

Intervention 2: Part 2
U.S. actions to advance the rights and interests of indigenous peoples

Department of Interior Assistant Secretary Echo Hawk

Introduction

The United States is home to over two million Native Americans, over 560 federally recognized Indian tribes, and other indigenous communities. The contributions of those individuals and communities to the United States have been enormous.

However, as President Obama has recognized, “few have been more marginalized and ignored by Washington for as long as Native Americans -- our First Americans.” The consequences of that history are evident today in the many challenges faced by Native Americans—poverty, unemployment, environmental degradation, health care gaps, violent crime and discrimination. As President Obama reminded us at

the Tribal Nations Conference he hosted on November 5, 2009, we must acknowledge that history if we are to move forward.

General Accomplishments

I would like to take a few moments to highlight various ways in which President Obama's observation has been addressed in U.S. law and policy.

Perhaps most importantly, the United States has learned, painfully, that Indian policies should not be dictated from afar. Rather, tribes and their members will flourish if they are empowered to deal with the challenges they face. This conclusion is reflected in the U.S. federal law and policy of tribal self-determination, which gives tribal governments authority over a broad range of internal and local issues, including their

membership, culture, language, religion, education, social welfare, public safety, family relations, and economic activities.

This observation is also addressed in the extensive consultations with tribal governments conducted by federal agencies to ensure Native Americans have a voice in the decisions that affect them. Early in his Administration, President Obama hosted the White House Tribal Nations Conference at which President Obama signed a Presidential Memorandum directing all federal agencies to submit detailed plans for and progress reports on implementation of the Executive Order on Consultation and Coordination with Indian Tribal Governments. As a result, the level of tribal consultations is now historically high. *To respond to questions posed by Bolivia and Germany*, the President believes that regular and meaningful consultation and collaboration between U.S. and tribal leaders are essential to the government-to-government relationship between them, and U.S. laws and policy reflect that commitment.

In response to a question from Norway, I would note the considerable attention that has been paid to the interagency consultations with tribal leaders as a part of the U.S. review of its position on the UN Declaration on the Rights of Indigenous Peoples. The decision to review our position was made in response to calls from tribes and other indigenous groups and individuals. We heard them and have been very busy conducting that review. We hope to conclude it expeditiously and thoughtfully.

Specific Accomplishments

The United States has also taken numerous steps, in consultation with the tribes, to address particular challenges faced by indigenous communities in the United States. I would like to mention just a few of them.

- In March, President Obama signed a historic **reform of the U.S. health care system** that includes important provisions to reduce

the gaping health care disparities faced by Native Americans, including making permanent the Indian Health Care Improvement Act.

- The **American Recovery and Reinvestment Act** specifically allocated more than \$3 billion to assist tribal communities. These funds are being used to renovate schools on reservations across the country, create new jobs in tribal economies, improve housing, support health care facilities, and bolster policing services.
- This summer, President Obama signed into law the **Tribal Law and Order Act**, which gives tribes greater authority to prosecute crimes and increases federal agency accountability for public safety in tribal communities. In addition, Attorney General Eric Holder recently announced significant reforms to increase prosecution of crimes committed on tribal lands, especially crimes of violence against women and children, including the hiring of more Assistant U.S. Attorneys and victim-witness specialists. The Department of Justice also recently awarded nearly \$127 million to support the public safety initiatives of federally recognized tribes.

- In December 2009, the Administration and the Native American plaintiffs reached a **settlement agreement in *Cobell v. Salazar***. The agreement, once approved, will settle claims regarding the federal government's management of trust accounts and resources of more than 300,000 individual Native Americans.
- Just last week, the Administration reached a **\$760 million settlement with Native American farmers and ranchers** in a case alleging discrimination by the Department of Agriculture.

Conclusion

While the United States has taken many steps to address the challenges faced by Native American tribes, individuals and communities, much remains to be done.

[I would now address in further detail two questions arising in today's dialogue:]