Announces Support for White Mountain Apache Water Settlement

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For Immediate Release: November 15, 2010
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ALBUQUERQUE, NM – In a speech this morning to the National Congress of American Indians (NCAI), Secretary of the Interior Ken Salazar described the progress being made in a comprehensive agenda to reform, restructure and rebuild federal relations with Indian Country.

Secretary Salazar outlined a broad range of efforts underway to restore integrity in U.S. government relations with American Indian and Alaska Native leaders, fulfill trust responsibilities to tribal members, and to work cooperatively to build stronger economies and safer tribal communities.

“The President firmly believes that consultation with tribal nations must focus on engagement and results – solutions that help build safer, stronger, healthier, and more prosperous Indian communities,” Salazar told members of NCAI. “Our role, then, is to help you fulfill your vision for your nations; to help your communities achieve their promise; to help your cultures flourish.”

In his remarks, Secretary Salazar also announced that the Administration today issued a letter of support for the White Mountain Apache Tribe water settlement in Arizona. The centerpiece of the settlement is the construction of the White Mountain Apache Tribe Rural water system which will greatly expand the current water delivery system to meet the very critical needs of the reservation.

The White Mountain Apache Tribe water settlement is the fourth Indian water rights negotiated settlement to be fully supported by the Obama Administration and reflects the commitment of the Administration to resolving long-standing disputes over water use in the West. With this support letter, the Obama Administration has supported nearly $1 billion of Indian water settlements that will secure for a number of tribes and their members not just a permanent water supply but also economic security and the resolution of long-standing conflicts with neighboring communities.

“The message from this Administration is clear,” said Salazar. “We want to settle Indian water rights disputes and we will support good Indian water settlements that result from negotiations with all stakeholders including the Federal government, and that come with a reasonable federal price tag and good cost share contributions from states and other benefiting parties.

The Secretary’s remarks, as prepared for delivery, are below.

Remarks to the National Congress of American Indians
Secretary of the Interior Ken Salazar
Albuquerque, NM
Monday, November 15, 2010

Good morning.

Thank you, Larry Echo Hawk, for that kind introduction. And thank you for your work on behalf of the Department of the Interior as Assistant Secretary of Indian Affairs.

I am proud to have you and your team here with me today. Del Laverdure, Paul Tsosie, Wizi Garriott, Mike Black, Sequoyah Simermeyer and Keith Moore are making a difference for Indian country every day.

It is an honor to be here with you this morning and to address the National Congress of American Indians. I am grateful for the important work you do to serve the broad interests of tribal governments and to protect tribal sovereignty.

You are in good hands with Jefferson Keel at the helm. President Keel has done an excellent job in his first year in office serving as the NCAI President as well as the Lieutenant Governor of the Chickasaw Nation. Thank you, President Keel, for your leadership.

It has been almost two years since President Obama took office and a year since the President brought together more than 400 representatives of federally recognized tribes for the historic White House Tribal Nations' Conference.

At that Conference, President Obama pledged that we would work together, hand in hand, to ensure that American Indians, the First Americans, get the opportunities they deserve.

President Obama directed me, along with the other cabinet secretaries, to empower tribal governments to bring real and lasting change on issues from health care to education to law enforcement.

And from the beginning, it has been one of my top priorities as Secretary of the Interior to partner with Native Americans to address these challenges.

In close consultation with leaders here and across Indian Country since then, we have developed a comprehensive agenda to reform, restructure and rebuild federal relations with Indian Country.

We have pledged to restore integrity in government relations with American Indian and Alaska Native leaders, to fulfill our trust responsibilities to tribal members and to work cooperatively to build stronger economies and safer tribal communities.

Like me, President Obama respects the inherent sovereignty of Indian nations and believes the federal government must honor its commitments to your communities. This Administration is working to uphold not just a government-to-government relationship with tribes, but a nation-to-nation relationship.

The President firmly believes that consultation with tribal nations must focus on engagement and results – solutions that help build safer, stronger, healthier, and more prosperous Indian communities. Our role, then, is to help you fulfill your vision for your nations; to help your communities achieve their promise; to help your cultures flourish.

American Indians and Alaska Natives must have a strong voice in shaping the policies that affect their communities. We are lucky to have Larry Echo Hawk serving as a strong advocate in his role as Assistant Secretary for Indian Affairs. And I am proud that Hilary Tompkins is Solicitor General for the Department of the Interior. In the White House, Kimberly Teehee and Jodi Gillette are important voices and we all work closely together.

With their help, and with the help of many people in this room, I believe we have begun to build a comprehensive strategy for empowerment – a strategy that is helping Indian nations build a future of their choosing.

I'd like to share some thoughts on how we are doing that.

First, the President's national economic recovery plan laid the foundation for our agenda. Thanks to the $500 million investment in the Bureau of Indian Affairs through the American Recovery and Reinvestment Act, thousands of men and women are now at work fixing and building roads, repairing and constructing schools, and improving security at detention centers. Another $40 million was provided for housing improvements and workforce training.

In addition, the funding for Indian Affairs in the President's budget request has dramatically increased from years past. With the 2009 and 2010 budgets, President Obama has increased funding for critical Indian programs at the Interior Department by 14 percent.

This includes approximately $190 million over two years in Bureau of Indian Affairs loans to spur Indian economies where we know unemployment far exceeds the national average.

In these two budgets, there was an increase of $85 million or 35 percent in the Public Safety and Justice programs to put more law enforcement officers in Indian communities, improve training and equipment, fund tribal courts, and staff detention centers.

For education programs, these two budgets added $110 million, an increase of 16 percent for K12 operations, tribal colleges, and scholarships. And in 2010 we began to forward fund tribal colleges, which will improve their ability to operate.

Another major initiative where we are seeing progress is in law enforcement.

We know that safer Indian communities mean stronger Indian communities. But for too long, the government has neglected law enforcement needs on tribal lands, where residents suffer violent crime at far greater rates than other Americans.

This is unacceptable.

It was a significant step in the right direction when President Obama signed into law the Tribal Law and Order Act. The Act contains important measures and resources to strengthen law enforcement that will help combat violence and lawlessness and ensure that more crimes are prosecuted on reservations.

The law authorizes the appointment of Special Assistant U.S. Attorneys to prosecute crimes in tribal communities in federal court; provides tribal courts tougher sentencing powers; and allows some tribal police officers to enforce federal laws on Indian lands.

The Act also increases Bureau of Indian Affairs' recruitment and retention efforts for the tough and honorable jobs of tribal law officers. We will work closely with the Department of Justice to fully implement this law.

At Interior, I have established a senior-level working group to tackle the challenges of law enforcement needs on tribal lands. This year we launched a targeted, intense community policing pilot program on four reservations where we are working to reduce violent crime by more than 5 percent by year-end

2011.

All of Interior's law enforcement bureaus pitched in to help on this important priority. We are seeing good preliminary results and hope to expand the program in the near future.

The group also spearheaded the development of a fully revamped recruiting process for Bureau of Indian Affairs law officers. As a result, we increased by 500 percent - 500 percent - the number of applicants for those positions, and the hiring of more than 70 new officers in the first half of 2010. That is the largest hiring increase in BIA's history.

Violent crime in Indian Country must be aggressively confronted and we will continue to work with Tribes and the Department of Justice to address this pressing issue.

Equally important to the fabric of healthy communities is education. Improving Indian education programs is a special priority for me. I grew up in a small town in Colorado without electricity or running water. My parents were not wealthy people but they generously shared with me and my seven siblings a love of learning. My parents taught us that education was the key to our future, and, as a result, all eight of their children are first generation college graduates.

I am proud to announce that, with Recovery Act funding and regular appropriations, this year Indian Affairs completed 14 major school projects, including six replacement schools, five replacement facilities, and three facilities improvement projects. The new and improved facilities will better serve nearly 3,800 Indian students in six states.

This past year I have met twice with Secretary of Education Arne Duncan, and national experts in Indian education to begin developing a national Indian education reform agenda. We are also working to develop the Indian portion of the Administration's blueprint for reauthorization of the Elementary and Secondary Education Act.

We look forward to working with the next Congress to pass this important legislation, and we will continue to ensure that Indian country's interests are represented.

I am proud that, for the first time in many years, we have stable leadership at the Bureau of Indian Education in Director Keith Moore. He and his staff are hard at work: reforming BIE management practices to ensure quality of delivery of services to Indian country's children; taking steps to run the 59 BIE schools as a system; developing strategies to aid tribal nations in improving their own BIE-funded contract and grant schools; and bringing stability to our two tribal colleges, Haskell and SIPI.

We are also taking steps to bring Native languages and cultures back into the Indian education framework. One measure that is already under way is the expansion of the Family and Child Education program across 10 states. FACE is a family literacy program serving families and children from prenatal to 5 years of age by integrating the language and culture of the community it serves.

We are also working across the Federal Family with Health and Human Services, USDA, and the First Lady's office to address the high levels of childhood obesity and diabetes among Native Youth because we know that healthy children lead to healthy communities.

Another issue which remains at the forefront of all of our minds is the settlement of the long-running Cobell litigation. I believe that last December's settlement regarding the U.S. trust obligations is both

fair and forward-looking. Most importantly, it will enable us to turn the page, help to right a historic wrong, and advance the on-going cause of trust reform.

With the approval of the settlement, a fund totaling $1.5 billion will be distributed to class members to compensate them for their historical accounting claims and to resolve potential claims that prior U.S. officials mismanaged the administration of trust assets.

The settlement also establishes a $1.9 billion fund for the voluntary buy-back and consolidation of fractionated land interests. The land consolidation program will provide individual Indians with an opportunity to obtain cash payments for divided land interests and free up the land for the benefit of tribal communities.

To provide owners with additional incentive to sell their fractionated interests, the settlement authorizes the Interior Department to set aside up to 5 percent of the value of the interests into a college and vocational school scholarship fund, as much as $60 million dollars, for American Indian students.

The injection of several billion dollars into Indian country through the Cobell settlement has the potential to profoundly change – and improve – the administration of trusts and the unlocking of fractionated lands that currently are legally frozen out of effective use by tribal communities. I am assuring you – today – that as long as I am the Secretary of the Department of the Interior, we will implement the $2 billion dollar land consolidation program through close and meaningful government-to-government consultation with the tribes. We want to – and need to – work closely with individual Indian landowners and affected tribes, to prioritize those heavily fractionated lands that should be targeted for acquisition by tribal governments.

Also, it is important to remember that once Congress approves the Cobell settlement, the Secretarial Order that I signed last year, setting up a Secretarial Commission on Indian Trust Administration and Reform will become effective. I am eager to establish this Commission because Cobell is only the start of true trust reform. The new Commission, which I will set up in consultation with you, will undertake a forward-looking, comprehensive evaluation of how Interior manages and administers our trust responsibilities. We need to be more transparent and customer-friendly. The status quo is not acceptable.

Before we move off the subject of our trust responsibilities, I want to recognize Interior's Solicitor, Hilary Tompkins – the first American Indian to serve as the Department's top lawyer – for her leadership in these activities. Hilary worked closely with Deputy Secretary David Hayes to break through the 13 years of gridlock and reach the historic settlement. She works tirelessly, every day, on your behalf.

Also, and particularly since I am in New Mexico, I want to thank Senator Jeff Bingaman for his tireless support in pushing for Congressional approval of the $3.4 billion dollar Cobell settlement. Jeff has been a real champion for this cause.

Restoring Indian Country's land base is another way in which we are working to provide the resources needed for the sustained economic development of tribal communities. Working with Congress, we have made substantial progress in meeting our obligations to acquire land into trust for tribes.

Some months ago I called in Mike Black and his Regional Directors and told them to fix the logjam on

trust land applications – and they are delivering for you.

In 2007 and 2008, the Interior Department acquired only 15,000 acres in trust on behalf of tribes. Today, I am proud to report that in 2009 and the first three quarters of 2010, the department has acquired more than 34,000 acres of land in trust on behalf of tribal nations – a 225 percent increase from the last administration's record.

Once land is in trust, Indian country deserves responsive and responsible business practices from Interior that will help to manage the land and comply with the obligations of a trustee. Therefore we are working to overhaul the Department's regulations governing leasing on Indian lands. The new regulations will streamline the process and restore greater tribal control over land use.

These changes will mark the most substantial changes to leasing on tribal lands in 50 years.

We are also working with many of you to push forward renewable energy development on tribal lands. We know that Tribal lands hold a great capacity for solar, wind and geothermal projects, and we are committed to helping you unlock that potential.

I understand that land and water are among the most sacred of interests to Indian Country. The Obama Administration has re-energized the Federal Government's commitment to addressing the water needs of Native American communities through Indian water rights settlements.

The President signed into law two settlements in March 2009 and, in sharp contrast to the previous administration's opposition to numerous Indian water settlement bills, we have supported several pending settlement bills. The Administration's 2011 budget requests funding that not only supports implementing approved settlements, but also includes increases to the Bureau of Indian Affairs and Bureau of Reclamation programs that support tribal and Departmental participation in pending negotiations.

Most recently, the Administration has engaged in successful negotiations that have led to letters of Administration support for three Indian water settlement bills for the Crow Tribe, Taos Pueblo, and the Aamodt case involving the Pueblos of Pojoaque, Tesuque, San Ildefonso, and Nambe.

And, I'm pleased to announce today that we are now issuing a fourth letter of support for the White Mountain Apache Tribe water settlement in Arizona.

The centerpiece of this settlement is the construction of the White Mountain Apache Tribe Rural water system which will greatly expand the current water delivery system to meet the very critical needs of the reservation.

This is great news for the White Mountain Apache Tribe community.

With this fourth letter of support, the Administration has, in the past few months, supported nearly $1 billion of Indian water projects that will secure not only a reliable water supply, but also economic security.

The message from this Administration is clear: We want to settle Indian water rights disputes and we will support good Indian water settlements that result from negotiations with all stakeholders including the Federal government, and that come with a reasonable federal price tag and good cost share

contributions from states and other benefiting parties.

In closing, I'd like to describe our progress in an area that underlies everything we are doing and attempting to do in collaboration with tribal leaders. And that is the quality of the federal consultation process.

From the outset, my goal has been to establish a comprehensive, department-wide tribal consultation policy and process upon which tribes can rely.

On Nov. 5, 2009 at the White House Tribal Nations' Conference, President Obama issued his executive memorandum supporting tribal consultation as "a critical ingredient of a sound and productive Federal-tribal relationship" and called on all federal agencies to develop "plans of action" to establish tribal consultation policy.

For the Department, holding tribal consultation meetings was the key to developing these important plans. We held meetings in seven cities with 300 tribal representatives and more than 250 federal officials.

With the input gained in these meetings, I established a Tribal Consultation Team to draft a new, comprehensive consultation policy. Soon, the Consultation Team will submit the draft policy to the tribes and tribal organizations for review and comment, and I expect to put our new policy in place this spring.

Everyone in my Department will be directed to comply with the consultation policy. The new policy will help tribal leaders be more engaged in policy development and will result in a process that is more transparent, comprehensive and effective.

There is no doubt that much work remains to be done – by all of us. Native Americans must be full partners in our nation's economy, thrive in safe communities, and have equal access to quality education, healthcare and benefits. We will continue to work toward this goal as we fulfill our federal trust responsibility to support tribal communities and respect tribal sovereignty.

Thank you.
