



# INDIAN REPORT



## 2008 PRESIDENTIAL ELECTION: NATIVE VOICES COUNT

Native American voters are part of the discussion in the presidential elections this year. Sens. Hillary Clinton (NY), John McCain (AZ), and Barack Obama (IL) all visited reservations this year, and Native American policy is the subject of position papers from both of the remaining major party candidates.

“This is a phenomenal year for us. We have three candidates who actually know something about Indian Country,” said Jacqueline Johnson, executive director of the National Congress of American Indians, in an interview before Hillary Clinton pulled out of the race (“Obama, Clinton Woo American Indian Voters,” AP, 6/2/08).

The two remaining candidates and Clinton all have experience dealing with Native American issues: McCain twice chaired the Senate Committee on Indian Affairs, Clinton built relationships with Native Americans in the 1990s, and Obama was made an honorary member of the Crow Nation (he was given the name Awe Kooda Bilaxpak Kuuxshish, which means “One Who Helps People throughout the Land”).

The focus on Native American issues gives you an opportunity to question candidates for the presidency and for Congress about issues of concern to the Indian community.

But do some reading first. Obama’s “Principles for Stronger Tribal Communities,” released in February, outlines his positions on sovereignty, tribal-federal relations, the trust responsibility, health care, risks to women, education, religious freedom, cultural protection, economic and infrastructure development, methamphetamine problems, veterans’ affairs, and hunting and fishing rights.

McCain released his paper in March highlighting his extensive work on Indian self-governance, law enforcement, health care, trust resources and economic development, housing, education, and veterans.

On the issues, both candidates have thoughtful positions. In addition, McCain has promised, if elected, to create a tribal government position in the White House Office of Intergovernmental Affairs. Obama has promised to hold an annual summit with Native leaders and appoint a senior White House official to work with tribes.

Obama cosponsored and voted for reauthorization of the Indian Health Care Improvement Act. He also voted for increased spending on Indian health. McCain was absent for these votes but in past years has championed both causes as well as Indian trust-fund reform.

### *Party Platforms Reflect New Interest in Indian Vote*

Just as African Americans began voting in larger numbers and influencing elections in some southern states, Native Americans are now doing the same in some western states.

The 2004 platforms of both parties showed their recognition of Indians’ importance in the new electoral math. According to the Republicans, “The federal government has a unique responsibility, ethical and legal, to make the American dream accessible to Native Americans.” In their platform Democrats declare, “We honor the sovereignty of American Indians and reaffirm our commitment to respectful and meaningful government-to-government relations.” ■

## INDIAN HEALTH CARE, RESTITUTION ADVANCE

*Congress approved and sent to the president a bill authorizing \$2 billion for Indian health care and other services, while another bill reauthorizing the Indian health care system passed one chamber and awaits action in the other. Meanwhile, a federal judge scheduled a ruling on how much half a million Indians are owed by the government for a century of failure to act as proper trustee of their monies. Here is an update.*

### ***New Funding Source for Services***

In July the Senate and House authorized an additional \$2 billion to be spent over five years for Indian health care, law enforcement, and water projects. Sens. John Thune (SD), Jon Kyl (AZ), Tim Johnson (SD), and Jon Tester (MT) led the effort to redirect to Indian Country some of the \$48 billion budgeted for overseas medical aid. The senators noted that life expectancy for men on Pine Ridge Reservation is lower than for men in Iraq, Haiti, and Ghana.

If the money is appropriated, part of it will go to public safety (\$750 million) and specialized medical care and health facility construction (\$250 million). Half of the funding (\$1 billion) is for water projects. President Bush was expected to sign the bill in early August, after this issue of the *Indian Report* went to press..

### ***IHCIA Passes Senate, Still Awaits House Vote***

Progress toward reauthorizing the Indian Health Care Improvement Act (S. 1200/H.R. 1328) — the under-

lying authority for the entire health system — has paused. This law has not been reauthorized since 1992. American Indians and Alaska Natives have been lobbying vigorously for reauthorization since 2001. In February the Senate voted 83 to 10 for reauthorization. Although the House bill has cleared all three committees of jurisdiction, a vote by the full House will not happen until fall, if then.

The latest holdup involves a possible amendment on abortions. The Senate version of the Indian health bill would prohibit the Indian Health Service (IHS) from paying for abortions except in case of rape, incest with a minor, or to save the life of the mother (the IHS does not now perform abortions, in compliance with current law). The House bill does not include such language. This difference has set up an almost intractable behind-the-scenes struggle in the House between supporters of government restrictions on abortion and supporters of individual, private decisions regarding abortion. Election-year politics are making lawmakers less interested in compromise. Indian leaders are urging Congress to move ahead with the modernization of Indian health care and not be sidetracked by the abortion issue.

### ***Restitution Ruling Expected in August***

The multibillion-dollar *Cobell* case to resolve mismanagement of Individual Indian Money accounts is coming to a close. Starting in 1887, federal agencies collected royalties from Indian land leases and resources such as oil and timber but provided no accounting and conducted no audits. By law, Indian families were to receive all the profits, but often they did not. In 1999 and 2001 district and appeals courts ruled that the Interior Department must account for all trust funds. Interior could not document how much it had distributed to Indians.

The final trial, held June 9–19, 2008, focused on the amount of debt owed. The *Indian Country Today* newspaper editorialized: “The accountability of the U.S. government has been of chief concern to hundreds of thousands of defrauded Indian people, some of whom died poor waiting for this day” (“Call In the Debt,” 6/13/08). Judge James Robertson said he will rule in August and intimated that the dollar amount will be in the low billions. The restitution money can be taken from the Claims Judgment Fund, which is available to pay judgments against the U.S. government. ■

The *Indian Report* is a publication of the Friends Committee on National Legislation (FCNL). FCNL policy emphasizes upholding treaty rights, insuring the fulfillment of the federal trust responsibility, and assuring the right of Native American communities to self-determination. We seek to be guided by the views of Indian tribes, communities, and organizations across the country.

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## MORE INDIANS VOTING, ENDORSING, CONTRIBUTING

What do Sens. Maria Cantwell (WA), Tim Johnson (SD), and Jon Tester (MT), Reps. Stephanie Herseth Sandlin (SD) and Heather Wilson (NM), and Gov. Janet Napolitano (AZ) have in common? They all have won close election contests, in part due to the expanded and mobilized American Indian vote. Johnson won by 524 votes, Herseth Sandlin by 3,005. Other politicians such as Sen. Gordon Smith (OR) receive support because of their voting records. People of tribal ancestry are also running in larger numbers for state and local offices.

**Indians begin to go to the polls.** Compared to other populations, Indians have voted less in state and federal contests, focusing instead on tribal elections. This fact is hardly surprising given Indians' history, language differences, and geographic isolation. Getting to the polls can be a major effort in rural areas, and many Native Americans doubted that their vote meant anything. At the same time, Native people realize that they need to influence policy to bring about the change they want. The Native community came together in 2002 to defeat Sen. Slade Gordon (WA). Indian leaders perceived that Gordon had a record of opposing Indian concerns. Growing evidence of their clout encouraged more electoral participation. In Washington state, 70 percent of the Tulalip Tribes' registered voters cast ballots in 2004.

Other Native groups also are stepping up their participation, as research by the First Americans Education Project and the Center for Civic Participation shows. For example, the study found that in Menominee County in Wisconsin, 1,738 Native citizens voted in 2004, a 29 percent increase over 2000, and 2,124 Native citizens voted from the Red Lake Reservation (MN) in 2004, a 31 percent increase over 2000. While the numbers are small, there was an increase between 2000 and 2004. In many communities, however, Native registration and turnout remain below non-Native averages.

**Tribes make campaign contributions.** Native Americans have often endorsed and voted for Democrats, and tribes tend to support this party financially. This year Native American Veterans has endorsed Sen. John McCain (AZ) for president, arguing that he would be a powerful defender of Indian positions. Between 1999 and 2006, Republican campaign committees received \$4.54 million, compared to \$9.37 million

for the Democratic committees (*PoliticalMoneyLine, The Hill*). According to the Center for Responsive Politics, tribes with casino businesses gave \$144,721 to federal campaigns in 1992 (81% to Democrats and 19% to Republicans). By 2004, that amount had increased to \$6.7 million (65% to Democrats and 35% to Republicans). (In comparison, the insurance industry contributed \$36.4 million and lawyers/law firms \$183.8 million.) The primary determinant of voter loyalty is whether the politician champions Indian rights and programs.

In the past the 562 federally recognized Indian tribes had money only for bare necessities. Now some tribes are able to hire lobbyists and contribute to political campaigns — giving Native Americans a voice that is heard. ■

### QUIZ

1. One vice president lived as a child on a reservation and had Indian ancestry. His mother's heritage was Kansa/Kaw, Osage, Pottawatomie, and French. **What was his name?**
2. In 2000 a respected Indian leader ran for vice president on the Green Party ticket. **What is her name?**
3. One Native American, from Oklahoma, serves in Congress. He chairs the National Republican Congressional Committee. **What is his name? Who was the most recent Native American U.S. senator?**

### Answers

1. Charles Curtis, U.S. vice president under Herbert Hoover (1929–1933)
2. Winona LaDuke (Anishinaabe)
3. Rep. Tom Cole (Chickasaw). Ben Nighthorse Campbell (Cheyenne) of Colorado served in the Senate from 1993 to 2005.



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## INDIANS TALK, CANDIDATES LISTEN

Native Americans, who often received little attention in presidential elections, have an "unusually high profile" in 2008, as Reuters news service has noted ("At Primaries' End, Indians in Rare Focus," 6/2/08). Candidates have recruited Indian advisors to hone messages and provide access to Native communities, and they have sought the support of Native organizations.

By the final days of the primary season, the three remaining candidates had met with numerous tribes in swing states. Sen. John McCain (AZ) met with Pueblo and Navajo leaders. Sen. Barack Obama (IL) reached out to the Crow Nation and the Assiniboine and Sioux tribes of the Fort Peck Reservation. By the time she withdrew from the race, Sen. Hillary Clinton (NY) or her husband, former President Bill Clinton, had visited the Flathead, Pine Ridge, Crow Creek, Rosebud, and Yankton reservations.

The candidates listened to Indians articulate concerns about issues such as the lack of funds for law enforcement and the challenges of meeting No Child Left Behind standards. Some requests went beyond a tribe's particular needs. Crow chair Carl Venne asked Obama to commit to support the United Nations Declaration on the Rights of Indigenous People, reminding him that the United States is one of four countries that voted against the declaration ("Obamamania' Hits the Crow Nation," *Indian Country Today*, 5/23/08).

### *The Next Steps after Listening*

The National Congress of American Indians (NCAI) is working to ensure that candidates continue to listen to Native Americans after Election Day. NCAI will suggest Native Americans for Cabinet posts and other top positions in federal agencies, since its leaders believe that one has to be in the room and part of the dialogue

to change policy. The organization also plans to lobby the new administration during the transition. As an open letter from NCAI observes, "tribal issues have suffered from inattention during the early years of prior Administrations... New appointees lack expertise in the issues that they will be required to manage and the long-term issues in Indian country are left unaddressed" ("Re: Presidential Transition Planning and Political Appointments," 7/3/08).

Despite limited resources, Native Americans are putting their issues on the policy agenda, and candidates are paying attention. ■

### *Your Support Keeps the Program Going!*

The Friends Committee on National Legislation (FCNL) strives to amplify the voice of Native peoples. It is the only non-Native organization in the country that joins with tribal leaders on visits with members of Congress, maintains a website dedicated to Native issues, and publishes a newsletter on Native issues.

**We rely on your contributions to keep this program going. Please support the FCNL Native American program with a generous gift today.**

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