

State of the Nation Address
White Earth Nation of Anishinaabe
Erma J. Vizenor, Chairwoman
Thursday, March 7, 2013
Shooting Star Event Center
Mahnomen, MN

Min-o-wah-bun (Good Morning).

Tribal Council, distinguished guests, employees, associates, and citizens of the Great White Earth Nation, me-qwitch (thank you) for your presence today.

Thank you to our spiritual leaders, Sunfish Oppegard and the Rev. Robert “Dub” Roy for prayers to the Almighty Creator, God, who holds us, our families, and Nation with unconditional love and care. Thank you to Eagles Nest Drum Group; White Earth Honor Guard; White Earth Veterans Princess Tianna Roy, and Burny Tibbetts, Master of Ceremonies.

The Tribal Council and I appreciate all employees who work in our tribal government, gaming, housing, schools and college, and business enterprises. Thank you for your dedication. Please stop by the showcases of our programs and departments.

Special thank you to Shooting Star Casino, Hotel, and Event Center for hosting the State of the Nation, to Jerome Lhotka and Michael Neusser, Tribal Economic Development and Marketing, for producing the 2013 State of the Nation Report. The Report has been prepared to use throughout the year as we share the story and success of our Nation.

A proud thank you to the students from Circle of Life Academy for singing our National Anthem. You are the future of our Nation. I dedicate the 2013 State of the Nation Address to you.

To my fellow chiefs, Secretary/Treasurer Robert Durant, District I Representative Rene Auguinaush, District II Representative Terry Tibbetts, and District III Representative Gus Bevins, it is my honor to serve with you. Thank you for your hard work, service, and dedication to our People and Nation.

Please let us take a moment of silence to pray for Mike Swan family as they grieve for Mike's wife Audrey whose funeral is today at Pine Point. [moment of silence] I will remember Audrey working with the Pine Point Boys and Girls Club. She always had a child or two wrapped in her arms. The children and youth loved Audrey. Mike is the Director of the White Earth Department of Natural Resources and one of our spiritual leaders. May God give the Swan family strength this day and the days to come. We love you Audrey, Mike and all of your children.

On Tuesday Venezuelan President Hugo Chavez passed away. President Chavez was a friend of the White Earth Nation. He was known for his fiery rhetoric and socialist ideals that offended many nations throughout the world but to White Earth he was our friend. He cared about the poor.

President Chavez and the people of Venezuela have donated hundreds of thousands of dollars of CITGO fuel assistance (their oil) to needy families on and near the White Earth Reservation as well to other tribes in the United States.

In September 2006, I traveled to New York City to meet with Venezuelan officials about possibility of fuel assistance funds for White Earth. There were leaders from the Micmac, Abenaki, Passamaquaddy,

Penebscot, and Mohawk tribes at the meeting. Some of these tribal leaders had visited President Chavez in Caracas, Venezuela the year before and their tribes were receiving CITGO fuel assistance from Venezuela. I was anxious for White Earth to participate.

President Chavez was at the United Nations in New York City. We were informed that he would meet with us the following day in Harlem.

After the meeting that day I went to my hotel room, turned on the TV and heard the news that President Chavez had called President Bush a disparaging name before the Assembly at the United Nations. The news reporter said there were death threats on President Chavez and that he had left for Venezuela. I went to bed feeling very sad about whole situation.

The next morning I said to the Venezuelan official, "I heard on the news President Chavez has left for Venezuela." "Oh, no," the official said, "President Chavez has not left. He will meet with you. He cares about Native Americans. He knows your history and what has happened to your people in your country. He wants to help you."

The tribal leaders and I boarded the coach bus for Harlem where we gathered in a large church. We were escorted to the front pew. Within a few minutes, President Chavez came and greeted us. He spoke through an interpreter about the indigenous people of this land, about poor people and how he wanted to help. Since that time White Earth has received CITGO fuel assistance from Venezuela that has helped hundreds of families and elders keep warm through the cold Minnesota winters.

Now that President Chavez had died, future CITGO fuel assistance funds are uncertain. He was our friend and our prayers go out to the President's family and the people of Venezuela.

As the 2013 State of the Nation Report was prepared, I agree with Jerome Lhotka when he said there are so many accomplishments throughout the year that one doesn't realize it until it is compiled.

You will note from the State of the Nation Report that White Earth tribal government is a transparent one. We are the only tribe in Minnesota that publishes all revenues and expenditures from government, gaming, and grants. Being the largest tribe in the State we are far from wealthy and have many unmet needs. Nevertheless, all of our revenue from gaming profits and grants are used wisely for the benefit of all. White Earth has excellent financial standing in banks and bond markets. We pay our bills on time.

In regard to the federal governmental sequester that took place on March 1, if Congress and President Obama do not reach an agreement soon, we will see funding cuts in our programs and services. Right now we don't know if the funding cuts will be across the board or at the discretion of federal agencies. At White Earth we are planning for 5% and 9% cuts in our federally funded programs. We are in a holding situation hoping for best and planning for the worst.

I wish I could expand on all of the growth and development the past year at White Earth but due to time I will mention the following:

- A new K-12 Circle of Life Academy opened in the fall 2012. Senator Franken was present at the Grand Opening. A few weeks later the Senator sent a note to say how happy he was to help us get the new school.
- White Earth was one of the four sites in Minnesota to receive the federal grant for Race to the Top, a quality early childhood education program. The first five years of a child are the foundation for success in school and life.

- I spend a lot of time to change policy in education at the state level, both at the Minnesota Department of Education and university systems. We are in the process of writing an agreement, a memorandum of understanding on education between tribes and the Minnesota Department of Education. I am a strong believer in Indian Education for all students in public schools throughout the State. We need to tackle the disparities in achievement and graduation rates among our Indian children, youth and post secondary students. I haven't given up on tuition waivers for American Indians in the State University system. I continue to work for state equalization aid to our tribal college.
- Our "Declaration of a Public Health Emergency with Respect to Prescription Medication and Illegal Drug Use" is on the forefront. Last week White Earth, Minnesota Department of Health and Minnesota Department of Human Services jointly sponsored a Substance Abuse Conference for tribes at Shakopee Mystic Lake Event Center. White Earth Tribal Council, Executive Director Ron Valiant and Jerome Lhotka were there to meet with Dr. Jeffrey Coady, Substance Abuse and Mental Health Services Administration (SAMHSA), Washington, DC to secure resources and facilities for the treatment of substance abuse among our youth and adults. We know the strategies and solutions for substance abuse are "on the ground work"--- person by person, family by family, community by community but we need the resources.
- White Earth will start construction this spring on a kidney dialysis center so our patients do not have to travel long distances for dialysis. It is our vision to eradicate sugar diabetes among our people by promoting and changing lifestyles to good nutrition and exercise so that one day we will not need dialysis centers.
- In 2011 White Earth successfully had the law passed at the State Legislature to transfer all human services for tribal members and

their families from the counties to the White Earth tribal government. The transfer is underway now which means funds plus jobs for the White Earth Reservation. I estimate when the transfer of human services is fully implemented, it will mean \$50-60 million to White Earth. It is also cost effective for the State. More importantly, it is an exercise of our sovereignty and authority as a tribal government to serve our own constituents.

- The White Earth Reservation is into renewable energy with wind turbines in Waubun and Naytahwaush; also solar energy at the White Earth Department of Natural Resources and a biomass feasibility project for wood chips to supply energy at Shooting Star Casino.
- We celebrate, teach, and honor our Traditions, Language and Culture (TLC) at White Earth.
- We have taken a stand on our treaty rights by establishing the 1855 Treaty Authority chaired by Vice Chairman and District II Representative Terry Tibbetts.
- The Tribal Council declared the White Earth Reservation as Wolf Sanctuary during the State wolf season.
- The Tribal Council has re-structured our tribal enterprises from Tribal Council management to Limited Liability Company (LLC) boards. Research shows businesses for profit are more successful when separated from tribal politics.
- Wild Rice production is growing and developing. The Tribal Council is the largest purchaser of wild rice which started in 1997. Wild rice is donated to pow-wows, feasts, special events and sold at cost to elders, nutrition programs, schools, and casino. The remainder of the wild rice is marketed throughout the country.
- Public safety is a high priority on the White Earth Reservation with our Tribal Law Enforcement responding to most of the calls. White Earth will be the first tribe in the country to implement the

Tribal Law and Order Act that expands our authority to criminal jurisdiction.

- In May 2013 the White Earth Down on Violence Everyday (DOVE) Women's Shelter opened, funded with \$1 million through the American Recovery and Reinvestment Act (President Obama's stimulus package). Thank you to Secretary/Treasurer Robert Durant for helping to secure the \$1 million for the shelter through Native American Housing in Washington, DC.
- Today, all Native Americans celebrate as President Obama has an official signing ceremony in Washington, DC for the Violence Against Women Act (VAWA). Tribal leaders were invited to the signing because the Act gives the authority to tribal courts to decide cases of non-Native offenders who sexually assault Indian women on Reservations. The U.S. Department Justice statistics have found that non-Native offenders are responsible for more than 80 percent of all rapes and sexual assaults against American Indian women. Further, a 2010 Government Accountability report showed U.S. attorneys between 2005 and 2009 declined to prosecute 67 percent of sexual abuse allegations brought forward from reservation lands. Today is a tremendous victory for our Indian women and tribal courts. Thank you to our Congressional delegation, Senator Amy Klobuchar, Senator Al Franken and 7th District Representative Collin Peterson for voting yes on the Violence Against Women Act.
- To our tribal veterans, the plaque to honor Minnesota Native American Veterans will be a reality soon. On February 21, 2013, I testified before two State legislative committees for the plaque. Both committees unanimously voted for the plaque. Thank you to Tom Spry, White Earth Tribal Veterans Service Officer for writing an article about the plaque. Please read the article in the coming edition of *Anishinaabeg Today*. Today we also want to remember all veterans who are serving our country in many parts of the

world and the veterans who have served our country with valor and honor.

- White Earth Nation, Shooting Star Casino, Hotel and Event Center and White Earth elders will host the 2013 Wisdom Steps Conference. Wisdom Steps is a Health Prevention Program for our Native Elders to promote and maintain good health. The Conference is one of the best in the State! Thank you to Bev Karsten for coordinating the conference on local level along with the State Board.
- We respect our tribal elders. Today the Tribal Council sponsored a group of White Earth from the Minneapolis area. Please stand. We are happy you are with us.

Now I want to take the remainder of my Address to share the process on White Earth Constitutional Reform.

I am pleased to inform you in December 2012, the Bush Foundation notified me that White Earth had been awarded a \$379,771 grant to conduct our referendum for our proposed Constitution of the White Earth Nation. Thank you to Pam Keezer, the lead grant writer for successfully writing the grant, one of the best grant proposals that Bush Foundation has received.

The sworn delegates to the White Earth Constitutional Convention duly ratified for a citizen referendum the Constitution of the White Earth Nation on April 4, 2009, at the Shooting Star Event Center, Mahnomon, Minnesota.

Between now and September 2013, the target date for the referendum, there will be comprehensive education and information

for tribal citizens so you will be well prepared to vote on the new Constitution.

Thank you to the Bush Foundation for the support and funds that provides this historic, monumental opportunity to the White Earth Nation.

In 2009, the Bush Foundation initiated Native Nation Building among the 23 sovereign Native nations that comprise the geographical area of Minnesota, North Dakota, and South Dakota. The Foundation's goal is that all 23 Native nations are exercising self determination to actively rebuild their infrastructure of nationhood.

The winds of change are here. Recently the Bush Foundation awarded \$1.5 million to the Red Lake Nation in support of its long term constitutional reform process.

The Bush Foundation informed me that in its work and partnership with Native nations, constitutional reform is the distilling factor in strengthening tribal sovereignty, governance, and self determination.

Please allow me give a chronology of White Earth's constitutional reform process of 26 years.

In 1987, White Earth Secretary/Treasurer Vernon Bellecourt successfully persuaded the Minnesota Chippewa Tribal Executive Committee to call for a constitutional convention.

In 1997, with the approval of the White Earth Tribal Council, I as Secretary/Treasurer, organized the White Earth Constitutional Reform Committee comprised of 20 enrolled adult citizens (members) of the White Earth Nation. Attorney Leah Carpenter was hired as the part-

time convener and writer for the Committee. The charge to the Committee was to write a Constitution for the White Earth Nation.

From 1997-99, the White Earth Constitutional met once per month to research, discuss, and draft a Constitution. A White Earth Constitution was drafted and submitted to me.

From 2000-2001, tribal council members and I held Reservation community meetings, including Minneapolis, on the draft White Earth Constitution. The attendance at the community meetings was very low.

The 1999 draft White Earth Constitution was published twice in the tribal newspaper, *The Anishinaabeg*.

In 2004, I was elected to the position of Tribal Chairwoman. I promised constitutional reform in my election platform.

Shortly after I took office as Tribal Chairwoman I called the University of Minnesota Law School to meet with the professor who teaches Federal Indian Law. His name was Kevin Washburn who is now the Assistant Secretary of Interior. In my meeting I asked Mr. Washburn if one or two students in his Federal Indian law class could do research and write a paper for me on constitutional reform, specifically for the White Earth Nation. I was very happy when Mr. Washburn let me know a student wanted to do the project. At the end of the semester, I received an excellent paper, one that will be shared during our referendum process.

Two weeks ago I had the pleasant surprise to receive a nice handwritten note from Kevin Washburn, Assistant Secretary of Interior. He wrote:

“Dear Madam Chair – I remember you fondly from my time as a professor at the University of Minnesota. Since then, you have made tremendous progress in bringing forward a constitutional reform proposal for White Earth. You are to be congratulated for your patient and deliberate work! Thank you for your strong leadership and your focus on this Important issue. Warm regards, Kevin Washburn”

Along with my busy schedule as Tribal Chairwoman, I spent as much time as possible to research and read about constitutional reform from countries as far away as South Africa to tribal nations in United States. I wanted to learn as much as I could so I would be able to successfully move forward with constitutional reform at White Earth. I read the work of Joe Kalt, Stephen Cornell, and my friend and classmate Manley Begay, all who were co-founders of the Harvard Project on American Indian Economic Development at the Kennedy School of Government, Cambridge, MA. Their work focused on economic development in Indian country and the necessary infrastructure and governance in Indian tribes to be economically successful.

During our Tribal Council budget process in the summer of 2008, I requested \$50,000 to convene a Constitutional Convention at White Earth. I was ready, confident I knew the process on how to call for delegates, swearing in delegates, convening, and facilitating a White Earth Constitutional Convention.

From each of the 10 community councils within the White Earth Nation, I called for two White Earth adult delegates and an alternate of their appointment. I called for White Earth delegates at large. No White Earth citizen (member) was denied or turned away from being a delegate. Two delegates came from out of state at their own expense: Gerald Vizenor came from California and George Lequier came from Pennsylvania. The process was totally transparent.

On October 24-25, 2006, I convened the White Earth Constitutional Convention at Shooting Star Event Center, Mahnomen. 40 delegates were sworn in by Chief Judge Anita Fineday, White Earth Tribal Court.

The delegates convened over three weekends, in floor sessions and focus groups. All sessions were taped and recorded. I was not a delegate. I facilitated the convention. The work, discussions and several debates were very difficult as many issues in the constitution were emotional and controversial, such as blood quantum.

Some delegates dropped out but the convention had to move forward to accomplish the goal of a ratified Constitution.

When all the votes had been taken and the draft language agreed upon for the Chapters, Articles and Preamble of the Constitution I appointed a team of writers to compile these records into the Constitution of the White Earth Nation.

I appointed the following: Gerald Vizenor as the Principle Writer. Gerald is a Distinguished Professor of American Studies at the University of New Mexico and the author of over 35 books on American Indians.

Anita Fineday, Chief Tribal Court Judge, White Earth Nation, White Earth, MN.

Jill May Doerfler, Assistant Professor, Department of Indian Studies, University of Minnesota, Duluth, MN.

JoAnne E. Stately, Vice President of Development, Indian Land Tenure Foundation, Little Canada, MN.

David E. Wilkins, (Lumbee) Professor of American Indian Studies, University of Minnesota, Minneapolis, MN was a Special Consultant to the Constitutional Convention and the Proposal Writing Team.

Anton “Tony” Treuer, Professor, American Indian Resource Center, Languages and Ethnic Studies, Bemidji State University, was the Ojibwe translator of the Preamble to the Constitution.

I, as Tribal Chair gave the oversight to the writing.

The completed draft Constitution of the White Earth Nation was presented to the delegates for review and edits at the final convening of the White Earth Constitutional Convention. Elders Joe Holstein and Ken Perrault stood up and spoke for two citizens to be elected at large to serve constituents outside the White Earth Reservation which was voted, passed, and included in the Legislative Governance of the Constitution.

The Constitution of the White Earth Nation was duly ratified on April 4, 2009, at the Shooting Star Casino Event Center, Mahnomon, MN.

With assurance, the Constitution of the White Earth Nation is expressly strong on territory and jurisdiction, treaty rights, equal protection, due process, human and civil rights, sovereignty, self determination, self governance, ethical leadership and rich in culture and traditional values.

There is a separation of powers: Executive, Legislative and Judicial. Most importantly, the independent judiciary is imperative to the protection of human and civil rights in a democratic system of government. Also research shows that an independent court is necessary for successful economic development.

There is no blood quantum requirement for tribal citizenship. Tribal citizenship is based on linear descent of enrolled parents and grandparents. Delegates debated and rejected by vote the blood quantum in the Constitution of the White Earth Nation.

Historically the federal government initiated and used blood quantum as a means to eliminate the number of legally recognized Indians, knowing that over a period of time tribes would be terminated. Under the current Minnesota Chippewa Tribe Constitution, independent studies show in 30 years our White Earth Nation will decline from 20,000 citizens to less than 10,000 citizens. Based on statistics by the turn of the next century there will not be anyone alive who has a one-fourth blood quantum and White Earth Nation will cease to exist.

I have given the leadership on constitutional reform which has been a fair and transparent process and I have lobbied for funds to conduct the referendum.

The decision to accept or reject the Constitution of the White Earth Nation will be in the vote of the adult tribal citizens (members).

My heartfelt appreciation is extended to the 1997 White Earth Constitutional Reform Committee, Leah Carpenter, my fellow Tribal Council members, Asst. Sec. of Interior Kevin Washburn, Convention Delegates, Gerald Vizenor and the team of writers, Pam Keezer, the Bush Foundation, my Assistant Joe LaGarde, National Congress of American Indians who invited me to present, and all who called or wrote to me to keep up the work. Me-qwitch.

May God Bless you. May God Bless the White Earth Nation. May God Bless the United States of America. Thank you.