



# WE STILL STAND STRONG

2010 ANNUAL REPORT  
NATIONAL CONGRESS OF AMERICAN INDIANS



WE  
STILL  
STAND  
STRONG



SELF-DETERMINATION  
SELF-RELIANCE  
NATION-TO-NATION  
SOVEREIGNTY





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Dear Members, Friends, and Supporters,

Strength is the enduring trait of power, perseverance, and fortitude. We use the word “strength” quite often when thinking about or describing the world around us. It is used to describe the physical capability of our bodies, the toughness of our minds, and the passion in our hearts. The economists of the world talk about the strength of the economy and the market. Architects use the concept to determine the load a bridge can bear and requirements for the foundation of a house. As humans, we quantify and qualify our world by the measure of strength.

The theme and the content of the 2010 Annual Report of the National Congress of American Indians (NCAI) is a reflection on the measure of our strength as Native people. In my first year as the President of NCAI, I have been proud to work alongside members of the organization during a period that reaffirms what all members of Indian nations know, “we still stand strong.”

In this report, you will find the measures of our strength as an organization as we bring together the voices of Indian Country in common purpose. This year we witnessed the realization of the vision for a permanent home in Washington, D.C. for tribal governments and Native people. We stood together to celebrate that historic moment as the Embassy of Tribal Nations opened. A new President of the United States came before us and gave direction to his Administration to deliver on the commitments for change in nation-to-nation relations. We stood together and applauded him as his Administration worked with the U.S. Congress to enact landmark pieces of legislation only months after outlining that course. Our voices have also come together in common cause to support the *Cobell* Settlement and seek a *Carciери* fix. In the years ahead, we will continue to stand together with strength and unity, and see our communities bolstered by NCAI’s efforts.

The most important display of NCAI’s strength is found in the core of our organization, the members. There are not enough pages to tell the stories of the past year, when the actions of our members led to gaining new capacities, infrastructure, and resources for Indian Country. For it is not only the visible expression of strength that defines us, it is the spirit of our people and communities where our strength endures.

We, as Native people, still stand strong, and the National Congress of American Indians stands as a measure of that strength of purpose. We have many years ahead of us, however, I want to thank you for being part of this year and continuing the legacy of our work for the generations to come.

Sincerely,



JEFFERSON KEEL  
PRESIDENT  
NATIONAL CONGRESS OF AMERICAN INDIANS  
LT. GOVERNOR, CHICKASAW NATION

EXECUTIVE BOARD

**PRESIDENT**  
JEFFERSON KEEL, CHICKASAW NATION

**1ST VICE-PRESIDENT**  
JUANA MAJEL-DIXON, PAUMA BAND - MISSION INDIANS

**SECRETARY**  
THERESA TWO BULLS, OGLALA SIOUX TRIBE

**TREASURER**  
W. RON ALLEN, JAMESTOWN S'KLALLAM TRIBE

REGIONAL VICE-PRESIDENTS

**ALASKA**  
BILL MARTIN, CENTRAL COUNCIL TLINGIT-HAIDA

**GREAT PLAINS**  
MARCUS LEVINGS, MANDAN, HIDATSA & ARIKARA

**MIDWEST**  
MATTHEW WESAW, POKAGON BAND OF POTAWATOMI

**NORTHEAST**  
LANCE GUMBS, SHINNECOCK INDIAN NATION

**NORTHWEST**  
BRIAN CLADOOSBY, SWINOMISH TRIBE

**PACIFIC**  
DON ARNOLD, SCOTTS VALLEY BAND OF POMO INDIANS

**ROCKY MOUNTAIN**  
SCOTT RUSSELL, CROW TRIBE

**SOUTHEAST**  
ARCHIE LYNCH, HALIWA-SAPONI

**SOUTHERN PLAINS**  
ROBERT TIPPECONNIC, COMANCHE

**SOUTHWEST**  
JOE A. GARCIA, OHKAY OWINGEH

**WESTERN**  
IRENE CUCH, UTE INDIAN TRIBE

Dear Members, Friends, and Supporters,

In so many ways this year has truly been a signature year for Indian Country and the National Congress of American Indians. We recognize that the efforts of NCAI leadership, members, and partners over the last sixty-seven years have positioned us to move forward some of the most significant and meaningful initiatives and legislative priorities of Indian Country.

As you will see on the pages of this Annual Report, our combined efforts yielded numerous victories in our journey to continue strengthening our tribal nations. This year, we took noteworthy strides in making our communities safer, making our families and communities healthier, protecting the cultures and traditions of our people, ensuring the trust responsibility of the federal government is upheld, and ensuring the sovereignty of our nations is recognized.

NCAI has grown—in convening power, political clout, expertise, and partnership capacity. The Embassy of Tribal Nations in Washington, D.C. is a cultural beacon in the nation’s capital; at the same time, it is a permanent symbol of our presence and voice.

We are a national congress of tribal governments and communities, bringing together the voices of all Native people, and we must continue to communicate that to our neighbors, the governments with whom we share borders, and the people with whom we share common bonds of citizenship. There is no greater moment than now to push forward our collective agenda, as NCAI stands strong and continues to be empowered by the members who have built this institution.

I would like to personally thank the Executive Board, our members, NCAI volunteers, and our partners, both Native and mainstream coalitions and organizations, for their undeterred commitment to our mission. Without your leadership and service, NCAI cannot stand. You lead us, and that is why “we still stand strong.”

Sincerely,



JACQUELINE JOHNSON PATA  
EXECUTIVE DIRECTOR  
NATIONAL CONGRESS OF AMERICAN INDIANS



# A DREAM REALIZED:

## *The Embassy of Tribal Nations*

2009 was historic in many regards. Most historic of all was the opening of the Embassy of Tribal Nations in Washington, D.C. on November 3<sup>rd</sup>. Representatives from all corners of Indian Country were joined by international dignitaries, Members of Congress, and Administration officials to celebrate the official opening of the National Congress of American Indians Embassy of Tribal Nations.

For more than ten years prior, Indian Country had the goal of owning a building to house the National Congress of American Indians and serve as a gathering place where tribal leaders could come to Washington, D.C. and work on the issues that face their communities. Over 700 people attended the Open House and Gala.

“For the first time since settlement, tribal nations will have a permanent home in Washington, D.C. where they can more effectively assert their sovereign status and facilitate a much stronger nation-to-nation relationship with the federal government,” said NCAI President Jefferson Keel.

The day started early on the morning of November 3<sup>rd</sup>, as tribal leaders, NCAI staff, NCAI alumni, and Native peoples from across the country participated in an emotional sunrise blessing ceremony for the Embassy. Alma Ransom of the Mohawk Bear Clan conducted the ceremony. The historic opening coincided with the Obama Administration’s first Annual Tribal Nations Summit. The opening included traditional Native American cultural presentations and foods, and many attendees were dressed in traditional attire.



NCAI staff and fellows gather for a photo at the historic opening of the Embassy of Tribal Nations.



# A SIGNATURE YEAR

## President Obama & the Tribal Nations Summit

In President Barack Obama, tribal nations have a dedicated partner in upholding the trust responsibility between the federal government and American Indian and Alaska Native tribes. In early campaign meetings, the candidate offered a series of pledges to Indian Country, one of which was an annual meeting with tribal leaders. In holding true to his promise, the 44<sup>th</sup> President of the United States convened the largest and most widely attended gathering of tribal leaders in the history of the United States in early November of 2009.

*“Today’s summit is not lip service. We’re not going to go through the motions and pay tribute to one another, and then furl up the flags and go our separate ways. Today’s sessions are part of a lasting conversation that’s crucial to our shared future.”* — PRESIDENT BARACK OBAMA

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President Barack Obama signs a memorandum directing all federal agencies to develop, within 90 days, a plan to improve tribal consultation.





President Obama addresses the largest gathering of tribal leaders with a U.S. President in the history of the United States.



NCAI Regional Vice President, Marcus Levings of the Three Affiliated Tribes, thanks the President and offers a question during the leader discussion.

“I’m absolutely committed to moving forward with you and forging a new and better future together. It’s a commitment that’s deeper than our unique nation-to-nation relationship. It’s a commitment to getting this relationship right, so that you can be full partners in the American economy and so your children and your grandchildren can have an equal shot at pursuing the American dream.” — PRESIDENT BARACK OBAMA

The Tribal Nations Summit with the President was historic in scope and scale. Following the Summit, the Administration acted swiftly and delivered significant measures to truly strengthen our nations. Since November 2009, the federal government and NCAI have worked on a vast array of issues impacting Indian Country, many of which are outlined in this report. Most significant were promises the President made in his remarks to those he met with in that historic gathering.

**HEALTH CARE.** The President promised to solve the health care crisis in tribal communities. With the Indian Health Care Improvement Act permanently reauthorized in Health Care Reform, tribal nations have a comprehensive way to move forward with providing accessible, high quality health care to their citizens.

**LAW ENFORCEMENT.** In discussion with tribal leaders, the President promised that he would take on law enforcement issues and work with us to make our communities safer. This past July, the President signed the Tribal Law and Order Act, which gives tribal and federal law enforcement officials the ability to make communities safer.

**CONSULTATIONS.** Agencies across the board have more actively and formally consulted with tribal governments. The Administration continues to improve the government’s approach to consulting tribal government officials and communities. In the year following the Summit, consultations on the United Nations Declaration on the Rights of Indigenous Peoples and the implementation consultations for the Tribal Law and Order Act are prime examples of the Administration’s new emphasis.

While the work is not yet complete, NCAI is dedicated to working with the Obama Administration and the United States government every step of the way to see that the promises made on that day, in November of 2009, are fulfilled.



# State of Indian Nations Address: “Sovereignty and the Future of Indian Nations”



“To be sovereign is to exercise the right to govern, and to protect the health, safety, and welfare of tribal citizens. We seek a growing government-to-government relationship with Washington. We come as participants, contributors, and fellow players, and we aim to be competitors and leaders. Sovereignty is indeed a net-plus for America.”

— 8TH ANNUAL STATE OF INDIAN NATIONS ADDRESS, REMARKS BY PRESIDENT JEFFERSON KEEL  
FRIDAY, JANUARY 29, 2010, NATIONAL PRESS CLUB, WASHINGTON, D.C.

The twentieth President of the National Congress of American Indians, Jefferson Keel, reflected on the status of tribal sovereignty and proposed a course of action for the Obama Administration in the 8th Annual State of Indian Nations Address, delivered in early 2010. The speech foreshadowed many things to come in what became a historic year for tribal relations with the federal government. President Keel outlined the practical value of sovereignty; the power of economic development and the Recovery Act; the challenges faced by Indian Country, including unemployment; and a way forward to advance tribal self-determination.

“Sovereignty is the self-determined path to economic growth, and to addressing chronic unemployment, education, crime, and so many of the problems our citizens face in their daily lives,” said Keel. “It contributes to the cultural diversity of the United States, and promotes voices and perspectives that may solve some of the nation’s many challenges.”

Presented in the days following President Obama’s 2010 State of the Union Address and following the President’s Tribal Nations Summit, Keel called on the Obama

Administration to take on seven priority areas, signaling “the time to convert good intentions into actions.” The seven priorities identified in the speech include:

- Restore tribal lands to our nations;
- Address law enforcement;
- Support tribal governmental parity;
- Focus on the health and well-being of young people;
- Improve the efficiency of distribution of funds to tribal governments;
- Strengthen interagency coordination to improve tribal infrastructure; and
- Support a legislative fix for last year’s *Carcieri* decision by the Supreme Court.

President Keel concluded the speech with these final words: “As we continue to exercise our sovereignty, Indian nations will receive the respect we have long deserved, and we can further engage in a government-to-government relationship that will transform lives in Indian communities. This is our most basic goal, and it will benefit Native people, and all Americans, for generations to come.”

# Annual Convention

66th Annual Convention, Palm Springs, CA  
October 11–16, 2009



“Indian Country Counts: Native Americans & the 2010 Census,” was the theme for the 66<sup>th</sup> Annual Convention and Tradeshow, held in Palm Springs, California, October 11–16, 2009. As an election year, it was the last of two successful terms with Joe Garcia, Ohkay Owingeh, at the helm of NCAI’s presidency. The Convention ushered in a two year term for President Jefferson Keel, Lt. Governor of the Chickasaw Nation of Oklahoma and former NCAI First Vice-President. In other election results, Juana Majel-Dixon, Councilwoman for the Pauma Band of Mission Indians was elected First Vice-President; Theresa Two Bulls, President of the Oglala Sioux Tribe, was elected Recording Secretary; and W. Ron Allen, Chairman of the Jamestown S’Klallam Tribe, was elected Treasurer. New Regional Officers were also elected. President Garcia’s final message to conference attendees called for unity among tribal leaders, and he praised them for their accomplishments over the previous four years.

The Convention theme was intended to raise awareness of the importance of getting an accurate Census count of American Indian and Alaska Native populations to ensure equitable federal funding and congressional representation. The Census campaign was woven throughout the week’s messages and activities, and Census Bureau Director Robert M. Groves signed a reaffirmation of the Census Bureau’s commitment to working with American Indians and Alaska Natives to ensure an accurate 2010 count at a press conference at the Annual Convention. Native Music Rocks sponsored a Census Jam event that helped get the message out.

Several key announcements were made at the Convention, including a statement from White House Senior Policy Advisor for Native American Affairs Kimberly Teehee, that President Obama would meet with tribal leaders in Washington, D.C. on November 5, 2009, fulfilling a commitment for an annual meeting with tribal leaders that President Obama made during his 2008 campaign.

Assistant Secretary for Indian Affairs Larry Echo Hawk also addressed delegates and entertained questions in the General Assembly, laying out his priorities as Assistant Secretary and those of the Obama Administration. Echo Hawk expressed his strong commitment to improvements in Indian education, law enforcement, and economic development. He also praised Department of the Interior (DOI) Secretary Ken Salazar as “one who looks out for Indian Country,” and announced the November 5<sup>th</sup> White House Tribal Nations Summit would be held at DOI.

Additional messages came from Sens. Max Baucus (D-MT) and Byron Dorgan (D-ND); both addressed the plenary session via video message due to their commitment to working on health care reform in Washington, D.C. Congresswoman Mary Bono Mack (R-CA 45<sup>th</sup>), Vice-Chair of the U.S. House of Representatives Native American Caucus, said she strongly supports the entrepreneurial spirit that has allowed some tribes to thrive. Bono Mack also touted the crucial role that tribes can play in America’s energy independence.

NCAI joined with the W.K. Kellogg Foundation to announce the official launch of the Partnership for Tribal Governance (PTG) at the Annual Convention. **SEE INITIATIVES: PARTNERSHIP FOR TRIBAL GOVERNANCE**



## Executive Council Winter Session

Washington, D.C., March 1–3, 2010

The National Congress of American Indians' Executive Council Winter Session focused on the President's Fiscal Year 2011 budget, strategies for tribal leaders to more effectively engage the Administration, and legislative proposals that would affect Native communities.

Before the first General Assembly, pre-meetings allowed for the exchange of information and sharing of tribal input on timely issues, including: federal recognition; violence against Native women; the fundamentals of health care reform and the Indian Health Care Improvement Act; land to trust; eagle feather use, acquisition, possession, and enforcement; and development of a national strategy for tribal natural resources.

General Assembly had a packed agenda, with messages from eight Cabinet Secretaries and Administrators as well as another seven speakers that hold positions in the Administration important to Indian Country. Attendees also heard from nine members of Congress regarding pending and future legislation impacting our communities.

The fourth and final General Assembly ended with messages from the White House. Valerie Jarrett, the Senior Advisor and Assistant to the President for Intergovernmental Affairs, spoke about funding for Indian programs, White House staff working for Indian Country, President Obama's Memorandum on Tribal Consultation, and the First Lady's "Let's Move" initiative, which was created to address childhood obesity. Kim Teehee, the Senior Policy Advisor for Native American Affairs, talked about the



"open door" policy for tribal leaders at the White House and the listening sessions that the White House would continue to hold in D.C. and throughout Indian Country.

A press conference with NCAI President Keel, National American Indian Housing Council Executive Director, Mellor Willie, and National Indian Health Board Secretary, Cynthia Manuel, was held to address the President's Fiscal Year 2011 budget proposal.

Conference attendees also got to participate in some evening activities. On Monday evening, NCAI held its 12th Annual Leadership Awards Dinner. The awards for 2010 were presented to: U.S. Congressman Xavier Becerra; Rear Admiral Eric B. Broderick; Elouise Cobell; Professors Joseph P. Kalt and Stephen Cornell. On Tuesday evening, attendees spent an evening at the National Museum of the American Indian for the Capitol Hill Legislative Reception, where all of the exhibits were open and participants had time to socialize with staff from Congress and the Administration.

After the conference adjourned, there were additional meetings to provide an opportunity for in-depth dialogue on critical issues, including: a tribal leader caucus to prepare for the HHS Budget Consultation; a National Criminal Justice Association and NCAI tribal-state collaboration meeting; the NCAI Tribal Homeland Security/Emergency Management Workgroup meeting; and an open discussion on the Department of Justice consultation plan.

## Mid-Year Conference

Rapid City, South Dakota, June 20–23, 2010



The tribes of the Great Plains hosted the Mid-Year Conference in Rapid City, South Dakota, on June 20–23, 2010. The theme was "Sacred Sovereignty." Over 1,100 people attended the conference. The Governor of South Dakota, M. Michael Rounds, highlighted the official Executive Proclamation that he had issued—that 2010 would be the "Year of Unity" among South Dakotans and Native Americans, and among the other ethnicities in the state. The local tribes welcomed attendees with a Pow Wow at the Rushmore Plaza Civic Center.

Before the start of the Conference, three large tour buses took tribal leaders and conference attendees on a tour of Pine Ridge and the surrounding area. Participants got to know the culture better and could see first-hand some of the successes and challenges in transportation, education, and sacred sites protection.

The NCAI Policy Research Center (PRC), the leading center for tribally-driven policy research at the national level, held its fifth annual Tribal Leader/Scholar Forum, bringing together tribal policymakers and leading researchers from around the country. The importance of tribally-controlled research was a common theme. One of five invited speakers, Dr. Traci Morris presented a study about Native Americans' broadband access and use. Dr. Morris recommended the development of a national tribal broadband advisory committee. Marcie Rendon, a free-lance writer in the Great Lakes area, presented findings from a study about Native artists and its implications for tribal governance.

At the close of the Conference, the NCAI membership passed a resolution strongly urging the United States Congress to pass the legislation authorizing the *Cobell* settlement. The resolution also expressed the desire of tribal leaders that some changes be incorporated within the agreement and in implementation of the settlement, such as including tribes in the land consolidation program and separate legislation to fix the trust system.

A National day of Prayer to Protect Native American Sacred Places, coordinated by the Morning Star Foundation, included a sunrise pipe ceremony conducted by former NCAI Area Vice President Frank Ettawageshik of the Little Traverse Bay Band of Ojibwe. During the three-day meeting of the Youth Commission at Mid-Year Conference, youth received unanimous support from the Executive Board to restructure the ambassador program and the commission board.



# Carcieri Summit

Washington, D.C., July 13, 2010

On July 13<sup>th</sup>, NCAI and the United South & Eastern Tribes (USET) came together to host the *Carcieri* Summit in the Senate Committee on Indian Affairs hearing room of the Dirksen Senate Office Building. Speakers included Secretary of the Interior Ken Salazar, White House Senior Policy Advisor Kimberly Teehee, Senator Byron Dorgan (D-ND), Senator Tom Udall (D-NM), Representative Tom Cole (R-OK), and Representative Raul Grijalva (D-AZ).

Because of tribal leaders' efforts before, during, and after the *Carcieri* Summit, the *Carcieri* fix legislation gained new

momentum in 2010. In July of 2010, the *Carcieri* legislation was included in the House Interior Appropriations Subcommittee mark up for the FY 2011 Interior appropriations bill. Before recessing for the elections, the Senate Appropriations Committee was scheduled to mark up its version of the same bill, and Chairman Daniel Inouye (D-HI) and Chairman Dorgan (D-ND) planned to offer the legislation. The mark up was postponed for other reasons, and was set to be addressed after the 2010 midterm elections.

# ADVOCATING FOR STRONGER TRIBAL NATIONS



Senator Byron Dorgan  
(D-ND)



FROM LEFT TO RIGHT Larry  
Echo Hawk, Earl Barbry,  
Paxton Myers, Buford L.  
Rolin, and Joe Garcia



Secretary of the Interior,  
Ken Salazar

PHOTOS: DAVID GEHMAN



# Indian Health Care Improvement Act

After over a decade of struggle, Indian tribes prevailed and won a considerable victory with the passage of the Indian Health Care Improvement Act (IHCIA) as part of the Patient Protection and Affordable Care Act.

During the White House Tribal Nations Summit, President Obama outlined his objectives for bringing health care to every American, including America's first peoples. The President, and the United States Congress, delivered on their promise to Indian Country, and largely due to the dedication of tribal leadership and the relentless efforts of the National Indian Health Board and the National Steering Committee on the Reauthorization of the IHCIA, the IHCIA was made permanent in August of 2010. A number of substantial improvements to our health systems were secured through the reauthorization. Some of the most promising improvements included: an exemption of American Indians and Alaska Natives from individual penalties and cost sharing, Indian health provider protections, and the exclusion of the value of tribally-provided health benefits from income. Finally, tribes were able to achieve permanent reauthorization of the IHCIA—a long-awaited and significant achievement.

# Tribal Law and Order Act



After years of hard work, Congressional oversight hearings, scrupulous drafting, and intense rounds of political negotiations, President Obama signed the Tribal Law and Order Act of 2010 (TLOA) into law on July 29, 2010. A moving ceremony at the White House that paid tribute to Indian women who have combated sexual assault and domestic violence marked the bill's passage.

While tribal concerns over public safety in Indian Country are not new, these concerns came to a head at the 2007 NCAI Mid-Year Conference. The firing of eight U.S. Attorneys who had worked hard to increase prosecutions and law enforcement on Indian reservations led NCAI delegates to pass a resolution calling on Congress

CONTINUED ON PAGE 20



President Obama comforts Lisa Marie Iyotte as she provides a stirring introduction at the Tribal Law and Order Act signing.



President Obama signs the Tribal Law and Order Act in the East Room of the White House, surrounded by members of Congress and leaders from Indian Country, including members of NCAI's Board, Theresa Two Bulls and Marcus Levings.

SEE BACK COVER FOR FULL LISTING



to take immediate action. NCAI was instrumental in drafting the initial legislation, delivering key testimony, and garnering grassroots support for the bill's enactment. Particularly moving testimony was delivered by Marcus Levings, Chairman of the Three Affiliated Tribes, before the House Judiciary Committee in December 2009, helping lawmakers understand the importance of the Act.

The Tribal Law and Order Act requires the Department of Justice to be accountable for its prosecution of reservation crime, empowers tribal law enforcement, and makes dozens of improvements to the criminal justice system in Indian Country. There remains much work to be done in implementing the new law, and now, more than three months after its enactment, the TLOA still seems to be gaining momentum in tribal communities. NCAI continues to aid in its implementation.

NCAI has developed a dedicated TLOA website to assist in disseminating implementation news and serve as a resource hub for relevant background documents. The website is a component of the National Criminal Justice Association (NCJA)/NCAI Tribal-State Collaboration and Justice Capacity Building Project—a training and technical assistance project funded by the Bureau of Justice Assistance. [WWW.NCAI.ORG/TLOA](http://WWW.NCAI.ORG/TLOA)

## Government-to-Government Consultation

At the historic Tribal Nations Summit hosted by the White House on November 5, 2009, President Obama committed to improve the partnership between the federal government and tribal nations. As an initial step toward fulfilling this promise, the President issued an executive memorandum directing all federal agencies to develop a plan for consultation and coordination with tribal governments, as intended by Executive Order 13175, issued by President Clinton. Soon thereafter, NCAI issued letters to federal agencies, urging their compliance with the new memorandum and making helpful recommendations on effective ways in which to consult with tribes.

NCAI was successful in reaching out to agencies, coordinating and assembling consultation plans, and meeting with agency representatives to discuss the development of their implementation plans and consultation policies. As a result of the memorandum and outreach efforts, federal agencies have stepped up their efforts to consult with tribes, and tribal leaders have seen unprecedented levels of tribal consultation on a broad array of issues. To advance the consultation discussion, NCAI encouraged feedback from agencies and solicited input from tribal leaders on effective consultations, agency partnerships, and communication methods, with the expectation that this effort will lead to more meaningful and valuable government-to-government relationships.



ADVOCATING FOR STRONGER TRIBAL NATIONS

Secretary of the Interior Ken Salazar addresses the Tribal Nations Summit, along with other senior Administration and Cabinet level officials.

### UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

A significant outcome of the first Tribal Nations Summit held by President Obama last November, the State Department agreed to formally review the U.N. Declaration on the Rights of Indigenous Peoples (Declaration), which the United States has failed to endorse. As part of this formal review, the State Department hosted three consultations with American Indian and Alaska Native tribes to gather their comments and concerns regarding the Declaration.

The consultations garnered broad tribal participation, signifying tribal interest in reinforcing their role in the international community and in supporting Indigenous rights. NCAI will continue to advance and monitor the issue closely as the Administration makes its decision regarding endorsement.





## Policy—Year in Review

### » Budget & Appropriations

The federal budget represents the values and priorities of the nation. Equitable funding that meets the health, education, and public safety needs of Native people is part of honoring the trust and treaty obligations to Indian Country. Per capita federal funding to Native people has long been lower than that provided to the U.S. population nationally. Over the last two years, appropriations to tribes for Fiscal Year 2009 and Fiscal Year 2010 have received substantial increases to many of the areas that tribal leaders have prioritized. The Administration and lawmakers, however, faced amplified pressure during the Fiscal Year 2011 budget process to rein in record deficits that threaten the economy. Some of the major programs areas, such as Indian Health Service and public safety at the Department of Justice, received significant increases in the President's budget request despite the President's push for a three-year freeze on domestic discretionary spending. The appropriations process was unfinished at the beginning of the 2011 Fiscal Year on October 1, 2010.

### » Business Development

Tribal communities continued to deal with stagnant employment and recession-like conditions that were exacerbated by the national trend; however, tribes had additional barriers placed in their way in the business development sector. NCAI and our partner organizations, the Native American Contractors Association and the National Center for American Indian Enterprise Development, worked to advance tribal issues in national business

development initiatives and protect the government contracting program in the face of new attacks from a few members of Congress and the media. NCAI and our partners strongly advocated for consultation after a new law included in the Department of Defense Authorization Act of 2010 mandated new levels of justification for sole source awards that will largely impact Native contractors. The consultations provided the federal-Indian context needed for implementing regulations by the Federal Acquisitions Regulatory Council.

### » *Carcieri*

In a 2009 decision regarding *Carcieri v. Salazar*, the U.S. Supreme Court limited the Indian Reorganization Act to only those tribes who were "now under federal jurisdiction" when the law was enacted in 1934. This decision has created harmful uncertainty and confusion about the ability of Indian tribes to restore their tribal land base and maintain public services and economic development.

Tribal leader efforts before, during, and after NCAI co-hosted a "*Carcieri* Summit" in Washington, DC on July 13<sup>th</sup>, gave the *Carcieri* fix legislation new urgency and momentum. The *Carcieri* Summit helped educate key Congressional members, and subsequently helped gain support for the required fix. NCAI has worked with a number of key organization partners and broad-based tribal leadership to move the legislative *Carcieri* fix forward in the hopes of avoiding time consuming and costly litigation arising from uncertainty in land determinations.

### » *Cobell*

As in previous years, the *Cobell* class action lawsuit for accounting for individual Indian trust accounts has dominated federal attention to Indian policy. The *Cobell* lawsuit, filed on June 10, 1996, was finally settled on December 8, 2009. The settlement seeks redress for claims that the federal government mismanaged individual Indian trust accounts. Under the terms of the Settlement, the federal government will create a \$1.4 billion Accounting/Trust Administration Fund and a \$2 billion Trust Land Consolidation Fund. The Settlement also creates an Indian Education Scholarship fund of up to \$60 million to improve access to higher education for Indians.

The settlement, however, requires Congressional approval, which has proven to be difficult. The lame-duck session of the 111<sup>th</sup> Congress may be Indian Country's opportunity to resolve the historic litigation and bring a measure of justice to account holders. NCAI has worked to provide key information, facilitate negotiation, and urge immediate passage of the *Cobell* Settlement.

### » Cultural Protection

The protection of cultural resources is an important mission of NCAI's work, as in all of our work we seek to guard the ways of life of Native people. This year, NCAI supported the enacted amendments to the Indian Arts and Crafts Act of 1990, legislation aimed at protecting the cultural integrity of American Indian/Alaska Native artisans and preventing economic encroachment by non-Indians and non-Natives engaging in false labeling and misrepresentation of arts and crafts. The amendments increase the penalties for counterfeiting and misrepresentation, and expand federal investigative authority.

While NCAI has a Policy Statement on Sacred Places to protect locations and landscapes that are integral to the exercise of American Indian and Alaska Native religions and cultural traditions, no federal statute expressly protects these sacred places from being destroyed by development, pollution, recreation, vandalism, and other public and private actions. NCAI is working with tribal practitioners, leaders, and attorneys to finalize draft legislation that would create a right of action for tribes and individual tribal members to sue in federal district court if their right to exercise their traditional Native American religion is violated.

American Indians and Alaska Natives are subject to laws governing use and possession of eagle feathers and many other protected species that are integral to Native religion and ceremonies. In partnership with tribal leaders and practitioners, Indian organizations, and federal officials, NCAI is working to adapt current laws and regulations, as well as develop new policies, to better secure tribal rights to use and possess eagle feathers. Proposed recommendations include better cooperation between federal and tribal law enforcement officials, tribal control over investigation and enforcement, a review of improper sting operations, and tribally-operated repositories.

### » Education

Tribal governments are vested in improving the education of their students and are looking at the upcoming reauthorization of the Elementary and Secondary Education Act (ESEA) as an opportunity to increase tribal participation in the public education system. To support these efforts, NCAI and our partners, the National Indian Education Association and the Tribal Education Departments National Assembly, worked with tribal leaders throughout the country to develop

## Policy—Year in Review CONTINUED

recommendations for the ESEA. And, for the first time, the Department of Education conducted regional consultations with tribal officials who provided testimony on a number of cross-cutting issues, such as: language preservation, teacher recruitment and retention, and increased coordination with the Bureau of Indian Education. As a next step, NCAI is urging the Department of Education to host a national tribal budget consultation with the Secretary of Education in 2011.

### » Energy

Under the leadership of Senator Byron Dorgan (D-ND), the Senate Committee on Indian Affairs introduced the Indian Energy Parity Act of 2010 on August 5, 2010. The bill seeks to level the playing field for tribal energy interests by streamlining burdensome processes and eliminating costs. The bill also seeks equitable tribal access to federal programs for energy development and energy efficiency. NCAI facilitated tribal participation in developing the bill and will continue to work with tribal officials, partners, and the Administration to advance the bill during the next Congress. In other congressional committees, NCAI has worked to include and protect tribal interests as various energy bills have been developed.

### » Homeland Security

Tribal leaders and emergency management officials have a clear and compelling interest in addressing how disasters are declared and how federal assistance is received when tribal communities are impacted by disasters. The Robert T. Stafford Disaster

Assistance Act governs tribal and state disaster and recovery under a federal disaster declaration. NCAI has addressed these concerns by working to amend the Act to include an increase in direct financial assistance and tribal capability prerequisites as well as reduce or eliminate the matching funds requirements.

The Western Hemisphere Travel Initiative (WHTI) requires all United States and Canadian citizens 16 and older to present a valid, acceptable travel document that denotes identity and citizenship when entering the U.S. by land and sea. While not all tribes find the unfunded mandate or additional data security provisions acceptable, in July 2010, the Pascua Yaqui Tribe was able to produce the first Enhanced Tribal Card in compliance with the WHTI. The Pascua Yaqui Enhanced Tribal Card recognizes tribal and U.S. citizenship. Other tribes are currently working to develop memorandums of agreement with the Department of Homeland Security Customs and Border Protection Office to develop compliant Enhanced Tribal Cards.

Department of Homeland Security Secretary Janet Napolitano worked with NCAI and tribal leaders directly to improve agency-tribal relations this year, including developing an agency-wide consultation policy. She has also pledged to appoint a tribal liaison.

### » Housing

NCAI has continued to partner with the National American Indian Housing Council (NAIHC) to ensure tribal housing conditions and needs are recognized and addressed by Congress and the Administration. In particular, NCAI and NAIHC continue to

work collaboratively on the implementation of the Native American Housing Assistance and Self-Determination Act to make certain tribal interests are considered in the Act's negotiated rule-making process. This partnership has enabled greater tribal participation in the regulatory process.

### » Land Recovery

Indian Country has seen significant progress on a key priority this year—the restoration of tribal homelands. The vast majority of Indian tribes are heavily affected by allotment and land loss. Reacquiring land into trust is critical for tribal cultural protection, preservation of natural resources, provision of basic services, housing, and economic development. The most significant challenge and frustration tribal leaders encounter in restoration of tribal lands is inaction and delay within the Department of the Interior.

Land to trust came to the forefront for tribal leaders during the NCAI Executive Council Winter Session. A letter from NCAI to Interior Secretary Ken Salazar resulted in a commitment to assertive action when processing tribal land acquisition applications. Secretary Salazar placed the land to trust directive in writing and gathered all BIA Regional Directors in March to encourage them to prioritize land into trust acquisitions. These actions led to tribal leaders across the country receiving quarterly reports on pending applications with specific details on actions taken and actions needed on each pending application. Indications, based on Interior efforts, are positive that land will be placed into trust and that applications are finally being processed.

Renewed Interior attention and communication is positive, but more work remains. In particular, NCAI continues to work with





## Policy—Year in Review CONTINUED

Interior to ensure unnecessary bureaucratic steps in environmental and title review do not create additional costs and delay the recovery of tribal homeland acquisition.

### » Natural Resources

NCAI is working with over 15 intertribal organizations to develop a national strategy to protect and promote natural resources in which tribes have an interest. As first peoples and stewards, tribal communities consider natural resources to be a growing tribal priority. The larger society is recognizing the pragmatic value of traditional ecological knowledge, and there has been strong tribal and federal interest and support for this long-needed initiative. One goal of the strategy is to overcome tribal exclusion from natural resource policy and end dozens of inequities in federal natural resources funding.

### » Recovery Act Implementation

After playing a pivotal role in ensuring tribal inclusion in the American Recovery and Reinvestment Act, NCAI continued to work with federal agencies to deliver timely information to tribal leaders on funding initiatives. At the same time, we embarked on a grassroots research project to understand the Act's impact on geographically diverse tribal communities. The report, entitled *Investing in Tribal Governments: Case Studies from the American Recovery and Reinvestment Act*, was released in March of this year and subsequently distributed to tribal leaders, Congress, and the media. The report is an important resource demonstrating the positive effect

of funding tribal government initiatives—for both tribes, and for surrounding communities. **INDIANCOUNTRYWORKS.ORG**

### » Tax & Finance

Tax and finance issues continued to pose challenges to sovereignty. Congress and the Administration considered the role of the federal government in taxing tribal government services and its role in limiting tribal government use of broad government financing tools. As part of the Patient Protection and Affordable Care Act, tribal governments gained clarity when Congress excluded from taxation health care benefits that were provided as a tribal government service. After considerable tribal outreach, the Department of Treasury is developing a report on the value of the “essential government function” test in determining whether a tribal government can gain access to lower cost government financing. This test has been extremely limiting for tribes and proven difficult to administer. NCAI facilitated agency outreach and coordinated a collective set of recommendations for new guidelines.

### » Telecommunications

Tribal governments have made remarkable gains in telecommunications policy. Tribal priorities were included in the National Broadband Plan, and tribes received priority access to broadcast licensing. These gains will serve as a foundation for significant inclusion in future national broadband and communications policy.

NCAI, along with our partners, Native Public Media, and the New America Foundation, developed recommendations for the National

Broadband Plan based on tribal input and a study detailing the level of telecommunications participation and need in Indian Country. The study supported the recommendations, which were carried forward in the National Broadband Plan. The National Broadband Plan includes steps to be taken by federal agencies and Congress to increase the nationwide deployment of broadband high speed internet communications networks. The plan sets out new methods to involve tribes and their institutions in the important regulatory and legislative goals that will create a new environment for broadband. Two goals that stand out are: the creation of a separate Tribal Broadband Fund to specifically deal with tribal adoption and the establishment of a Native American Affairs office within the Federal Communications Commission, which has already been created.

The Federal Communications Commission adopted an order that grants tribes a “Tribal Priority.” This new order will give tribes priority to obtain broadcast radio licenses to serve their respective communities. These radio services will encourage community involvement, promote cultural sustainability, serve an emergency management role, and provide diversity within the broadcasting community.

### » Transportation

In preparing tribal transportation priorities for the upcoming highway reauthorization legislation, NCAI partnered with the Intertribal Transportation Association (ITA) to form a joint task force. The current transportation authorization, Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59, expired on September 30, 2009. The NCAI-ITA joint task force will ensure Indian tribes benefit from the next highway authorization bill by continuing to build upon

the progress made in SAFETEA-LU. Success in the next authorization depends on all tribes working together to broadly support tribal transportation programs.

### » Tribal/Interior Budget Council

The Tribal/Interior Budget Council (TIBC), formerly known as the Bureau of Indian Affairs/Tribal Budget Advisory Council, was established in 1999 to facilitate tribal government participation in the planning of the BIA budget. It includes two tribal representatives from each of the 12 BIA regions.

The mission of the TIBC is: to provide an advisory government-to-government forum and process for tribes and the Department to develop budgets that allow for the fulfillment of tribes' self-determination, self-governance, sovereignty, and treaty rights, as well as sufficient levels of funding to address the needs of tribes and their tribal citizens. NCAI provides analysis of budget and appropriations relevant to tribes, offers technical assistance, and coordinates strategy development and messaging with tribal leaders and Indian organizations.

# INITIATIVES IN ACTION

## NCAI Policy Research Center



The Policy Research Center (PRC) celebrated its seventh year as a core program of NCAI. Launched by NCAI leadership in 2003, the PRC was established as a national tribal research center focused on issues facing tribal communities.

Guided by a diverse and distinguished advisory council, the PRC works alongside its partners to provide the necessary tools and information to enhance tribal public policy. Our work is focused on shifting the discourse in Native policy from a problem-focused approach to truly proactive, future-thinking strategy development.

The mission of the PRC is to: *Provide tribal leaders with the best available knowledge to make strategically proactive policy decisions in a framework of Native wisdom that positively impact the future of Native peoples.*

In our seventh year working to *support Indian Country in shaping its own future*, the NCAI Policy Research Center achieved the following successes:

### **PROVIDED RESEARCH PRODUCTS AND DATA ANALYSIS TO SUPPORT NCAI'S ADVOCACY ACTIVITIES**

Key legislative victories for Indian Country in the health reform and financial regulation bills were supported by PRC research. The PRC also developed a detailed analysis of the Recovery Act investment. To support NCAI's 2010 Native Vote initiative, the PRC

provided an analysis of eligible Native voter populations of key states to help develop a national Native voter engagement strategy. These resources can be found on the NCAI PRC Website.

### **CREATED NEW RESEARCH THROUGH "COMMUNITIES OF PRACTICE"**

The PRC commissioned six new papers focused on Indian child welfare, climate change, and tribal governance using a "community of practice" approach to facilitating collective research and policy agendas. The Center has developed expertise with this approach and has provided significant technical assistance to outside partners and organizations, such as for the implementation of the recently passed Tribal Law and Order Act.

### **DEVELOPED RELATIONSHIPS WITH MAINSTREAM THINK TANKS THAT RESULTED IN RESEARCH PRODUCTS TO SUPPORT INDIAN COUNTRY**

We hosted a convening of D.C.-based think tanks at the Embassy of Tribal Nations to highlight the role of tribes in federal policy. We also partnered with the Economic Policy Institute to generate a policy brief on American Indian unemployment and partnered with the Institute for Policy Studies in producing a report on the impact of the "great recession" on Native communities. Finally, the PRC convened researchers and policy centers that represent communities affected by unreliable social and economic data and published a paper on new American Community Survey data for Indian Country.

CONTINUED ON NEXT PAGE



### DEVELOPED A NEW INITIATIVE TO BUILD INDIAN COUNTRY'S CAPACITY TO FIND AND ACCESS RESEARCH AND OTHER RESOURCES

Acting on direction from our National Advisory Council, the PRC launched an initiative that aims to build Indian Country's clearinghouse capacity. Through a new partnership with the Information School at the University of Washington, we commissioned a report that assesses the PRC's current clearinghouse and provides recommendations to build the capacity to better organize resources and make them available to our stakeholders.

### PRODUCED A RESEARCH REGULATION TOOLKIT AS PART OF THE TRIBAL LEADER/SCHOLAR FORUM

Our fifth annual Tribal Leader/Scholar Forum, held in Rapid City, SD, provided us with the opportunity to reflect on the accomplishments of the Forum's first five years. We also distributed our research regulation toolkit to the more than 1,000 conference participants.

### COMPLETED RESEARCH THAT BENEFITS NATIVE PEOPLE: A GUIDE FOR TRIBAL LEADERS

After significant consultation with tribal leaders to develop a tool that would serve as the foundation of our capacity building work, our five module research curriculum was finalized. The product has generated significant community interest and led to the delivery of fee-for-service trainings.



### IMPROVED OUR CAPACITY TO COLLECT INFORMATION AND TAKE DIRECTION FROM TRIBAL LEADERS

The PRC purchased survey software, allowing us to host our own data in-house at the Embassy of Tribal Nations. Our capacity was also enhanced through the purchase of tablet personal computers and mobile survey software to capture tribal leader perspectives on research questions. Using the new tablets and software, PRC staff engaged a record number of tribal leaders and conference attendees (more than 500 responses) in prioritizing elements of an Indian Country research agenda at the 2010 Mid-Year Conference.

### PRODUCED INDIAN COUNTRY BUDGET REQUEST

The FY 2011 Indian Country budget request document benefitted from our expanding partnership efforts and enhanced research capacity. The document provided the foundation for President Keel's inaugural State of Indian Nations address and underscored the continued need for federal investment in infrastructure, public safety, and health care so that resources for tribal governments reach parity with non-Indian governments.

### MANAGED INDIAN COUNTRY COUNTS 2010 CENSUS CAMPAIGN

PRC staff partnered with a coalition of civil rights organizations and developed a community engagement strategy that mobilized more than 1,500 Indian individuals and 270 tribes. The campaign generated private foundation investments of more than \$500,000 to ensure an accurate Census count in Indian Country. *Indian Country Counts* will be an ongoing project of the PRC as we seek to make quality data available to tribal communities.

(SEE PAGE 32 FOR MORE ON THIS INITIATIVE.)

### CONTINUED TO REFINE OUR "THINK TANK" MODEL

The PRC hosted a regional leader-to-leader "think tank" meeting in partnership with the Salt River Pima-Maricopa Indian Community, building on the success of and lessons learned from previous think tank conversations on the issue of per capita payments; tribal leaders from across Arizona participated. We also hosted a national "think tank" focused on the issue of tribal citizenship.

### ENHANCED EFFORTS TO BUILD THE NEXT GENERATION OF NATIVE SCHOLARS AND ADVOCATES

PRC staff provided mentoring to our second joint fellow in the Urban Institute's Summer Academy program. The program has developed two high capacity Native researchers and deepened our partnership with the Urban Institute. The PRC also partnered with the National Rural Assembly to plan the National Rural Youth Assembly, an event that included the participation of 14 young Native people among the 50 delegates.

### BUILT OUR INTERNAL CAPACITY TO SUPPORT FELLOWS AND INTERNS

We hosted our first post-doctoral fellow, a position that allowed us to build research support for NCAI's advocacy and strengthen the capacity of scholars seeking to conduct tribally-driven research.

### MANAGED SIGNIFICANT FEDERAL AND PRIVATE GRANT PARTNERSHIPS

The PRC successfully secured our first National Institutes of Health grant; our research proposal, developed with partners at the University of New Mexico and the University of Washington, received the highest score in our applicant pool. We also concluded our highly successful grant from the Administration for Native Americans and secured new grant resources from a range of funders.

### REPRESENTED INDIAN COUNTRY ON AN ARRAY OF NATIONAL BOARDS AND ADVISORY GROUPS

PRC staff represented the interests of Indian Country on the following boards/advisory groups: 2010 Census Advisory Committee; Closing the Racial Wealth Gap initiative; National Rural Assembly steering committee; Race and the Economy Forum; Research and Training Center for Pathways to Positive Futures national advisory board; Robert Wood Johnson Foundation Center for Health Policy national advisory board; Rural Policy Research Institute national advisory board; and Social Services Research Clearinghouse technical workgroup.

#### NCAI POLICY RESEARCH CENTER ADVISORY BOARD

**W. RON ALLEN**, CHAIRMAN, JAMESTOWN S'KLALLAM TRIBE, AND TREASURER, NCAI

**SHERRY SALWAY BLACK**, DIRECTOR, PARTNERSHIP FOR TRIBAL GOVERNANCE, NCAI

**EDDIE F. BROWN**, PROFESSOR AND DIRECTOR OF AMERICAN INDIAN STUDIES, COLLEGE OF LIBERAL ARTS AND SCIENCES, ARIZONA STATE UNIVERSITY

**TERRY CROSS**, EXECUTIVE DIRECTOR, NATIONAL INDIAN CHILD WELFARE ASSOCIATION

**JOHN ECHOHAWK**, EXECUTIVE DIRECTOR, NATIVE AMERICAN RIGHTS FUND

**JOSEPH GONE**, ASSISTANT PROFESSOR, DEPARTMENT OF PSYCHOLOGY, UNIVERSITY OF MICHIGAN

**GRETA GOTO**, PRESIDENT/CEO, GLG CONSULTING

**JACKIE JOHNSON PATA**, EXECUTIVE DIRECTOR, NCAI

**CAROL JUNEAU**, SENATOR, STATE OF MONTANA

**ANDREW LEE**, CHIEF OF STAFF TO PRESIDENT MARK BERTOLINI, AETNA, INC.

**JUANA MAJEL-DIXON**, COUNCILMEMBER, PAUMA-YUIMA BAND OF MISSION INDIANS, AND FIRST VICE-PRESIDENT, NCAI

**ELIZABETH MEDICINE CROW**, DIRECTOR, ALASKA NATIVE POLICY CENTER, AND VICE-PRESIDENT, FIRST ALASKANS INSTITUTE

**ALAN PARKER**, DIRECTOR, NORTHWEST INDIAN APPLIED RESEARCH INSTITUTE, EVERGREEN STATE COLLEGE

**PAT SEKAQUAPTEWA**, EXECUTIVE DIRECTOR, NAKWATSWEVAT INSTITUTE

**BENNY SHENDO**, LIEUTENANT GOVERNOR, PUEBLO OF JEMEZ

**CRIS STAINBROOK**, PRESIDENT, INDIAN LAND TENURE FOUNDATION

**VICTORIA SUTTON**, ROBERT H. BEAN PROFESSOR OF LAW, TEXAS TECH UNIVERSITY SCHOOL OF LAW

**EDDIE TULLIS**, COUNCILMAN, POARCH BAND OF CREEK INDIANS

**PRC WEBSITE: [WWW.NCAIPRC.ORG](http://WWW.NCAIPRC.ORG)**

# Indian Country Counts Campaign: Census 2010



To ensure all American Indians and Alaska Natives were accurately counted in the 2010 Census,

NCAI launched the *Indian Country Counts* campaign in 2009. Historically, American Indians and Alaska Natives are one of the most undercounted groups of any population in the U.S.—12.2 percent of Natives on reservations were missed in the 1990 Census compared with 1.2 percent of all people in the U.S.

To reverse this trend, NCAI partnered with the U.S. Census Bureau, the Leadership Conference Education Fund, and other national partners to create a nationwide public education and outreach campaign around the 2010 Census. The campaign also worked with grassroots partners to mobilize and provide support to tribal leaders to help

them educate their communities about the importance of being counted by the Census.

Although the Census Bureau will not be able to estimate the 2010 undercount until next year, initial feedback indicates that the *Indian Country Counts* campaign played a significant role in getting Indian Country counted. Tribal communities were educated, took advantage of the campaign's resources, and spread the word—through rallies, websites, newsletters, event sponsorships, videos, and much more.

A highlight of *Indian Country Counts* was the pledge campaign conducted online and at NCAI conference events. In exchange for committing to undertake at least three activities to promote the Census in their communities, individuals received a free *Indian Country Counts* t-shirt customized with their tribal affiliation. Nearly 1,700 people participated in the pledge campaign, which resulted in grassroots organizing and

a wave of tribal pride across Indian Country. Residents of Noorvik, Alaska, where the 2010 Census kicked off, were the first to proudly wear their t-shirts proclaiming “I’m Inupiaq, and I Count!”

Throughout the campaign, NCAI accomplished the following:

- Constructed an interactive web portal which received almost 19,000 visits **INDIANCOUNTRYCOUNTS.ORG**;
- Distributed nearly 7,000 copies of two educational publications—*2010 Census: A Call to Action* and *Census Toolkit for Tribes*;
- Produced and mailed out nearly 13,000 *Indian Country Counts* t-shirts;
- Dispersed 12,500 stickers, 2,500 magnets, and 1,000 postcards;
- Conducted four instructional webinars reaching over 1,800 viewers;
- Hosted a national Student Art Competition to encourage Native youth to support their families' participation in the Census, with 86 students from 12 states and 25 tribes submitting entries;

- Participated in local, regional, and national Native conferences and meetings through workshops, plenary presentations, and exhibits; and
- Published editorials, print and online advertisements, and e-mail blasts throughout the campaign.

As the 2010 Census winds down, the *Indian Country Counts* campaign continues to move forward by working with the Census Bureau on the American Community Survey process, which has serious implications for Indian Country.

The *Indian Country Counts* campaign was made possible by the generous support of the Annie E. Casey Foundation, Bill and Melinda Gates Foundation, Ford Foundation, and the Open Society Institute. We thank them for their contribution to this important work.





## Native Vote

The 2010 election cycle included some of the most intense and controversial races in recent history. Eighty-eight percent of Congress was up for re-election, and many of these seats were deeply contested by viable candidates. Although Republicans and Democrats extensively courted Native voters, they were not as effective as grassroots organizers from Indian Country. Through grassroots mobilization and online organizing, the Native Vote initiative was able to offer extensive training on voter registration, election protection, and effective Get-Out-The-Native-Vote efforts.

### ELECTION PROTECTION

Because this election year was marked by close races and contentious campaigning, many tribal communities were targets for voter disenfranchisement. Native Vote was able to play an instrumental role by speaking out and advocating on behalf of tribal communities that were experiencing extreme injustices. This was especially so in areas like South Dakota, North Dakota, and Alaska. When the cases were resolved, they all favored tribal communities.

### VOTER REGISTRATION AND GET-OUT-THE-NATIVE-VOTE

Native Vote kicked off the election year by offering a day-long training session at NCAI's Mid-Year Conference in South Dakota. Toolkits were distributed, and promotional items were given to tribal communities to encourage tribal citizens to vote. As part of the on-going Native Vote campaign, bi-weekly newsletters were emailed out, and weekly teleconferences and monthly webinars were conducted. The Native Vote initiative was also successful at leveraging technology to foster online organizing. Native Vote revamped its website and created

a hub for instant communication and access to downloadable resources. The online outreach included other online networks, where Native Vote gained over 1,000 supporters on sites like Facebook and became a powerful name in the world of Twitter.

**NATIVEVOTE.ORG** provides you with the resources you need to help get out the vote in Indian Country. In addition to the forms, news updates, and downloadable resources, you can also create a profile and connect with other Native Vote organizers throughout the country.



## The Indian Country Meth Initiative

Since 2007, NCAI has worked with the Meth Task Force to develop the METH planning toolkit for tribal communities. The purpose of the toolkit is to support tribal communities in preventing meth use. This year, NCAI hosted several Task Force meetings to continue productive discussions about destructive behavioral problems caused by meth use in tribal communities. The Task Force has grown to encompass other serious and related issues, like suicide, mental health, and community wellness. In November, all of the METH planning toolkit materials and updated resources were made available on the internet for use by tribal communities and partners. New materials to help understand the problem and prevent meth use include: the latest data on meth use in Indian Country, new research, links to Indian Country Meth Initiative partners, best practices, and a community intervention model adapted for tribal communities.

## Tribal Supreme Court Project

The Tribal Supreme Court Project (Project) is part of the Tribal Sovereignty Protection Initiative 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 Indian tribes.

During its 2009-2010 term, the U.S. Supreme Court decided no cases relating to federal Indian law or tribal sovereignty. We view this as a sign of success for the Tribal Supreme Court Project and the result of significant efforts and coordination among tribes and their attorneys. Since its inception in 2001, one of the primary goals of the Tribal Supreme Court Project is to reduce the number of tribal sovereignty cases that are heard by the Supreme Court by actively addressing cases at the certiorari stage and by encouraging tribes to carefully evaluate their cases.

On November 1, 2010, the Supreme Court heard oral argument in *United States v. Tohono O'odham Nation*, regarding whether a tribe can file related trust damages claims in both Federal District Court and the Court of Claims. NCAI joined an amicus brief with the Colorado River Indian Tribes in support of the Tohono O'odham Nation.

NCAI continues to address the repercussions of past rulings that have created challenges, including *Carcieri v. Salazar*, where the Court held that the Indian Reorganization Act applies only to Indian tribes that were "now under federal jurisdiction" on the date of enactment in 1934 (See *Carcieri Fix*). NCAI also submitted an amicus brief in *Patchak v. Salazar* in the DC

# EVERY VOTE COUNTS

Circuit and helped to lead a broad coalition of tribes in asking Congress to clarify that the Act applies to all federally recognized tribes.

More positive ground was gained on the Supreme Court front as the Court denied review in *Hoffman v. Sandia Resort & Casino* and *Hogan v. Kaltag Tribal Council*. In both cases this preserved important victories in the lower courts.

## Partnership for Tribal Governance

Launched at NCAI's 66<sup>th</sup> Annual Convention, the Partnership for Tribal Governance (PTG) is a long-term commitment by NCAI and the Kellogg Foundation to improving the health and well-being of our Native youth and our communities as a whole through strengthening tribal governance. The PTG will expand on the success of past partnerships with the Kellogg Foundation, including tribal welfare reform implementation, exploring the feasibility of adapting the Alaska Dental Health Aide Therapist program in tribal communities in the lower 48 states, and improving government-to-government relationships with the states.

The PTG, a multi-year initiative with generous support from the Kellogg Foundation, will work through partnerships with tribal nations, tribal and national Native organiza-

tions, academic and policy centers, other governmental leaders, and key policymakers. Financial investments will be made in self-determined tribal efforts, technical assistance, training, education, research, policy development, and advocacy.

In 2007, NCAI, along with partners the National Indian Child Welfare Association, National Indian Education Association, and the National Indian Health Board, put forth the Native Children's Agenda—a landmark plan stressing that “improving the overall well-being of Native children must be a national priority.” The PTG builds on this foundation. Additionally, NCAI convened more than 30 tribal and Native organizations to discuss better communication and coordination and increasing collaboration on common concerns.

**“We believe that strong tribal governments, as supported through this partnership, are critical to the health and well-being of Native children,” said Dr. Gail Christopher, Vice-President for Programs at the W.K. Kellogg Foundation. “This effort has the potential to dramatically improve the life chances and opportunities of future generations of Native children.”**

In its first year the Partnership for Tribal Governance has made a substantial impact on NCAI's mission by:

- Supporting the redesign of the NCAI website as an online resource to provide tools and information to increase tribal government efficiency. The web development results will be implemented in late 2010/early 2011.
- Providing capacity building sessions to tribal leaders at a variety of venues focusing on topics of critical importance to strengthening tribal governance. Dozens of sessions were held at the NCAI Mid-Year and Annual Conferences focusing on: leadership development, communications and public relations, citizen engagement, government reform, financial management, nation building, and tribal-state relations.
- Convening partner organizations that provide critical infrastructure to support tribal nations and Indian Country to provide opportunities to share information, increase coordination and collaboration, and improve communications. Meetings for regional and national Native organizations were convened at the Mid-Year and Annual Conferences.
- Focusing efforts on strengthening communications among tribal leaders through training, materials development, and network building. The development of a communications toolkit for tribal leaders and their public relations staff was initiated.
- Supporting the efforts of a coalition of Native natural resources organizations to develop a national strategy. The PTG provided facilitation to a group of Native natural resources leaders in the development and implementation of the national strategy.
- Contributing to new knowledge to support tribes' efforts to strengthen governance. The PTG supported the development of papers on tribal constitution reform, finance fundamentals for tribal leaders, and citizen engagement.
- Providing opportunities for NCAI board and staff development in key areas. Board orientation and planning activities as well as staff training in a variety of areas, including messaging, project management, meeting facilitation, and human resource systems were supported by the PTG.
- Working to enhance the internal capacity of the organization. The PTG provided support for critical internal systems improvement in technology, finance, and human resources.



# Youth Commission



Designed specifically for college and high school students 18-25 years of age with an interest in tribal governance, and Native American legislative and governmental affairs, the mission of the NCAI Youth Commission is to unite to serve Native peoples' concerns and interests by enhancing the spiritual, mental, physical, and emotional well-being of tribal youth for a better Native America.

The NCAI Youth Commission provides a unique perspective on issues relevant to tribal youth. It is a resource to NCAI and tribal leaders as well as an opportunity for youth to acquire knowledge from NCAI and tribal leaders about the organizational processes of NCAI and the structure of tribal politics. The Commission also serves to cultivate and enhance leadership skills. Most importantly, the Commission provides a mechanism for achieving a unified voice for ALL Native American and Alaska Native youth.

## NCAI YOUTH AMBASSADORS 2008-2010

- > **J'SHON LEE**, WHITE MOUNTAIN APACHE TRIBE
- > **QUINTIN LOPEZ**, TOHONO O'ODHAM NATION

## NCAI YOUTH COMMISSIONERS 2008-2010

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>&gt; <b>ISAAC JUAN</b>, TOHONO O'ODHAM NATION<br/><i>COMMISSIONER</i></li> <li>&gt; <b>ALEXA OLD CROW</b>, CHEYENNE ARAPAHOE TRIBES<br/><i>COMMISSIONER</i></li> <li>&gt; <b>JALEA WALKER</b>, SMITH RIVER RANCHERIA<br/><i>ALTERNATE COMMISSIONER</i></li> </ul> | <ul style="list-style-type: none"> <li>&gt; <b>KARL DUNCAN</b>, MANDAN, HIDATSA, ARIKARA<br/>AND SAN CARLOS APACHE<br/><i>ALTERNATE COMMISSIONER</i></li> <li>&gt; <b>FRANCISCO MANUEL</b>, TOHONO O'ODHAM NATION<br/><i>SECRETARY</i></li> </ul> |
|--|---|

At the 2010 NCAI Mid-Year Conference in Rapid City, South Dakota, the Youth Ambassador and Commissioner Programs were given NCAI Executive Board approval to create a new, consolidated Board which will be known as the "Youth Commission." Elections for new officers will be held in November at the 2010 Youth Commission Annual Meeting in Albuquerque, New Mexico.



Youth Ambassador J'Shon Lee and Youth Commissioner Alexa Old Crow stand with Miss Indian New Mexico MaryHelen Juanico, 2008-2009



# THE UNIFIED VOICE OF INDIAN COUNTRY

## Outreach & Communications

“...to enlighten the public toward a better understanding  
of the Indian people”

—FROM THE PREAMBLE TO THE NCAI CONSTITUTION

This quote from the preamble of NCAI’s constitution is a constant frame of reference for our work as an organization. From the inception of the organization in 1944, the mission to “enlighten the public toward a better understanding of the Indian people” has been a primary catalyst for our work.

In 2010, we renewed our commitment to compellingly communicate the stories and issues of Indian Country. This year the organization elevated the conversation and coverage related to sovereignty, nation-to-nation relationships, and the well-being of our communities. Building on previous work, NCAI also took its communications and outreach to new levels with additional staff and technology, bringing the organization into the new media era.

## Events & Meetings

Convening the general public, government agencies, our membership, and our partners at conferences, meetings, and events is the foundation for much of what NCAI does. The success of our events has multiplied, with better marketing of the activities to the public, high levels of participation in meetings, and stronger relationships with decision-makers from all levels of government. Event attendance has grown, and the steady increase of participation is a direct result of the emphasis we have placed on these functions within the organization.

NCAI’s increased online capacity has allowed us to immediately share images and news to communications professionals around Indian Country from events such as the Tribal Law and Order Act signing.

Visit [www.flickr.com/ncai](http://www.flickr.com/ncai) to view photos and visit [NCAI.org](http://NCAI.org) to receive regular email updates.





## Media & the Press

The legacy of NCAI establishing and participating in the conversation related to tribal nations and communities is considerable. During the past twelve months, NCAI has steadily re-engaged media and the public discourse on timely topics. Communication efforts have elevated the national conversation on many issues including: the *Cobell* Settlement; international travel and tribal documentation issues related to the Iroquois Nationals lacrosse team; law enforcement and health care related to newly enacted legislation; and on-going public education about tribal sovereignty. National media coverage around these and many other issues has not only benefited the organization, but all of Indian Country.

## Online Communication & Publications

NCAI's use of new media and online communications is well underway. This year, we made major progress in updating our online systems while continuing to reach members in the formats that have served our communities so well in the past. Our new approach has blended the importance of online social media systems with the power of grass roots social engagement.

## Building Capacity

Building capacity in Indian Country around media and communications has been a long-standing vision of the organization. In the past year, with the Partnership for Tribal Governance as a critical mechanism of support, NCAI took major steps toward facilitating a national network of public information officers and communications professionals across Indian Country.



## 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 paid dues as outlined in the Article III of the NCAI By-Laws. 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 consists of six categories:

### TRIBAL 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.

### INDIVIDUAL MEMBERSHIP

#### →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 the Interior, the Indian Claims Commission, Court of Claims or a State.

#### →INDIVIDUAL ASSOCIATE MEMBERSHIP

Individuals that do not qualify for membership for lack of Indian ancestry.

Non-Indian applicants are admitted as non-voting associate members.

### LIFETIME MEMBERSHIP

#### →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 the Interior, the Indian Claims Commission, Court of Claims or a State.

#### →INDIVIDUAL ASSOCIATE LIFETIME MEMBERSHIP

Individuals that do not qualify for membership for lack of Indian ancestry. Non-Indian applicants are admitted as non-voting associate members.

### ASSOCIATE ORGANIZATION MEMBERSHIP

Organizations have the same rights and privileges afforded to Individual Associate members.

In 2009–2010, NCAI membership stood at an all-time high. This demonstration of tribal unity strengthens NCAI as we continue to work together to protect tribal sovereignty and advance the well-being of Indian Country.



NATIONAL CONGRESS OF  
AMERICAN INDIANS STAFF

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Executive Director

**Jose Aguto**  
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Environmental & Natural Resources

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Communications Director

**Emily White Hat**  
Program Manager

**Rose Whitehair**  
Program Manager

# Presidential History of NCAI

Since 1944, the Presidents of NCAI have been strong leaders for Indian Country. We recognize and honor the commitment and service of each of these leaders to NCAI and tribal communities across the country. Over the last sixty-seven years, our communities have grown stronger and have contributed to a stronger America. As the 20th President of NCAI, Jefferson Keel has led NCAI to historic accomplishments, and without him, Indian Country would not have the benefit of a signature year.

1944 – 1952	N.B. Johnson, Cherokee
1953 – 1959	Joseph R. Garry, Coeur D’Alene
1960 – 1964	Walter Wetzel, Blackfeet
1965 – 1966	Clarence Wesley, San Carlos Apache
1967 – 1968	Wendell Chino, Mescalero Apache
1969 – 1970	Earl Old Person, Blackfeet
1971 – 1972	Leon F. Cook, Red Lake Chippewa
1973 – 1976	Mel Tonasket, Colville
1977 – 1978	Veronica L. Murdock, Mohave
1979 – 1980	Edward Driving Hawk, Sioux
1981 – 1984	Joseph DeLaCruz, Quinault
1985 – 1987	Reuben A. Snake, Jr., Winnebago
1988 – 1989	John Gonzales, San Ildefonso Pueblo
1990 – 1991	Wayne L. Ducheneaux, Cheyenne River Sioux
1992 – 1995	gaiashkibos, Lac Courte Oreilles
1996 – 1999	W. Ron Allen, Jamestown S’Klallam
2000 – 2001	Susan Masten, Yurok
2002 – 2005	Tex Hall, Mandan/Hidatsa/Arikara
2006 – 2009	Joe A. Garcia, Ohkay Owingeh
2010 – PRESENT	Jefferson Keel, Chickasaw





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**FULL LISTING FROM PAGE 19**

President Obama signs the Tribal Law and Order Act in the East Room of the White House, surrounded by (from left to right) Jonathan Windy Boy, Vice Chairman of the Chippewa Cree Tribe, Senator Byron Dorgan (D-ND), Secretary Ken Salazar, Department of the Interior, Senator John Barrasso (R-WY), Representative Stephanie Herseth Sandlin (D-SD), Representative Ed Pastor (D-AZ), Theresa Two Bulls, President of the Oglala Sioux Tribe, Representative Dale Kildee (D-MI), Diane Enos, President of the Salt River Pima-Maricopa Indian Community, Representative Tom Cole (R-OK), Lisa Marie Iyotte, Chad Smith, Principal Chief of the Cherokee Nation, and Marcus D. Levings, Chairman of the Three Affiliated Tribes: the Mandan, Hidatsa and Arikara.

**PHOTOGRAPHY CREDITS**

**PAGE 7:**

Freedman Photography

**PAGE 9:**

Official White House Photo  
by Lawrence Jackson

**PAGE 10 (TOP):**

Tami A. Heilemann – DOI

**PAGE 10 (BOTTOM):**

Official White House Photo  
by Pete Souza

**PAGE 21 (TOP):**

Department of Interior Photo