

SECURING OUR FUTURES

"This is the task at hand, to move together toward a more perfect union...

And when we do, we'll always be able to say, the the State of Indian Nations is strong, and the future prosperity of America is secure."

- Jefferson Keel, NCAI President, State of Indian Nations Address 2013



NCAI is releasing a *Securing Our Futures* report in conjunction with the 2013 State of Indian Nations. This report shows areas where tribes are exercising their sovereignty <u>right now</u>, diversifying their revenue base, and bringing economic success to their nations and surrounding communities. The path to securing our future – from education to food security, climate change to workforce development – is illuminated by the proven success of tribal nations. While the circumstances of each tribal nation are unique, the promising practices contained in the report offer a way forward to secure tribal economies and sustain prosperity for future generations.

Throughout the report, you will note quotes and themes from the 2013 and past State of Indian Nations speeches.

In the new era of nation-to-nation engagement between tribes and the federal government, tribal nations are increasingly pursuing strategies that enhance economic security and build prosperity for their communities. The economic impact of tribes is increasingly measured in the millions (even billions) and many communities rely on tribes as major employers for Native and non-Native citizens. What distinguishes these successes from previous economic development strategies is that these strategies are pursued without dependence on the federal government.

This document outlines an array of promising practices where tribes are taking control of their own future. From education to food security, renewable energy to workforce development, tribes are determining their own futures and building sustainable prosperity. As President Keel says, tribes that were once managing poverty are now managing resources.

These exciting developments should not obscure the work that remains undone. Unemployment and poverty in Indian Country are still unacceptably high. Improving basic infrastructure is a prerequisite to lasting economic success. Native people need equal (and universal) access to reliable, affordable broadband.

However, it is important to balance the stark inequities faced by Native people with the promising future that is indicated by other data. Education outcomes are improving for the growing number of Native young people (42 percent of Native people are under the age of 25). Native-owned businesses (both those owned by tribes and Native citizens) are growing and generating more revenue, creating jobs at home, throughout the nation, and around the world.

Policy developments of the past few years have created a federal policy environment that is more conducive to tribal economic success. Landmark legislation to improve health outcomes and advance public safety was passed. Historic settlements were reached. Tribes were included in national policy to support economic recovery and financial security. New policy and legislation was implemented to streamline leasing and business development.

On the threshold of sustained prosperity, tribes also face significant risks as the nation continues to consider the appropriate role and size of the federal government. While tribes must continue to urge the federal government to meet the obligations of the trust responsibility, relying on the federal government to build a strong economic future for tribal nations is a strategy that carries immense risk.

The path forward is illuminated by the proven success of tribal nations. While the circumstances of every tribal nation are unique, the promising practices contained in this document offer a path forward to secure tribal economies and sustain prosperity for future generations.

REPORT RELEASED: FEBRUARY 2013

SUGGESTED CITATION: NATIONAL CONGRESS OF AMERICAN INDIANS. (2013) SECURING OUR FUTURES. WASHINGTON, DC: AUTHOR.



Table of Contents

Challenges and Opportunities for Securing Our Futures	
Economic Conditions Improve In Indian Country	
Federal Government Fiscal Challenges Impact Tribal Nations	
Policy Gains Lay a New Foundation	
American Recovery and Reinvestment Act	
Tribal Law and Order Act	
HEARTH Act and Leasing Reform	E
Indian Health Care Improvement Act – Affordable Care Act	
Tribal Trust Settlements	,
Tribal Amendments to the Stafford Act	
Promising Developments	
Tribes are Major Economic Force	
Tribal Governments Lead the Way to Strong Tribal Economies	
Studies Focus on Vision of Prosperous Future	
Promising Practices for Strong Tribal Economies	
Securing Financial Success	
Financial Education	
Access to Capital	
Developing and protecting our 7 th Generation Workforce	
Education	
Workforce Development	12
Employment law	
Enhancing Our Security	
Food and Agriculture	
Housing	
Managing our Resources	
Natural Resource Management	
Energy	
Inspiring Innovation	1F



	New Ideas in Management	. 1E
	Telecommunications and Technology	. 16
Gr	owing Businesses	17
	Tribal Enterprises and Native Businesses	17
	Intertribal Business	. 18
	International Business	. 18

"This is the task at hand, to move together toward a more perfect union. To strengthen our trust relationship with the United States....Tribal nations have worked with the United States to uphold this promise. That trust, ultimately, is the principle that must guide us—all of us—as we go forward and do right by all of our children and grandchildren. And when we do, we'll always be able to say, the the State of Indian Nations is strong, and the future prosperity of America is secure."

- Jefferson Keel, State of Indian Nations 2013



Challenges and Opportunities for Securing Our Futures

"Today, more tribes are managing resources instead of managing poverty programs."

ECONOMIC CONDITIONS IMPROVE IN INDIAN COUNTRY

Over the last 30 years, Indian Country has experienced significant economic growth as measured by average individual and tribal incomes. The growth is substantial. Although poverty for tribal citizens on reservation and trust land is more than two-and-a-half times higher than for the total population, poverty declined from 2000 to the 2006-2010 period by almost three percentage points on reservations, while increasing for the entire nation. Similarly, unemployment, as measured by the Census, decreased on reservations over the same time period; but, with 18.8 percent of the Native civilian labor force still unemployed on reservations, the rate remains more than two times as high as the unemployment rate for the total population.

Meanwhile, tribal citizens have witnessed progress in addressing some of the most basic infrastructure disparities since 2000. In Alaska, 38 percent of tribal households in Native Village Statistical Areas lacked complete plumbing, 33 percent had an incomplete kitchen, and 34 percent were overcrowded in 2000. By the 2006-2010 period estimate, incomplete plumbing dropped by a third to 25 percent, complete kitchens increased by 13 percentage points, and the number of homes lacking a telephone was cut nearly in half. Similar advances in infrastructure occurred on reservation lands, but in every Census housing indicator, considerable gaps persist. For example, the percentage of reservation homes lacking complete plumbing is 17 times the national percentage.

Many factors give cause for hope in Indian Country for creating economic security and prosperity. The number of American Indian- and Alaska Native-owned businesses increased 17.9 percent from 2002 to 2007; total receipts of these businesses were \$34.5 billion, up 28.3 percent from 2002. Tribal enterprises and Native individual-owned businesses were included in the 2002 data but tribal enterprises were not included in the most recent study in 2007. This raises the question of significantly undercounting the growth of American Indian and Alaska Native businesses.

Tribal economies still have a long way to go. But the overall trend is positive and substantial.

FEDERAL GOVERNMENT FISCAL CHALLENGES IMPACT TRIBAL NATIONS

Federal spending on Indian programs – far and away the dominant source of outside support for reservations – has been flat or falling since the late 1970s (Walke 2000). And given the current fiscal challenges confronting the United States with federal budget deficits projected to grow, federal spending on tribal programs, as investments in the domestic discretionary portion of the budget, is slated for deep cuts.



DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

