

**TESTIMONY OF THE NATIONAL CONGRESS OF AMERICAN INDIANS
ON
THE CONFIRMATION OF THE PRESIDENT'S NOMINATION OF
MR. CARL ARTMAN TO BE ASSISTANT SECRETARY FOR INDIAN AFFAIRS OF THE
UNITED STATES DEPARTMENT OF THE INTERIOR**

**UNITED STATES SENATE
COMMITTEE ON INDIAN AFFAIRS
FEBRUARY 1, 2007**

Chairman Dorgan, Vice Chairman Thomas and distinguished members of the Senate Committee on Indian Affairs, on behalf of the National Congress of American Indians I want to thank you for the opportunity to provide our views on the nomination of Carl Artman to be the next Assistant Secretary for Indian Affairs. This is the first time that we have testified before the Committee in the 110th Congress, and I want to reinforce with you how much we appreciate the bi-partisan manner in which this committee conducts its business. NCAI has always operated as a non-partisan organization, and we strongly support this Committee's tradition of bi-partisan cooperation in developing federal policy for American Indian and Alaska Native communities.

On behalf of the National Congress of American Indians, we urge the Senate to move forward on confirmation of Carl Artman to be the Assistant Secretary of Indian Affairs. Mr. Artman has the necessary experience for this important job, having served as the Associate Solicitor for Indian Affairs for the Department of Interior for the past year, and having worked as an attorney in the field of Indian affairs for many years. We attach a copy of NCAI Resolution TUL-05-17 urging confirmation of a nominee with this level of experience and expertise.

We also urge a swift confirmation of the President's appointment because this is an extremely important position for Indian tribes and Indian people, and the position has been vacant for two years. The Assistant Secretary leads the Bureau of Indian Affairs, an agency with 10,000 employees and an annual budget of \$2.2 billion. The BIA provides critical services and infrastructure in law enforcement, education, social services, transportation and land and natural resources management; and the Assistant Secretary is the primary advocate for these programs and services within the Administration. James Cason, the Associate Deputy Secretary has been fulfilling these responsibilities on a temporary basis since February of 2005. We greatly appreciate the work that Mr. Cason has done, but the Bureau of Indian Affairs requires an appointee who has the approval of the Senate to provide the leadership and direction that it needs.

The Bureau of Indian Affairs is also at a critical time on policy direction and reorganization, and needs the Assistant Secretary to lead these efforts in consultation with tribal leadership. For example, law enforcement and tribal courts are a top priority of tribal leadership, particularly with the growing methamphetamine epidemic that is affecting so many reservations. We expect that these areas will see increases in the President's budget for FY 2008, and we will need strong leadership at the BIA to make sure that these increases are implemented effectively. As you know, trust reform and land management have been critical issues for many years, a settlement is

under discussion, reorganization is underway and there is a major effort to revise the trust regulations. We need a leader at the BIA to facilitate those efforts. I could go on and on with the list of important responsibilities – like education and No Child Left Behind – but I don't want to alarm Mr. Artman with too long of a list. He will have to tackle them one at a time.

The Assistant Secretary also has an important decision-making role that affects individual tribes – and many of these decisions have been on hold for too long. Construction of schools and roads, allocation of police, water rights settlements, approval of leases, etc. Sometimes these decisions can be controversial, such as some land-to-trust applications. The Assistant Secretary has to balance competing interests and make decisions. Of course we always want the decisions to favor Indian tribes, but whether the decision is yes or no, it is important to have decisions made so the tribes can move forward with their planning and efforts.

If I have one piece of advice for Mr. Artman, it is to focus on government-to-government consultation. The key is to communicate with tribes *early before decisions are made*, have an open mind and talk about problems and solutions. You will be amazed at how much tribal leaders want to be a part of the solution as long as their concerns are respected and included in making the decision. One of the strongest powers of the Assistant Secretary is to bring parties together and urge them to negotiate solutions. Tribal leaders will listen to you and respect you because you are the Assistant Secretary for Indian Affairs.

That brings me to my final point. It is important to fill the position of Assistant Secretary for Indian Affairs because the position plays such an important role in the relationship between the federal government and Indian tribes. Prior to 1977, the Commissioner of Indian Affairs was most often a non-Indian administrator and a symbol of paternalism. The position of Assistant Secretary was created as part of the implementation of the federal policy of tribal self-determination, and ever since that time the position has been held by a talented Indian person who was accorded significant respect by tribal leaders. The Assistant Secretary elevated the status of the job and put an Indian into the position. The importance of this is not lost on tribal leaders. Forrest Gerard, Ada Deer, Kevin Gover, Neal McCaleb – these are accomplished Indian people that we have looked up to as symbols of our ability to take control of our own futures.

Carl Artman now has the opportunity to join this distinguished company and help lead the federal-tribal relationship into the future. Tribal leaders are working to fulfill a vision of transitioning the Bureau of Indian Affairs to a system where there is active participation and management by tribal governments, while the BIA fulfills its trust responsibility to protect Indian lands, oversee regulations and enforcement, and provide technical assistance and funding for critical services. We have a vision of a partnership where tribes and the BIA manage reservation lands for their intended purpose -- providing a homeland and economy for Indian people. NCAI urges the Senate to consider Mr. Artman's nomination as soon as possible so that he can move forward with this important work.



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #TUL-05-017

TITLE: Support for the President to Nominate and Confirm the Assistant Secretary for the Bureau of Indian Affairs

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WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, more than 550 American Indian tribes in the United States are recognized by the Secretary of the Department of the Interior as having a special legal relationship with the United States, including the federal government's trust responsibility to Indian tribes characterized as a government-to-government relationship; and

WHEREAS, the Department of Interior has a duty to consult with tribal governments prior to, during, and after any federal action within this trust relationship; and

WHEREAS, the Department of Interior, primarily through the Bureau of Indian Affairs is the lead federal agency charged with carrying out the United States' relationship with Indian tribal governments and the Assistant Secretary for the Bureau of Indian Affairs is that agency's chief spokesperson and ambassador to tribal governments; and

WHEREAS, the most recent Assistant Secretary of the Bureau of Indian Affairs, Dave Anderson, resigned on January 31, 2005 and his position remains vacant; and

WHEREAS, there has been no subsequent nomination to the position of Assistant Secretary made by the President of the United States to fill the vacancy.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby call upon President George W. Bush to nominate and confirm, with the advice and consent of the United States Senate, an American Indian/Alaska Native experienced in matters of concern to Indian Country to the position of Assistant Secretary for the Bureau of Indians Affairs, as expeditiously as possible; and


BE IT FURTHER RESOLVED, that the NCAI requests the President and his advisors to consult with tribal governments regarding the selection of a nominee; and

BE IT FURTHER RESOLVED, that the NCAI is supportive of nominees who have demonstrated and proven credentials relevant to the position of Assistant Secretary of the Bureau of Indian Affairs, who possess a superior record of achievement relevant to the position of Assistant Secretary of the Bureau of Indian Affairs, and who have knowledge and expertise relevant to the position of Assistant Secretary of the Bureau of Indian Affairs; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

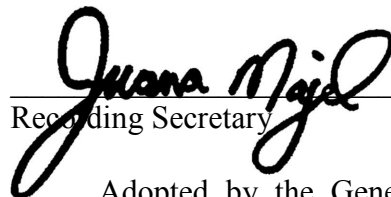
CERTIFICATION

The foregoing resolution was adopted at the 2005 Annual Session of the National Congress of American Indians, held at the 62nd Annual Convention in Tulsa, Oklahoma on November 4, 2005 with a quorum present.



President

ATTEST:



Recording Secretary

Adopted by the General Assembly during the 2005 Annual Session of the National Congress of American Indians held from October 30, 2005 to November 4, 2005 at the Convention Center in Tulsa, Oklahoma.