing an economic stimulus plan to aid the ailing national economy. NCAI and Indian Country were well placed to recommend the huge backlog of "shovel ready" projects that exist on Indian reservations and achieved a key policy





goal to open up tax exempt bond financing for tribes. Although the formal transition is behind us, NCAI will continue to press the new Administration to live up to the federal trust responsibility, respect the sovereignty of Indian Nations, and fulfill the policy recommendations developed by tribal leaders for the Indian Country Transition Plan.

### **TRIBAL GOVERNMENTS AND THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: MEASURING SUCCESS**

NCAI began working on tribal inclusion in the federal spending program that became the American Recovery and Reinvestment Act (ARRA) during the spring of 2008. At the time, the federal government was focused on shoring up consumer spending through rebate checks to individuals. However, NCAI began to organize broad-based participation in a second round of economic stimulus with the realization that falling asset prices and a challenging credit environment would spur larger, targeted federal spending.

The strategy was a resounding success for Indian Country. Tribal governments were included in nearly \$3 billion in infrastructure and program development funds and an additional \$2.4 billion in access to capital. Indian Country received much-needed funding for schools, health care facilities, roads, water systems, housing and law enforcement. In addition to infrastructure and programmatic funding, tribes received access to tax-exempt economic development bonds and school construction tax credit bonds as well as a two-fold increase in loan guarantees for business development.

The impressive and inclusive legislation, which was enacted on February 17, 2009, set expectations at a high level for continued tribal government inclusion from a new Congress and a new Administration.

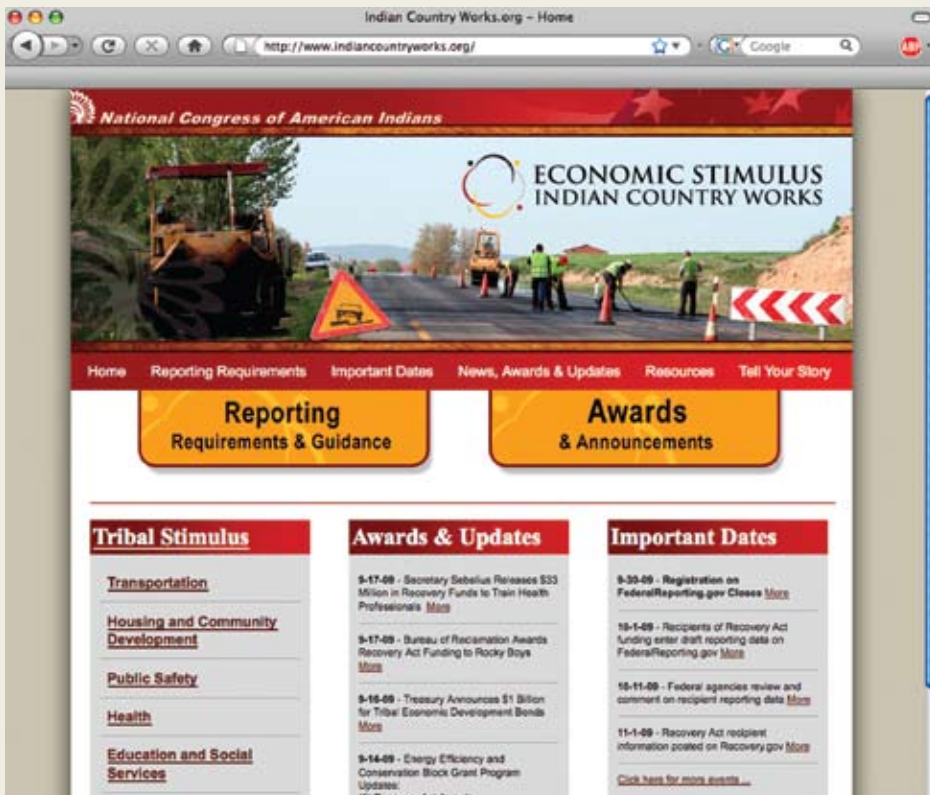


## TRIBAL RECOVERY ACT RESOURCE CENTER

NCAI, with the help of the W.K. Kellogg Foundation, developed a web site entitled “Indian Country Works” to serve as a resource center and information clearinghouse for tribes. Every funding opportunity available to tribes was summarized and tracked. Every agency event, funding notice, and deadline related to Recovery Act funding was posted. To ensure tribal participation, NCAI published a weekly newsletter with funding opportunities and important deadlines, and coordinated periodic webinars with key agency personnel and industry leaders.

As a testament to our hard work ensuring the timely relay of information, the White House posted the NCAI web site to their official Recovery Act site as a resource center for tribes. Based on this visibility, tribal Recovery Act funding was featured on the main page of the White House Recovery Act web site.

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## **PARTNERSHIP FOR TRIBAL GOVERNANCE INITIATIVE**

In 2009, NCAI formalized its work to assist tribes to strengthen their institutions of governance with the launch of the Partnership for Tribal Governance (PTG) initiative. Research conducted through convenings and conversations with tribal leaders and in partnership with Native Nations Institute at the University of Arizona helped to define tribes' perspectives on, experiences with, and desires for strengthening key aspects of governance. Tribal leaders' input, along with other research, has provided the strategic framework for the PTG. With guidance from NCAI tribal leadership, the Policy Research Center, and three years of W.K. Kellogg Foundation-funded research and planning, the PTG sets the stage for a new era of NCAI programs and services for tribal nations.

This past year NCAI has focused on activities to help provide a foundation for the implementation of the PTG. To address tribal leaders' requests to better understand and respond to the perceptions of the public and media, NCAI conducted research into the public's awareness and understanding of tribal governments. The findings demonstrate the more the public knows about Native people and tribal nations, the more supportive they are of tribal governments, yet too few of the public have that understanding. Key messages and recommended actions from this research will help NCAI to develop a toolkit and training resources for tribes' communication needs at the tribal, local, state, and national levels.

NCAI continues to host sessions at our meetings that focus on important governance issues identified by tribal leaders. At the 65th Annual Convention, the 2009 Executive Council Winter Session, and 2009 Mid-Year Conference, more than 300 tribal leaders participated in sessions on conflict resolution, ethics of leadership, financial management fundamentals, citizen engagement, nation building, foundations of tribal leadership, and public and media education. In these sessions tribal leaders shared their experiences with newly elected and seasoned leaders and participated in thoughtful discussions on topical areas of interest. The overwhelmingly positive



response from participants has led to NCAI's commitment to providing more of these types of opportunities at NCAI events and others.

The American Recovery and Reinvestment Act (ARRA) provided a unique opportunity to develop an effort to provide information and training for tribes for a special initiative. As noted above, NCAI developed an initiative that included: a special web site with timely information that tribes needed to adequately respond to the ARRA; a weekly e-newsletter that alerted tribes to new information, events and deadlines for ARRA funding; live information-sharing sessions at the Executive Council Winter Session in March 2009; and a series of 16 teleconferences and web conferences over a period of five months to provide information and conduct training for tribes on how to access the ARRA funding. The teleconferences and web conferences had a total of more than 1,000 connections reaching an estimated 2,000 individuals. The web conferences provided NCAI with the opportunity to test this method of reaching tribal representatives to provide information and training and will be integrated into the longer-term efforts of the Partnership for Tribal Governance.

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NCAI convened a number of meetings with potential partner organizations throughout this past year. The purpose of these meetings was to gain a better understanding of the various resource organizations that support tribes' efforts to strengthen governance and to assess where partnerships may evolve to further this work. In addition to tribes, other potential partners include regional intertribal and national Native organizations, academic and policy centers, federal and state government entities and other practitioners. Moving forward, NCAI is working to convene special meetings for regional intertribal organizations and national Native organizations to explore partnerships.

Vital to NCAI's communications and interactions with tribes and the many other constituent groups is a redesign of our web site and to upgrade our technological capacity. Over the past year, NCAI has conducted a preliminary audit of the web site as the first step in a complete redesign by June 2010. This effort will serve to address

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new technological applications for organizing knowledge for easy access to resources, distance learning to develop additional opportunities for training and technical assistance, networking between partners and establishing more effective communication techniques.

Planned as a decade-long initiative, the PTG seeks to increase, enhance, and make accessible the infrastructure resources necessary to support tribes' self-determined efforts to strengthen their governance. The PTG will provide training and technical assistance to tribes directly and with other partners, enhance networks and collaborative efforts, support the development and sharing of tools and knowledge resources, develop a policy research agenda for tribal governance, encourage effective communications, and advocate on behalf of tribal governments.

**“Tribal provisions in the ARRA included almost \$3.0 billion of support that would assist tribal governments across a wide range of efforts to strengthen their infrastructure and services.”**





# Vision: Empowering



The NCAI Policy Research Center (PRC) was established in 2003 with the vision of supporting Indian Country in shaping its own future. We provide that support by forecasting policy development opportunities and gathering the data and information to equip tribal leaders to be proactively involved

in creating public policy that best serves the needs of Native communities. The PRC is a future-focused place where Indian Country comes together—physically and virtually—to anticipate policy issues and develop strategies to address matters that will impact tribal communities in the future.

Like the internal activities of many embassies in Washington, the Center works with tribes to identify issues, facilitate relationships, and bring together expertise and data to guide decision-making and justify policy positions. Our outreach activities focus on influencing researchers, policymakers, and practitioners in Indian Country and outside of Indian Country—raising the profile and caliber of work addressing Indian issues and priorities. We assist tribes in exercising sovereignty over research and inform policy advocacy on behalf of Indian Country. The Center supports Indian Country in addressing its most pressing priorities, and it is an outpost that influences the policy research debate to address the needs of tribal governments.

In the last five years, the Center has come a long way toward building the infrastructure necessary to achieve this vision. We have recruited talented staff, developed a tribally-driven research agenda, secured a stable and diverse funding base, established a network of partners that inform and support our work, and taken on projects that yield timely, credible data. In 2008–2009, major accomplishments include the development of infrastructure and core projects to support and sustain the work of the Center, making it a well-known and permanent institution in Indian Country.



# Native communities.

## CREDIBLE DATA TO SUPPORT TRIBAL POLICYMAKING

**Census.** As the country looks to April 1, 2010 as a critical moment for better understanding the American population, tribal leaders know that the Census will deeply influence the next decade of policy in Indian Country. To prepare for the 2010 decennial Census, NCAI has launched a Census outreach and education campaign to ensure all American Indians and Alaska Natives are accurately counted. The Census is a powerful data source that impacts policy and resource allocations from the national to the local level. The decennial Census is at the center of American democracy in that it determines apportionment and is used for legislative redistricting.

Historically, the Native population has experienced relatively high undercounts in the Census due to the changing methods to count our populations, remoteness of tribal communities, high poverty and unemployment, and distrust of the federal government. NCAI's Census campaign will build on the civic engagement foundation laid through the Native Vote network of grassroots volunteers, activists, and community and tribal leaders to involve Native communities in the 2010 Census so that all of Indian Country is counted. Parts of NCAI's Census work will also be coordinated in a coalition with a number of partners, including the Leadership Conference on Civil Rights, the Asian American Justice Center, the National Association for the Advancement of Colored People, and the National Association of Latino Elected and Appointed Officials.

**Tribal Land Management Report.** The PRC's work also focused on developing research that will meet specific needs in Indian Country. An example of this work is the publication of the report of a joint project with First Nations Development Institute entitled *Exercising Sovereignty and Expanding Economic Opportunity Through Tribal Land Management*. The project was a two year collaboration with a range of partners that was funded by NeighborWorks America and Stewart Title Guaranty Company. The report provides first-of-its-kind analysis of a critical barrier to homeownership on



Indian lands. It analyzes the success of tribes that have taken responsibility (in whole or in part) for administering the land title process on their lands. It also addresses the challenges those tribes have faced.

**Improving Oral Health Services in Native Communities.** This partnership between NCAI, the National Indian Health Board and the Alaska Native Tribal Health Consortium set out to investigate the potential for expanding oral health care services to American Indian communities. Funded by the W.K. Kellogg Foundation, the study explored the opportunities for expanding a mid-level oral health provider model implemented in Alaska (known as the Dental Health Aide Therapist (DHAT)) to serve American Indian communities in other parts of the United States. The year-long study examined the potential opportunities as well as legal and infrastructure barriers associated with the expansion of such a model to underserved American Indian communities.

**Engaging Native Youth to Tell Their Story: A Partnership between NCAI and the Boys and Girls Clubs of America.** Surveys of American Indian and Alaska Native youth often focus on the prevalent social and behavioral issues affecting Native youth—like substance abuse, depression and suicide, and teen pregnancy. NCAI collaborated with the Boys and Girls Clubs of America to develop a survey to assess how Native youth are positively engaging with their communities and to gather information on their vision for the future. The survey assessed how Native youth (ages 12–21) who attend a Boys and Girls Club currently view themselves and their future; their involvement with their communities; the level of support received from friends, family, teachers,





and the community; their desire to remain in their community; their desire to become a tribal leader; and the top challenges they see tribal leaders and their community facing. Preliminary and final data was shared with tribal leaders and the Boys and Girls Clubs of America Board of Directors. The positive response to this survey has been overwhelming. The PRC is currently drafting a proposal to work with the NCAI Youth Commission to revise the survey and gather perspectives from a broader cohort of Native youth.

**Tribal Labor Ordinances Survey.** In May 2009, the PRC partnered with NCAI and the National Indian Gaming Association (NIGA) to collect data about the existence and content of tribal labor ordinances, an important front on which protect tribal sovereignty. As a result of the February 2007 *San Manuel v. National Labor Relations Board* (DC–Circuit–05–1392) ruling, tribal governments are receiving increasing national attention in their role as employers. Congress is also considering amendments to the *National Labor Relations Act* that will make it easier to form unions, the *Employee Free Choice Act*. Through a national, web-based survey, NCAI and NIGA collected data, which will be kept confidential and shared only in aggregate, to educate Congress on tribal governments’ role as employers. The information will also be used to identify technical assistance needs, develop appropriate resources and convene sessions at the NCAI conferences.

## NETWORKS THAT SUPPORT TRIBAL POLICYMAKING

**Communities of Practice.** Through its diverse networks of stakeholders, the PRC’s Community of Practice (CoP) program finished another productive year supporting Indian Country by building collective agendas and advising research projects focused on critical, tribally-driven priorities. These networks of policymakers, researchers, practitioners and tribal community members continue their work on Indian child welfare, climate change and tribal governance. The PRC will release a series of



commissioned papers addressing each of these topics this Fall. The paper topics were identified through a collective agenda-building process, and each CoP network serves as a research advisory group throughout the research process. This diverse stakeholder input will help to ensure that research is being driven by the needs, wisdom and knowledge of tribal communities, while providing the credible information, tools and resources that tribal leaders need to make good decisions. The CoP program also has a new home on the web! Learn more and contribute to our collective agenda by signing-up at [climatechange.ncaiprc.org](http://climatechange.ncaiprc.org), [childwelfare.ncaiprc.org](http://childwelfare.ncaiprc.org) or [governance.ncaiprc.org](http://governance.ncaiprc.org).

**Closing the Racial Wealth Gap.** Our Indian Country-focused research has built a foundation that has brought national attention to NCAI's work and allowed us to engage a diverse range of partners to support Indian Country and the priorities of tribal leaders. For the past four years, the Insight Center for Community Economic Development and the Ford Foundation have brought together some of the leading minds on asset-based economic development from African American, Latino, Asian American, and Native communities. The 2009 Color of Wealth Policy Summit brought prominent scholars, policy experts, and advocates from every major racial and ethnic group in the United States to Capitol Hill to discuss closing the racial and ethnic wealth gap with Members of Congress and their staff. NCAI served on the planning committee for this event and ensured Native voices—including NCAI Executive Director Jacqueline Johnson Pata—were involved in the event. Follow up events have provided the opportunity for NCAI staff to present the unique challenges Native people face with respect to equal access to economic opportunities at Capitol Hill briefings.

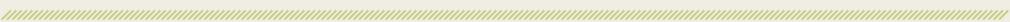




**The National Rural Assembly.** The last several national elections have brought increasing attention to the role of “rural America” in influencing American policy. This influence has been evident in some features of recent federal policy, particularly with respect to the American Recovery and Reinvestment Act. While the definition of rural America has traditionally excluded America’s most rural population (Native people and the tribal governments who serve them), the PRC has worked as a member of the Steering Committee of the National Rural Assembly to ensure the national discourse about rural America emphasizes the critical and unique role played by tribal governments. We expect Indian Country’s role to be particularly significant as the Steering Committee plans to attend NCAI’s Annual Conference in 2009 and plans a Youth National Rural Assembly.

### **INCREASING THE CAPACITY OF NATIVE PEOPLE TO INFLUENCE RESEARCH**

**Fourth Annual Tribal Leader Scholar Forum.** On June 16, 2009, the NCAI Policy Research Center held its annual Tribal Leader/Scholar Forum as a component of NCAI’s Mid-Year Conference in Niagara Falls, New York. This unique Forum brings together Native and non-Native scholars and organizations to present their cutting-edge research findings to tribal leaders. The Forum provides for dialogue between tribal leaders and researchers to discuss how tribal communities can practically apply research results in community decision-making. This year, our call for proposals generated the highest number of proposals yet, with an increasing number of proposals from Native researchers conducting research in their own communities. The conference sessions—focusing on public safety, natural resources management, strategies for strengthening tribal governance, engagement with youth, economic development, health, and historical trauma—were exceptionally well attended. Proceedings from the Forum will be available as part of NCAI’s Annual Session in October 2009.



**Research that Benefits Native People: A Guide for Tribal Leaders.** This year the PRC finalized the production of a training guide that assists tribal leaders, Native students, and other Native community members in understanding and managing research and program evaluation. The five-module curriculum is offered through community-based training sessions over the course of two and a half days. The training sessions equip tribal leaders with the skills to better understand research and become more comfortable with making decisions about research and program evaluation activities for the benefit of their communities. Specifically, the curriculum focuses on the importance of Indigenous ways of knowing while also recognizing the value of Western research approaches. It was developed to address tribal communities' mistrust of researchers and concern over research that does not benefit the communities where the research is conducted. We were pleased to partner with the First Americans Land-grant College and Organizations Network, the National Indian Child Welfare Association, and a number of independent consultants to develop, pilot and finalize the curriculum.

**First Joint Urban Institute-NCAI Fellowship.** One of the most important features of our capacity building work is to expand the pipeline of Native scholars who are being prepared for careers in policy research. Over the past two years we have worked with the Urban Institute—a nonpartisan economic and social policy research center—to ensure Native students are recruited to their Summer Academy. The Academy is an eight-week summer program that provides a unique and challenging learning experience for minority college students who are interested in careers in public policy research. This year we were able to designate one of the summer fellowship slots as a joint Urban/NCAI summer fellowship. The joint fellow, Brian Howard, participated in Urban's full training program but also joined NCAI for the Tribal Leader/Scholar Forum to meet tribal leaders and researchers doing tribally-driven research projects. Brian is from the Gila River Indian Community in Arizona and is majoring in Native

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American studies and political science at the University of New Mexico. His research project focused on water rights on tribal lands.

**The PRC's First Post-Doctoral Fellowship.** In 2009, the PRC placed our first-ever post-doctoral fellow. While post-doctoral fellows are common at universities and many think tanks in Washington, this is the first time NCAI has ever hosted such a fellow. Dr. Puneet Sahota began a one-year post-doctoral fellowship with NCAI in June 2009. Puneet has worked as a research consultant with NCAI since 2006, developing papers that address tribal research regulation. She recently completed her Ph.D. in cultural anthropology at Washington University in St. Louis and has extensive experience working with tribal communities as a researcher and volunteer in Indian Health Service primary care clinics during her MD training. We expect Puneet will be the first of many post-doctoral fellows who begin their “post-Ph.D.” careers working to support Indian Country in shaping its own future.

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“One of the most important features of our capacity building work is to expand the pipeline of Native scholars who are being prepared for careers in policy research.”





# Outreach: Communicating to Protect

## COMMUNICATIONS AND EXTERNAL RELATIONS

Communications and external outreach has always been one of the most important priorities of NCAI as we continue solidify our diplomatic relations with the United States. One of the first initiatives of the organization was to conduct a poll of the general public in the late 1940's to gage the perception of Indian people so that we would have direction in our policy work in Washington, D.C.

There have been tremendous strides in NCAI communications efforts over the decades. This growing body of work is critical to ensuring the protection of our cultures, life ways and people.

24 NCAI continues to keep up with modern communication tools and now has a strong online presence through our website, [www.ncai.org](http://www.ncai.org), and sub sites that highlight certain issues such as [www.nativevote.org](http://www.nativevote.org), as well as through the use of social networking sites such as Facebook and Twitter. We are also utilizing electronic messaging services more than ever before to ensure our messages on any particular issues reach as many people as possible, including a bi-weekly e-newsletter that keeps Indian Country up to date on NCAI initiatives and coverage of NCAI issues in the press.

In late 2008, NCAI, along with Public Opinion Strategies, a high profile Washington D.C. based polling firm, conducted a nationwide Internet survey to gain a better understanding of the general public's perception of Native Americans and our current policy issues. Using that data, NCAI's communications team is developing toolkits to provide tribes with helpful hints on how to work with local media and



# Our Culture's Lifeways.

shape their messages so that media and in turn, policy makers and the general public, have a better understanding of who we are as a community.

NCAI also continues to be the organization to which most news outlets turn to inquire about issues facing Indian Country. In the last year we have appeared in *Washington Post*, *the New York Times*, *the Wall Street Journal*, *the Arizona Republic*, *the Albuquerque Journal*, *the Miami Herald* and many others.

NCAI held several national press conferences and other media events and has participated in dozens more events, including coupling press events with Native sister organizations and federal agencies.

NCAI obtained significant media coverage surrounding our 2008 Annual Conference, 2009 Mid-Year Conference and 2009 Executive Council Winter Session.

Staying true to our founding fathers' vision, NCAI communications will continue to be a key element of the success of the organization and, more importantly, an important link to our members and the Native people we serve.

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## MEMBERSHIP

NCAI is a membership driven organization. Our membership is a strong representation of the many nations that constitute the whole of Indian Country.

NCAI membership is made up of tribes and individuals who have met the eligibility criteria and have paid dues as outlined in the Article III of the NCAI by-laws. All members are determined to be in good standing upon full payment of dues and having fulfilled the requirements of the Credentials Committee.

NCAI's membership shall be of four classes:

### 1. **Tribe Membership**

Recognized as a tribe or other identifiable group of American Indians by the Department of the Interior, Court of Claims, the Indian Claims Commission or a State.





## **2. Individual Indian Membership**

Recognized as a member by an Indian tribe, or band, or combination of tribes and bands recognized by the U.S. Department of Interior, the Indian Claims Commission, Court of Claims or a State.

## **3. Individual Associate Membership**

Class of membership reserved for individuals not qualifying for membership for lack of Indian ancestry. Non-Indian applicants may be admitted as non-voting associate members.

## **4. Individual Indian Lifetime Membership**

Recognized as a member by an Indian tribe, or band, or combination of tribes and bands recognized by the U.S. Department of Interior, the Indian Claims Commission, Court of Claims or a State.

## **5. Individual Associate Lifetime Membership**

Class of membership reserved for individuals not qualifying for membership for lack of Indian ancestry. Non-Indian applicants may be admitted as non-voting associate members.

## **6. Associate Organization Membership**

Organizations shall carry such rights and privileges as are accorded to the individual associate member.

In 2008–2009, NCAI membership continued at an all-time record high, representing 72 percent of all enrolled tribal members in the country. This shows the strength and unity of tribes as we continue to work together in protecting tribal sovereignty and advancing the welfare of Indian Country.





## MEETINGS AND EVENTS

**Annual Convention & Trade Show.** The city of Phoenix and Arizona tribes were host to NCAI's 65th Annual Convention and Tradeshow, which was one of our largest conventions in history. Held in October 2008, more than 2,000 attendees and delegates took action on a range of topics from climate change to Native vote efforts to public safety.

The Gila River Indian Community hosted one of the largest cultural celebrations in the history of NCAI conventions. Hundreds of NCAI attendees gathered at the Rawhide at Wild Horse Pass on the tribe's land outside of Phoenix. The celebration featured traditional dancers from different Arizona tribes, traditional food and exhibitions by Native Arizona artists.

"I want to thank the Gila River Indian Community for putting so much effort into this celebration," said NCAI President Joe A. Garcia. "The fellowship we all shared is something that won't be soon forgotten."

Presidential candidates Senators Barack Obama and John McCain each sent a video message to the General Assembly reiterating their commitment to tribal nations. Notable speakers also included Department of Interior Secretary Dirk Kempthorne and renowned political pollster Anna Greenberg.

NCAI held two press conferences during the convention. One was held in collaboration with the Tohono O'odham Nation on homeland security, border

protection and its financial affects on tribes. The second was co-hosted by the San Manuel Band of Mission Indians, who donated \$100,000 to the NCAI Embassy of Tribal Nations Capital Campaign.

As elected tribal leaders attended various sessions throughout the Phoenix Convention Center, emerging leaders gathered for the NCAI Youth Luncheon, where food and inspiration were served in big portions.



First Nations country singer Crystal Shawanda shares her life struggles with the NCAI Youth Commission at the annual youth luncheon in Phoenix.



Native American Singer/  
Songwriter Bill Miller and  
NCAI President Joe A. Garcia  
provide lively entertainment  
at the gala banquet during the  
NCAI 65th Annual Convention  
& Tradeshow in Phoenix.

Headlining the event was Crystal Shawanda, a Canadian Country music artist and member of the First Nations Ojibwe Band. During the luncheon, Shawanda encouraged youth to follow their dreams and persevere through tough times.

**Executive Council Winter Session.** NCAI's 2009 Executive Council Winter Session focused on Indian Country's legislative goals for the 111th Congress and the Obama Administration. General Assembly included addresses by Secretary of Energy Steven Chu, Secretary of Housing and Urban Development Shaun Donovan, Secretary of Homeland Security Janet Napolitano, Secretary of the Interior Ken Salazar, Secretary of Agriculture Tom Vilsack, Environmental Protection Agency Administrator Lisa Jackson and White House Director of Intergovernmental Affairs Cecelia Munoz.

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“It is encouraging to see so many new members of the Obama Administration and members of Congress engaging in Indian issues with tribal leaders,” said NCAI President Joe A. Garcia. “These high level meetings set us on the right course as we work to ensure we have a place at the table early on in this new Administration.”

Secretary Chu told tribal delegates that he takes the responsibility and commitment to sovereign nations very seriously, and will prove it by fully empowering a tribal office in the energy department. Secretary Napolitano said she understands tribal consultation comes before decisions are made. Secretary Salazar told tribal leaders his department will assist tribes to harness the powers of the sun and wind or look at geothermal resources for economic development.

Secretary Donovan pledged to work closely with NCAI and tribes to ensure the economic stimulus dollars are allocated to building and renovating houses in Indian Country. Secretary Vilsack said he would work to institute and implement the tribal provisions in the farm bill. White House Intergovernmental Affairs Director Cecilia Munoz said she realizes the front door of the White House hasn't always been open and welcoming to Native people, but assured the audience that with this Administration the dialogue will be on a government-to-government basis.

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NCAI honored leaders in Indian policy at its 11th Annual Leadership Awards Banquet. The honorees were recognized for their outstanding service to Native people and their ongoing support of initiatives that promote sovereignty and government-to-government relationships.

NCAI presented Senator Lisa Murkowski (D-AK) with the Congressional Leadership Award in appreciation of her championing bi-partisan support and her leadership on Native issues as Vice-Chairman of the U.S. Senate Committee on Indian Affairs, including advocacy on issues such as Indian health care, Native veterans and public safety in tribal communities.

The Public Sector Leadership Award went to Roberta Valente, General Counsel of the National Network to End Domestic Violence for her work to end domestic violence for all women, and in particular for standing with our Indian women in the fight for additional resources and authority to bring safety and justice to Native communities.

Long time NCAI member and former executive director Rachel Joseph received the Native American Leadership Award for her years of work to improve the lives of Native people by advocating tirelessly for passage of the Indian Health Care Improvement Act.

Scott Burns, Former Deputy Director, White House Office of National Drug Control Policy (ONDCP) was honored with the Governmental Leadership Award for his leadership at the ONDCP and his commitment to helping eradicate drug abuse and trafficking in Indian Country by leading the department in the development of Native American focused anti-meth ad campaigns.

**Mid-Year Conference.** In an ongoing effort to equip tribal leaders with data to inform their policymaking, NCAI's Policy Research Center (PRC) convened its 4th Annual Tribal Leader/Scholar Forum at the 2009 Mid-Year Conference in Niagara Falls, NY. The Forum included presentations from a number of scholars presenting



research on health care, tribal labor ordinances, the environment and criminal justice.

“Indian Country is leading the way in collaborative research that meets community needs,” said PRC Director Dr. Sarah Hicks. “Partnerships between tribal leaders, Native communities and scholars are at the heart of the mission of the PRC—to support Indian Country in shaping its’ own future. The research presented today, along with the keen insights of tribal leaders, has offered a clear way forward.”

Two of this year’s presentations focused on health care quality and access in Native American communities. Dr. Tassy Parker, a member of the Seneca Nation of Indians, presented compelling data regarding the impact of historical trauma on the health of Seneca Nation citizens. Jaime Arsenaault, Research Analyst at the Native Nations Institute for Leadership, Management & Policy at the University of Arizona, presented research that addressed the impact of tribal control of health services. Her research demonstrated that tribal control of health care increases citizen access, strengthens sovereignty and moves tribal priorities to the forefront.

Professor Carole Goldberg, distinguished professor of Law at the University of California at Los Angeles (UCLA), and Dr. Duane Champagne, professor of Sociology at UCLA, presented research on successful strategies to improve tribal community safety. Their study utilized Indian Country crime data and jurisdiction information. A presentation by Dr. Patricia Mariella, Director of the American Indian Policy Institute at Arizona State University, and environmental department directors at Gila River Indian Community and Salt River Indian Community focused on environmental policy. It provided tribal leaders with the opportunity to see the value in state/tribal government partnerships to assess and address toxic air exposure across jurisdictions.

Members of President Barack Obama’s cabinet addressed the General Assembly in Niagara Falls. Department of Interior Assistant Secretary for Indian Affairs Larry EchoHawk delivered his first public address to Indian Country to a packed session of NCAI delegates.







“It is important for me to be in your presence to affirm my personal commitment to fundamental principles that will govern how I will execute my responsibilities,” said EchoHawk. “Mutual respect and understanding is needed as we address the challenges facing Indian Country.”

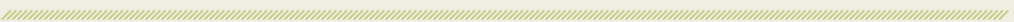
Jodi Gillette, Deputy Associate Director of the White House Office of Intergovernmental Affairs presented a special message from President Barack Obama, which announced the appointment of Kimberly Teehee as the Senior Policy Advisor for Native American Affairs at the White House Domestic Policy Council.

U.S. Department of Justice (DOJ) Associate Attorney General Tom Perrelli also expressed his dedication to working closely with tribes to improve the safety of their communities and to increase tribal law enforcement resources.

NCAI held a press conference on the U.S. Department of Homeland Security requirements for tribal identification and border crossing. Speaking at a gathering of tribal and First Nations leaders and members at the Rainbow Bridge International border crossing in Niagara Falls, NCAI President Joe A. Garcia said, “The new requirements limit tribal member’s ability to use their tribal IDs to cross the borders. It’s simply not feasible, nor affordable, for tribes to put these requirements in place in the allotted time. Of the 563 tribes in the U.S., only 2 have been able to afford and implement the Western Hemisphere Travel Initiative requirements for tribal ID cards.”

President Garcia was joined by Seneca Nation of Indians President Barry E. Snyder, Sr., St. Regis Mohawk Tribe Chief James Ransom and Assembly of First Nations Ontario Regional Chief Angus Toulouse.

**Tribal Leaders Strategy Session.** On the eve of the Presidential Inauguration, over 400 tribal leaders gathered in January 2009 to discuss the implications of change in the new Administration and to identify Indian Country’s collective priorities and goals. U.S. Secretary of the Interior Ken Salazar pledged that the “first Americans will have their place at the table in the Obama Administration and the Department of





Kiowa gourd dancer Dennis Zotigh invites an Alaska Native dancer to join the festivities at cultural event in January 2009.

Interior”. This summit was jointly hosted by NCAI and the National Indian Gaming Association.

“We have some great opportunities yet some major challenges ahead of us,” Salazar told the tribal leaders in attendance. “But we will only address those challenges through a spirit of consultation. The Department of Interior will work hand-in-hand with Indian Country to address the challenges of our time. We have to make sure that Native American communities of the United States are never left outside of the tent again,” Salazar said to strong applause.

Salazar also committed to moving forward with passage of the reauthorization of the Indian Health Care Improvement Act and Indian Country education initiatives.

“NCAI is committed to working closely with the Obama Administration and the new team at DOI under Secretary Designate Salazar,” said NCAI Executive Director Jacqueline Johnson Pata. “Meeting with tribal leaders so early in the process shows Indian Country the seriousness of President Obama’s pledge to work closely with tribes in the months and years to come.”

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Kiowa tribal member Dennis Zotigh leads the gourd dance at a cultural event after and NCAI sponsored tribal leaders strategy session in January 2009.

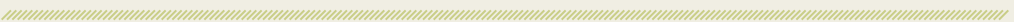


**BIA/Tribal Budget Advisory Council.** The Bureau of Indian Affairs (BIA)/Tribal Budget Advisory Council (TBAC) was established in 1999 to facilitate tribal government participation in the planning of the BIA budget. The council includes two tribal representatives from each of the 12 BIA regions. The mission of the BIA/TBAC is to provide an advisory government-to-government forum and process for tribes and the Department of the Interior to develop budgets that allow for the advancement of tribes' self-determination and self-governance goals as well as sufficient levels of funding to address the needs of tribes.

Four meetings a year are held: three in the Washington, D.C. area, and one rotating meeting that travels to various regions throughout Indian Country. The August 2009 meeting was held in Anchorage, Alaska with the Cook Inlet Tribe hosting a welcome reception. The TBAC meetings usually occur in March, May, August and December of every year.

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**EPA/IEN Tribal User's Meeting.** NCAI has a cooperative agreement with the Environmental Protection Agency (EPA) Office of Environmental Information (OEI) to increase and enhance tribal participation in the National Environmental Information Exchange Network (IEN). The IEN is an EPA program designed to facilitate environmental data management and support data submission. It has helped tribes improve their environmental program monitoring, management and reporting. Meeting participants included tribal representatives who report environmental quality data to the EPA, EPA OEI headquarters and regional officials, and tribal consultants. Discussion topics included sharing environmental data with tribes and governments, existing tools, resources, grant opportunities for technical and financial assistance. Over 30 tribes sent representatives to the meeting held at Isleta Hotel in Albuquerque, New Mexico, on March 24–25, 2009.





NCAI President Joe A. Garcia blesses the Ohkay Owingeh Lincoln Cane at the 8th Annual State of Indian Nations address on February 10, 2009.

# Commitment: Highlights of the State



My term as President is coming to an end, and as I stand before you today for this, the last time I deliver this annual address, I am proud to report that the State of Indian Nations is more promising...and more hopeful...than it has ever been in this new era of self-determination.

There were goals that seemed distant, but we have reached them. There were strides that seemed too great, but we have made them. And though there is always more work to be done and more victories to be won, we will achieve them, as well.

Indian tribes are re-building our nations in ways that honor our ancestors and cultures while meeting the demands and leveraging the opportunities of the modern world. To witness the revitalization of Indian Country is to witness the promise of America, fulfilled.

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My brothers and sisters, with an open hand and a full heart, I thank you for all your effort and support, and I congratulate you on all we have accomplished together. These kinds of successes happen when we look to our culture... our history... and our ancestors to guide us in all that we do.

President Barack Obama has given us good reason to believe he will include Indian Nations as he talks about a new spirit of hope and change. But as we begin this new era of transformation and revitalization for our nations, we must also keep in mind the stark realities we face.

While the United States faces an economy in recession, great swaths of Indian Country have been in an economic depression for decades. Many of our communities comprise the poorest counties in the country. In every relevant program area for Indian issues—from education and public safety to the environment, infrastructure, and health care—federal funding lags behind the average for the rest of the United States.

When the President says that Indian Nations are a priority for his new Administration, I take him at his word. I look forward to new respect



NCAI Executive Director Jacqueline Johnson Pata talks with actor Val Kilmer at the 8th Annual State of Indian Nations address.

# of Indian Nations Address

for tribal sovereignty, and a new focus on the importance of nation-to-nation relationships. I look forward to Indian Country's greater inclusion and greater respect in this new vision for America, and there is still much work to be done. So today I present our agenda in four areas:

We seek a place at the table for Indian Nations in the economic recovery of this great nation; we seek transformational improvements to health care; we call for a fundamental, federal commitment to public safety; and we seek a new federal priority for the education of the children of Indian Nations.”

“Indian tribes are re-building our nations in ways that honor our ancestors and cultures while meeting the demands and leveraging the opportunities of the modern world.”

NCAI President Joe A. Garcia and Executive Director Jacqueline Johnson Pata address the audience at the 8th Annual State of Indian Nations address.





# Advocacy: Indian Country's

## ECONOMIC POLICY—GOVERNMENT ENTERPRISES

NCAI has worked to place tribal governments in a position to take advantage of economic opportunities and future trends. New Administrative priorities and a challenging economic environment made for an interesting year for tribes dependent on revenue from economic development to provide necessary services to tribal citizens.

**Energy.** Domestic and alternative energy production became a priority for the Administration, and NCAI worked to include tribes in important energy policies.

NCAI continued to advocate for investment incentives for tribal energy production, including accelerated depreciation and transferring production tax credits. Future access to the energy grid is critical in determining whether tribes will be included as partners or left out of future development. NCAI successfully advocated for tribal inclusion in a nationwide study that may form the basis for future energy policy.

**Federal Contracting.** Tribal participation in the federal government marketplace continued to hold promise given the increase in federal spending. While tribes and Alaska Native Corporations increased contracting with the federal government, a few members of Congress continued their efforts to curtail this successful program. The Native American Contractors Association, the National Center for American Indian Enterprise Development and NCAI continue to work together to protect the program and advocate for responsible program changes that would increase transparency and contracting opportunities for all businesses in the Small Business Administration's section 8(a) program.



# Voice on Capitol Hill.

**Gaming and Destination Tourism.** An increase in federal spending helped tribal governments participate in federal contracting. However, a decrease in both consumer and business spending along with a weak credit market presented new challenges to the tribal gaming industry. NCAI brought together economic and financial experts to discuss how to navigate the difficult credit and economic environment. NCAI also hosted technical assistance sessions to ensure tribes were in a position to take advantage of new economic development tools, including economic development bonds which could be used to fund destination related development.

**Telecommunications.** Broadband has long held the promise to link tribal communities to improved health care and educational access and level the competitive playing field for remote tribes that want to participate in the larger US and global economy. The Administration supplied ambitious plans and funding to make this a reality for rural communities. By including tribes firmly in the definition of “unserved” and “underserved,” NCAI ensured tribal applications for funding would be considered a priority.

**Financial Literacy.** Giving future tribal leaders the tools they need to succeed is the objective of the Tribal Exchange financial literacy program focused on understanding the economy, business and the financial markets. For the second year, teams from Indian schools, clubs or after-school programs competed against one another to see who could better invest a \$100,000 hypothetical account. While students learn about individual businesses and how the economy affects their investment, they also learn valuable financial life skills.



In addition to developing life skills through financial literacy, NCAI, with the help of the Annie E. Casey Foundation has embarked on a study of the access to capital for individual Indians living on or near reservations. The familiar effects of poor access to credit are being experienced by individuals and businesses all across the country, and NCAI is capturing lessons learned in the economic downturn and looking to develop solutions to the issue of poor credit that American Indians have long experienced.

**Planning.** Effective governance often means pulling together various departments, funding sources and subject-matter experts to move toward a common community-based direction. Most important, the common direction or community vision should incorporate a tribe's unique culture and values. This year, NCAI, with Dr. Ted Jojola and the Robert Wood Johnson Foundation, have convened a number of regional planning sessions. These sessions are designed to gather important information on tribal and regional planning considerations. Reports generated from these sessions and planned future sessions will be compiled and used to formalize the planning process as an effective tool for community-based governance.







## **NCAI'S NATIONAL INDIAN COUNTRY METH INITIATIVE**

**NCAI Tribal Meth Task Force.** NCAI's Meth Task Force is working to reassess its partnership with tribes, federal agencies and anti-drug organizations to set a slate of new goals. The Task Force wants to ensure that all tribal communities are aware of federal grant opportunities and new or amended policies and procedures. The Task Force is made up of tribal leaders and members dedicated to education about and elimination of meth abuse. The Task Force usually meets three times a year; however, this year it met once in March and again in October.

**NCAI Anti-Meth Re-granting Program.** NCAI recently launched an anti-meth re-granting program. The NCAI anti-meth re-granting program provides monetary support for local, grassroots organizations' creative efforts to combat meth abuse in their respective communities. The goal of this re-granting program is to fund these smaller projects working closer to those most at risk.

**National Media Campaign.** In collaboration with several federal agencies, NCAI is happy to announce the completion of the anti-meth media campaign, including the production of two 30-second television public service announcements. At the Executive Council Winter Session in March, NCAI, the Partnership for a Drug-Free America, and the Office of National Drug Control Policy screened the television ads and received great feedback. Since then, NCAI has been working to get the ads placed with tribal communities' local television stations.





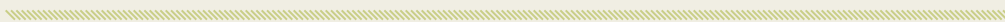
NCAI First Vice-President Jefferson Keel addresses a room full of Indian Country leadership and federal agency representatives at a health care summit in April 2009.

## BUDGET AND APPROPRIATIONS

In 2009, NCAI redoubled its efforts to ensure the federal trust obligations are reflected honorably in federal appropriations for tribes and tribal programs. All facets of the budget and appropriations process are included in NCAI's advocacy efforts—from the agency budget development process to the President's budget request to the final appropriations enacted by Congress. At the front end, NCAI provides technical assistance on agency tribal budget consultations, including Indian Affairs at the Department of Interior and the Department of Health and Human Services. NCAI continues to engage a national budget taskforce composed of tribal leaders and all the national tribal and issue-specific organizations as well as regional intertribal groups to develop budget strategy and priorities throughout the budget process. In conjunction with the tribal budget taskforce, NCAI again prepared and published a national Indian Country budget request document. The FY2010 edition was developed with expanded collaboration, justification, and data for all requests sought on behalf of tribes. Although the FY2010 appropriations process is not complete as this report goes to print, the President's budget request and markups by the House and Senate on spending bills that impact tribes include remarkable increases for important tribal programs, including law enforcement, health care, education, and contract support costs.

## HEALTH

Health care reform has long been awaited in Indian Country, and NCAI has led the way in assuring that the Indian Health Service and our unique, culturally appropriate network of providers is both enhanced and protected. We have developed five key principles for health care reform, principles that must be met to guarantee that our health care system is preserved. We have strengthened our relationships with the Administration and Congress, and are key advisors on the inclusion of Indian Country in the reform legislation. We have developed strong partnerships with likeminded

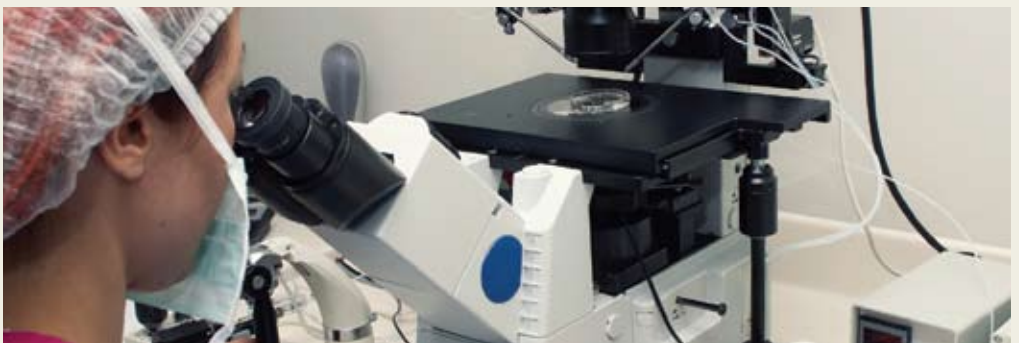


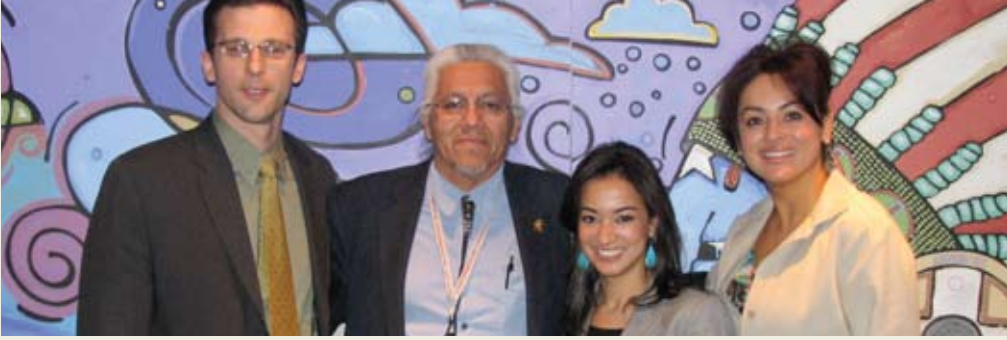
organizations across the country to assist with carrying our message out to a wider, national audience. NCAI is well positioned to advocate on behalf of tribal leaders in health care reform.

NCAI is taking broad steps to address youth suicide in Indian Country. Our tribal leaders' task force on Youth Suicide is attended annually by key Administration officials, tribal leaders and advocates from across the country. One of our most exciting developments is forthcoming legislation that will focus on youth suicide in Indian Country. We have also begun working on a compilation of national materials on addressing this epidemic, including a national calendar of events, curricula, and key contact information within the Administration and national organizations.

NCAI continues our work on the Native Children's Agenda. With our focus on healthy lifestyles, safe environments, successful students, and community involvement, we have been able to reach deeper and further in our advocacy work. NCAI, along with our partner organizations (National Indian Education Association, National Indian Health Board, National Indian Child Welfare Association, and National Council on Urban Indian Health), have made this an on-going central theme in our work. We will continue to review legislation and new endeavors through the eyes of our children and the impacts that our work may have on their lives.

Our partnership with the Boys and Girls Clubs is thriving. Our National Native American Mentoring Program, carried out in partnership with the Office of Juvenile Justice & Delinquency Prevention, provides support for Native children identified as being at-risk for negative behaviors by establishing a mentoring relationship with a trained volunteer mentor. Our Together Raising Awareness for Indian Life (TRAIL)





NCAI President Joe A. Garcia, Mark Krawczyk, Office for National Drug Control Policy, Alina Diaz, Partnership for a Drug Free America, and Patty Dimitriou with Alternative Marketing Solutions after a press release launching the new anti-meth television ads at ECWS.

program, done in partnership with the Indian Health Service, aims to reduce the onset of diabetes among Native youth by weaving together the importance of teamwork, self-esteem, and community service. The curriculum incorporates traditions and history to learn about nutrition, food choices, and the impact of diabetes.

## EDUCATION

NCAI is setting the groundwork for sweeping inclusion of Indian provisions in any upcoming education legislation and reform. We are active in a national think tank of scholars and advocacy groups, whose goal is to focus the conversation on education around three core issues: (1) learning and teaching; (2) governance and community accountability; and (3) equity and access. We will be working with these partners on a national media campaign and town hall events to ensure that Indian Country is included in a meaningful way.

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NCAI is working with the Administration in naming new members of the National Advisory Council on Indian Education and in the elevation of the Director of the Office of Indian Education to an Assistant Secretary position. Both NCAI and the National Indian Education Association believe that this elevation is essential to promoting the needs and concerns of our Indian students.

## CHILD WELFARE

NCAI has been working on the issue of foster care for several years. Last year, legislation was passed that now allows tribes to receive direct reimbursement for eligible costs related to foster care services, adoption assistance services, employee training and education, administrative costs related to case planning and case management, and the establishment and operation of required data collection systems.

Using this new law, NCAI is working in partnership with the National Indian Child Welfare Association (NICWA) to develop a plan of action that identifies



National Museum of the American Indian Cultural Specialist Dennis Zotigh sang Kiowa honor songs at the unveiling of the new Native American \$1 coin.

U.S. Mint Director Edmund C. Moy and National Museum of the American Indian Executive Director Kevin Gover pour out the new Native American \$1 coin from pottery at an unveiling.



and develops resources for tribal communities to build the capacity of their child welfare systems and strategize about new ways to bring these resources to a more diverse group of stakeholders. NCAI and tribes also continue to advocate for subsidized guardianship as an important permanency option because it allows children and youth to have a permanent, legal family when termination of parental rights is not possible or is not the right option for a particular family.

The NCAI Policy Research Center (PRC) has an initiative on child welfare through its Communities of Practice. In partnership with the NICWA and the Association on American Indian Affairs, the PRC is helping tribes examine their capacity to operate foster care programs. They are also helping tribes address the legal issues surrounding the administration of foster care, including the development of tribal codes. Additionally, work is being done to create a tribal task force to advise the Administration for Children and Families on the development of regulations for the new Title IV-E foster care law.

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## **CULTURAL CONCERNS/SACRED SITES**

For several years, NCAI has been at the forefront of the effort to preserve Native cultures and protect our sacred sites. This year saw a grassroots effort by tribal activists and tribal governments to protect the San Francisco Peaks in Arizona. The Peaks are the place of creation for numerous tribes and home of deities, ancestral beings and natural resources needed for ceremonies (such as herbs, soil, and water). NCAI worked with tribes and the Department of Agriculture to find an amicable resolution that would protect the natural resources of this sacred place and ensure its continued use for ceremonies.

NCAI provided the new Administration with concrete proposals for administrative policies and legislation that will further protect inherent tribal rights to practice spiritual ceremonies and access to traditional medicines. Ongoing work includes urging the House and Senate to hold congressional hearings on these issues.





Bald and golden eagles and other migratory birds are highly revered and considered sacred within American Indian traditions, culture and religion. They are honored with great care and shown the deepest respect. This year, American Indian people involved in traditional religious and cultural activities such as Sun Dances and Pow-wows were concerned about federal law enforcement agents pursuing legal actions. Indians worry about the free exercise of their culture regarding the legitimate possession, use, crafting and/or gifting of these sacred materials.

44 NCAI continues its work with the Department of Justice and the US. Fish and Wildlife Service to develop fact sheets to educate Indians and non-Indians about the laws, regulations, and policies are regarding the possession, use, crafting and/or gifting of eagle feathers. Tribes are asking the Administration to clarify the ambiguities in federal law and policy concerning the possession, use, crafting and/or gifting of eagle and other protected birds and their parts, through the development of new regulations and policies in consultation with tribes and traditional American Indian people.

## **TRANSPORTATION**

Every five or six years, Congress prepares transportation legislation to reauthorize the Department of Transportation to distribute billions of dollars of highway, transit and other transportation-related funding to federal, tribal, state and local transportation departments and agencies.

In preparation for the most recent reauthorization process, which began in 2002 and led to the passage of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59, tribal leaders joined together to form the NCAI Task Force on Transportation to advocate for tribal transportation priorities in the highway reauthorization legislation. As a result of these efforts, SAFETEA-LU included several significant tribally-beneficial provisions, and the funding allocated to the Indian Reservation Roads (IRR) program increased from \$275 million for Fiscal Year 2004 to \$450 million for Fiscal Year 2009.

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SAFETEA-LU will expire on September 30, 2009. Because a safe and efficient infrastructure is so important to Indian nations and Indian people, SAFETEA-LU reauthorization is a top legislative priority of NCAI and the Intertribal Transportation Association (ITA). NCAI and ITA have therefore established a Joint Task Force on Tribal Transportation to ensure that the next highway reauthorization bill builds upon the progress made in SAFETEA-LU. In order to ensure that Indian tribes receive highway and transit funding, it is imperative that tribes work together to present a broadly supported set of proposals to Congress.

## HOUSING

Substandard housing conditions continue to plague many Indian communities. Homes, infrastructures, and utilities are needed immediately in Indian Country. Barriers to housing development in Indian communities include the lack of significant private investment opportunities, low functioning housing markets and poverty. According to 2000 Census statistics reported in *Housing and Economic Development in Indian Country Challenges and Opportunity*, 23.3 % of Indian households pay 30% percent or more of household income for housing. In addition, Indian homes frequently lack utilities and infrastructure. According to the 2000 U.S. Census and the Indian Health Service: approximately 14.2% of Indian homes have no electricity; 11.7% lack complete plumbing; 11% lack kitchen facilities; and 32.1% lack telephone service.

In partnership with the National American Indian Housing Council (NAIHC), NCAI made efforts to ensure housing conditions and needs were addressed in the reauthorization of Native American Housing Assistance and Self-Determination Act (NAHASDA). This authorization is the main source of authority and funding for Indian tribes to provide housing and housing-related programs such as home loan, affordable housing for low-income people, and other housing activities for tribal members. In October 2008, President Bush signed NAHASDA into law. NCAI and





NCAI Executive Director Jacqueline Johnson Pata, Tohono O'odham Nation Chairman Ned Norris, Jr. and NCAI President Joe A. Garcia address border crossing at a press conference during the 65th Annual Convention.

NAIHC continue to work collaboratively after the enactment to ensure the implementation of NAHASDA is carried out, including the negotiated rule-making process, which enables greater tribal participation in regulation development process.

### **TRIBAL HOMELAND SECURITY AND EMERGENCY MANAGEMENT**

Prior to and following September 11, 2001, NCAI has strived to change the non-governmental status of tribes in federal agency policy within agencies responsible for national security and emergency management. This wrongful designation treats tribes as local governments (as opposed to state governments) and has resulted in underfunding of tribal homeland security and emergency management programs, and ultimately in inadequate tribal public safety capacity. This year, NCAI's advocacy and education work with Congress and the Administration saw great success, with the award of the first homeland security grant funding to tribal governments, even though appropriations were limited. Tribal governments' and NCAI's comments on proposed regulation for identification cards for official purposes resulted in tribal photo IDs being included as acceptable Transportation Security Administration documents for domestic flights and land border crossing.

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NCAI conducted breakout sessions on homeland security issues at the Executive Council Winter Session, Mid Year Conference, and the 65th Annual Convention. The meetings included tribal officials and federal representatives addressing topics including updates from the Department of Homeland Security (DHS) and tribal discussion with congressional staff members of the Senate and House Committees on Homeland Security. Other issues addressed included the Western Hemisphere Travel Initiative status and REAL ID implementation, DHS and FEMA tribal policy implementation, tribal amendments to the Stafford Act, and DHS direct tribal funding.

This year, NCAI assisted three tribes in California seeking a federal disaster declaration and federal agency support caused by off-reservation wildfire environmental health impacts. NCAI staff also assisted in the delivery of tribal emergency management





planning training in Indian Country and contributed towards development and review and of a Tribal Continuity of Operations plan for tribal governments.

## **CLIMATE CHANGE/NATURAL RESOURCES**

NCAI has been working on several fronts related to climate change. The most significant activity is to ensure meaningful and equitable inclusion of Indian tribes in far-reaching and comprehensive climate change legislation. NCAI, with the critical collaboration of tribal governments and organizations like the National Tribal Environmental Council, Native American Rights Fund, and National Wildlife Federation, were able to get key tribal provisions inserted into the Waxman-Markey bill. In that bill, Indian tribes were inserted as eligible entities to participate in several critical areas, including renewable energy, transmission siting, carbon capture and sequestration, domestic adaptation, and natural resource adaptation. However, the percentage of the allocations of emission allowances in applicable areas to support state and tribal efforts is not sufficient. In other critical areas, tribal interests are not adequately addressed, including: energy efficiency, adaptation planning, the dire circumstances of Alaska Native Villages, green jobs, tribal traditional practices, international offsets, international adaptation, and Reduced Emissions from Deforestation and Degradation. Efforts related to clean energy and natural resources are described in the related sections of this section of the report. NCAI continues work with tribal governments and our partners to improve on the tribal provisions in the Waxman-Markey bill, as climate change is being considered in the Senate and Administration.

In addition, NCAI's Policy Research Center (PRC) is collaborating with the University of Maryland's Center for Integrative Environmental Research to design and implement a model to assist tribal governments in developing plans to adapt to climate change. Among other things, the model seeks to assess the economic impacts of climate change upon tribal governments. Such information is critical for advocacy





efforts, as the International Panel on Climate Change has identified tribes disproportionately impacted by climate change, due in part to their high dependence on natural resources for economic and cultural purposes. It is hoped that this model can be used to by NCAI and the University of Maryland to undertake case studies in close collaboration with at least six tribes located in different biomes nationwide.

NCAI and the PRC have developed a network of experts and interested parties on tribal climate change, and have created a website to assist in those efforts (<http://climatechange.ncaiprc.org/>)

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NCAI and the PRC are also working with the University of Colorado Law School to develop a position paper to assist in advocacy efforts justifying an enhanced role of tribal governments in international forums. Currently, tribal governments are categorized as “observers” in international deliberations, on par with non-profit organizations, which is not commensurate with their status as sovereign nations. This effort is particularly critical as the world comes together in Copenhagen regarding the UN Framework Convention on Climate Change this December. The importance of indigenous traditional practices, which are inherently sustainable, time-tested, in harmony with the Earth, and climate resilient, are viewed with increasing respect and value—perceptions which must be manifest in terms of programs, protections, and advancement of the rights of Indigenous peoples and governments.

### **ENVIRONMENTAL PROTECTION AGENCY— ENVIRONMENTAL INFORMATION EXCHANGE NETWORK**

Following several years of individual grants, the NCAI just completed the first year of a five-year cooperative agreement with the Environmental Protection Agency Office of Environmental Information Exchange Network Program. This agreement focuses on increasing participation of tribal environmental programs in the program and assisting in technical assistance delivery. The Exchange Network is an Internet and standards-based system for electronically reporting, sharing and integration of



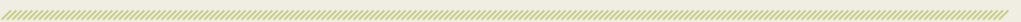


regulatory and non-regulatory environmental data by tribes and states. NCAI convened a national tribal conference, coordinated a national meeting tribal panel, and supported the Tribal Governance Group that is comprised of tribal representatives who serve on the Exchange Network governance boards. The NCAI also developed and submitted a Tribal Capability Survey to the EPA and Office of Management and Budget, which will assess tribal environmental capacity. A survey will be conducted in the second year of the grant.

## **AGRICULTURE**

United States Department of Agriculture programs address many aspects of tribal life, including agriculture, forestry, food distribution, renewable energy, community facilities and water infrastructure. NCAI has been working to improve tribal access to these programs and to ensure protection of tribal interests, starting with improvements within the USDA itself. NCAI is encouraging the establishment of an office and staff within Department headquarters on Native American issues. NCAI helped stave off the advancement of two regulations developed during the prior Administration: one which would have imposed regulations upon the tribal members harvesting traditional plants from Forest Service lands in contravention of a provision in the 2008 Farm Bill affirming such practices; and, 2) a proposed rule establishing regulations for subsistence uses in Alaska that would have concluded that Alaska Native Villages who have practiced traditional subsistence ways since time immemorial were not substantially and directly impacted by the propose rule.

NCAI continues to work with USDA and others to ensure that Recovery Act funding, especially from Rural Development programs valued at over \$1.3 billion in business investment, community facilities, water infrastructure, and waste disposal facilities reaches tribal governments, entrepreneurs, and other individuals. NCAI submitted testimony to the House of Representatives on these matters, including ensuring that the 10 percent set-aside of these funds for persistent poverty counties,



reaches Indian tribes, as eight of the 10 poorest counties in America are on Indian reservations. We continue to advocate with our partners, such as the Intertribal Agriculture Council and Rural Coalition, for increased funding for the Federally Recognized Tribal Extension Program (FRTEP). More than 97 percent of America's counties comprise over 3,100 extension offices with robust extension programs. FRTEP currently consists of 30 extension agents on Indian reservations. These programs, however, serve less than 4 percent of tribal members living on their reservations.

Finally, NCAI continues to seek implementation of tribal provisions in the Farm Bill, including ensuring that the Food Distribution Program on Indian Reservations supports the purchase of bison meat from Native American bison producers and producer-owned cooperatives. Furthermore, NCAI supports the establishment of a “Traditional and Locally Grown Food Fund” that allows for the purchase of traditional and locally grown foods, including those produced by Native American farmers and ranchers in food packages.

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#### **LAW ENFORCEMENT: TRIBAL LAW AND ORDER ACT OF 2009 [S. 799/H.R. 1924]**

With the recent press reports detailing the disproportionate crime rate and lack of law enforcement response in Indian communities, NCAI is making progress in addressing longstanding tribal concerns about law enforcement. The Senate Committee on Indian Affairs has held a series of hearings on law enforcement. Chairman Dorgan has developed a major piece of legislation, the Tribal Law and Order Act, which would enhance coordination between federal agencies to improve investigation and prosecution of Indian country crimes, encourage more aggressive federal prosecution of reservation crimes at the federal level, enhance the sentencing authority of tribal courts, fund existing programs that support tribal courts, jails, youth programs and policing efforts in Indian country. The bill has 14 co-sponsors and bi-partisan support in the Senate. The House version of the bill (H.R. 1924) is sponsored by Congresswoman

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Herseth-Sandlin and currently has seven co-sponsors. NCAI is urging swift action on this legislation in 2009.

### **NCAI AND TRIBES CHALLENGE TAXABILITY OF TRIBAL BENEFITS**

Recently, the Internal Revenue Service (IRS) has made a number of serious challenges to tribal social welfare programs and is threatening to penalize tribal governments for providing tribal government services, such as health care, elder meals, and housing assistance. NCAI and many tribes are engaged in a two-track effort to convince Congress to amend the IRS code to specifically exempt tribal government services, and to engage the Treasury Department and the IRS in a consultation process that will result in internal policy changes on this issue. NCAI has proposed a legislative fix that would exempt health care benefits to be attached to the national “Health Care Reform” bill. We have received strong support in Congress so far, and will continue to push for the swift resolution of this issue with both Congress and the Administration.

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### **TOBACCO LEGISLATION AND THE COBURN AMENDMENT**

Two major bills received consideration in Congress this year that would significantly affect the taxation and regulation of tobacco sales. The Family Smoking Prevention and Tobacco Control Act has become law and gives the Food and Drug Administration broad authority to regulate the sale, advertising, and manufacture of tobacco products and to enforce the taxation of tobacco. The law envisions that the FDA will contract with state governments for enforcement. NCAI and tribes worked with Congress to protect tribal sovereignty by encouraging contracting with tribal law enforcement while preventing the FDA from contracting with states for enforcement on tribal lands. NCAI helped to stop an amendment offered by Senator Coburn that would have reversed these sovereignty protections.

The Prevent All Cigarette Trafficking Act (H.R. 1646 and S. 1147) has been approved by the House and is pending in the Senate. The law is aimed at requiring



Internet sellers of cigarettes to comply with the state tax and age verification laws of the jurisdiction where the cigarettes are delivered. Section 6 of the legislation is a series of provisions designed to protect tribal jurisdiction. Pursuant to NCAI Resolution ANC-07-038, NCAI continues to ask for hearings and more discussion on the PACT Act, and has asked that it not be passed through attachment to another vehicle.

### **NCAI PUSHES FOR RECOGNITION OF TRIBAL SOVEREIGNTY IN EMPLOYEE FREE CHOICE ACT**

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The Employee Free Choice Act (EFCA) has been at the forefront of nation attention this year, as it would amend the National Labor Relations Act to make it easier for unions to organize. The EFCA directly affects tribal government interests. Two years ago in *San Manuel Indian Bingo and Casino v. NLRB*, the D.C. Circuit reversed 30 years of precedent and held that because there is no specific exemption for tribal governments under the NLRA, as there is for other governments, it would apply the NLRA to the “commercial” activities carried on by a tribal government. Because of this decision, if the EFCA passes its provisions, it will similarly apply to Indian tribes and will make it easier for unions to organize at tribal enterprises. At the NCAI Executive Council and Mid Year Sessions, the NCAI passed resolutions strongly supporting an amendment that would treat Indian tribes the same as other governments. NCAI is urging support for Senator Inouye’s amendment to EFCA and opposition to the EFCA unless it includes this amendment to protect tribal sovereignty.

### **DEADLINE FOR ADAM WALSH ACT COMPLIANCE PUSHED BACK ANOTHER YEAR**

Tribal and state governments have been hard pressed to meet the numerous requirements under the Adam Walsh Act (AWA) for the development of sex offender registries. Few, if any tribes or states, would have been in compliance by the date of the original deadline. Although many tribes may have already filed for an extension, the

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Administration formally pushed back the date for all AWA compliance to July 27, 2010.

In addition to giving tribes more time to meet the stringent compliance requirements, this delay also provides tribes with more time to advocate for practical solutions to make implementation possible. The cookie-cutter compliance mandated under AWA is insufficient in their current form for practical implementation in Indian Country. Most significantly, there is no money to facilitate compliance with the AWA. Tribes need to continue to urge their Representatives and the Department of Justice (DOJ) to examine these issues. NCAI is working with this Administration, the DOJ, and other organizations to tackle these important issues.

### **TRIBAL SUPREME COURT PROJECT—RISING TO THE CHALLENGE OF *CARCIERI***

The Tribal Supreme Court Project is part of the Tribal Sovereignty Protection Initiative and is staffed by NCAI and the Native American Rights Fund. The purpose of the Project is to promote coordination and improve strategy on litigation that may affect the rights of all Indian tribes. During its 2008 term, the U.S. Supreme Court decided three cases relating to federal Indian law.

The most significant challenge is the Court's decision in *Carcieri v. Salazar*, where Court held that the Indian Reorganization Act (IRA) applies only to Indian tribes that were "now under federal jurisdiction" on the date of enactment—June 18, 1934. NCAI passed a resolution at its 2009 Executive Council Winter Session with a two part strategy: first, calling on Congress and the Administration to amend the IRA to clarify that the IRA applies to all federally recognized tribes; and second, requesting that the Secretary of Interior consult with tribes on implementation of the decision during the interim. NCAI continues to lead a significant effort to press both Congress and the Administration for a solution that will ensure that all federally recognized tribes are able to acquire land in trust.

NCAI and the Project also participated in briefing *U.S. v. Navajo Nation* or *Navajo II*, part of the ongoing litigation that reached the Supreme Court in 2003 in



Navajo I. In this second round, the Supreme Court essentially reiterated its holding that the Indian Mineral Leasing Act did not establish specific trust duties, which mandates compensation for breach of trust. The Project also contributed an amicus in *State of Hawaii v. Office of Hawaiian Affairs*. Here the Court reversed the decision by the Supreme Court of Hawaii, which enjoined the sale of Native “ceded lands” held in trust by the state. However, the Court remanded the case and recognized that the Office of Hawaiian Affairs, on behalf of Native Hawaiians, may have property rights in the land in question and “broader moral and political claims for compensation for the wrongs of the past” as a matter of Hawaiian law.

These are just a few of the important cases that the Project addressed this year and will continue working on in the coming year. We would like to thank all of the tribes and tribal attorneys for their generous assistance and gracious cooperation. We encourage tribes to consult with the Project at any stage of litigation, and particularly at the certiorari stage in the Supreme Court. Please contact NCAI General Counsel John Dossett at [jdossett@ncai.org](mailto:jdossett@ncai.org) or NARF Attorney Richard Guest at [richardg@narf.org](mailto:richardg@narf.org).







## VETERANS

After several years of effort, which included NCAI resolutions and advocacy work, the Tribal Code Talker Recognition Act was passed. With broad bi-partisan support from Congress and a large unified tribal position, the legislation moved through the legislative process. This new law honors the Code Talkers from a number of tribes by providing a silver medal to every Code Talker, with their Tribe's own unique design, and gold medals to each tribe that had Code Talkers in World Wars I and II.

The NCAI also assisted in the notification to Indian Country. The notification is to identify American Indian and Alaska Native veterans, heretofore unacknowledged, who served in this historic military initiative. This year, the Army Center of Historical History is in the process of researching and compiling a list of Native American tribes and, to the extent possible, individuals who were involved in code-talking activities during World War I and World War II. The Secretary of the Army is determining which tribes need to be represented on the design committee for the medal as representative organizations. The U.S. Mint has been in discussion with them, but a timeline has not yet been set.

The NCAI continues to update Native veterans about medical, housing, employment, and other benefits, primarily through its Veterans Committee.

**“This new law honors the Code Talkers from a number of tribes by providing a silver medal to every Code Talker...”**





# Wisdom: Tools for the



The National Congress of American Indian Youth unite as a commission of all backgrounds and ages to strengthen the past, present, and future of our unity, knowledge and wisdom; to serve our people's concerns and interests by enhancing our spiritual, mental, physical, and emotional well-being for a better Native America.

## PURPOSE

The NCAI Youth Commission is designed specifically for college and high school students with an interest in political science, tribal government, and Native American legislative and governmental affairs.

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The Youth Commission provides a youth perspective with issues that concern the youth. It is to be a resource to NCAI and tribal leaders. It is an opportunity to acquire knowledge from NCAI and tribal leaders about the process of NCAI and tribal politics. Most importantly, the NCAI Youth Commission is an avenue to provide a unified voice for ALL Native American and Alaskan youth.

### What the Youth Commission can offer:

- **MENTORING PROGRAM:** spending time with an elder, leader or delegate.
- **VOLUNTEERING:** a valuable learning experience working “behind the scenes” to see NCAI in action.
- **INFORMATIVE WORKSHOPS:** learning from professionals in their field.
- **LEADERSHIP TRAINING:** hands on experience in leadership development.



First place winners of the Tribal Exchange Stock Market game are Mescalero Apache Tribe high school freshman students Caleigh Palmer, Tristine Chico and M'Linn Hanks with Coach Stephen Baker.

Stock Market game winner receiving her certificate at a Financial Literacy briefing on Capitol Hill in Washington, DC.

# future of our youth.

- **YOUTH LUNCHEON:** keynotes, honoring elders, mentors and youth.
- **ADDRESSING ISSUES:** through resolutions, lobbying and sharing as well as learning.
- **A VOICE WITHIN NCAI:** participants will learn the process of NCAI as well as contribute to changes.

The NCAI Youth Commission met at both the Annual Convention and the Mid-Year Sessions were held under the leadership of Commissioner Alexa Old Crow, a member of the Cheyenne Arapahoe Tribe, Alternate Commissioner Jalea Walker, a member of the Smith River Rancheria, Commissioner Isaac Juan, a member of the Pueblo of San Ildefonso, Alternate Commissioner Karl Duncan, a member of the Mandan, Hidatsa, Arikara and San Carlos Apache Tribe and Secretary Francisco Manuel, Tohono O'odham Nation. The Youth Leadership serves a two-year term and is elected by their youth peers during their annual meeting every two years.

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## **NCAI YOUTH AMBASSADOR LEADERSHIP PROGRAM [YALP]**

The NCAI Youth Ambassador Leaders are J'Shon Lee a member of the White Mountain Apache Tribe and Quintin Lopez, a member of the Tohono O'odham Nation. Both Youth Ambassadors serve two-year terms and their terms will expire in October 2010 at the 67th Annual Convention in Albuquerque, New Mexico. The National Congress of American Indians is proud of the Youth Commissioners and Youth Ambassadors.

NCAI Youth Ambassador Quintin Lopez and Tohono O'odham Nation Youth Council representatives enjoy the Congressional Banquet during ECWS held at the National Museum of the American Indian.

Students and faculty from the Native American Community Academy in Albuquerque, NM visited the NCAI Embassy of Tribal Nations on June 24, 2009.





# Native Vote: Indian Country's

**T**he National Congress of American Indians National Native Vote campaign is an on-going non-partisan effort to increase political participation by American Indians and Alaskan Natives in the American electoral process.

During the past year, Native Vote has focused on increasing the Native Vote participation in 20 states and has also targeted key precincts within those states, in addition to identifying state and tribal coordinators. With the identification of these precincts, the Native Vote campaign has been successful in building baseline data for voter registration and turnout, which can be used for targeting Native communities and strategic planning for years to come.

The 2008 initiative created a national infrastructure and network for empowering the Native Vote throughout the United States.

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NCAI's Native Vote target states included: Alaska, Arizona, California, Colorado, Idaho, Michigan, Minnesota, Montana, North Dakota, Nevada, Oklahoma, South Dakota, Washington, and Wisconsin.

The cornerstone of NCAI's Native Vote initiative was to conduct trainings in tribal communities all across the country so that there is no longer reliance on outside entities engaging in electoral strip-mining on tribal land.

NCAI's 2008 Native Vote Campaign included four core initiatives:

- 1. Native Vote Get-Out-The-Vote (GOTV) Trainings:** providing tribal communities with training to educate, engage and mobilize Native voters in their communities. These trainings helped tribes create GOTV plans and create databases of all registered Native American voters in their community.
- 2. Native Vote Election Protection Project:** ensuring the fairness of voting laws and protecting Native voters on Election Day.



# Voice

- 3. Candidate Education:** educating candidates on the federal, state, and local level on the issues most important to Indian Country.
- 4. Native Vote Media Campaign:** communicating Native Vote message to local, regional, and national media in the Native and non-Native media to engage the base and educate the general public.



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(Pueblo of San Juan)*

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**SOUTHEAST**

Archie Lynch  
*Haliwa-Saponi Tribe*

**SOUTHERN PLAINS**

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*Cheyenne-Arapaho Tribe*

**SOUTHWEST**

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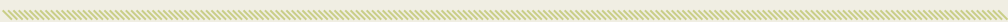
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