

1 **REPORT OF THE NINETEENTH ARIZONA INDIAN TOWN HALL**

2 on the subject

3 *“IMPROVING TRIBAL-STATE RELATIONS”*

4 Phoenix, Arizona

5 June 22-23, 1999

6

7 **INTRODUCTION**

8 At the end of the 20th century, the 21 federally recognized tribes in Arizona face a window of
9 political and economic opportunity like never before. Gaming on Indian lands has brought
10 economic successes that have given tribes a foundation to begin capitalizing on other
11 opportunities, both economic, social and political. But the compacts between Arizona and those
12 tribes will begin expiring in 2002, and how the state and tribes decide to handle the future of
13 gaming could determine whether the economic successes continue. Tribes face a challenge to
14 educate the state and the public, as well as themselves, about various laws, history and culture
15 that shape the relationships between Indian and non-Indian people. From a state perspective,
16 Arizona’s governor and many legislators are sensitive to tribal needs and concerns. They are
17 willing to forge partnerships with tribes, unlike previous administrations. This has fueled a
18 statewide effort to address political and economic interests of the tribes, for the benefit of all
19 residents of Arizona.

20

21 Against this backdrop, nearly 100 participants in the Nineteenth Arizona Indian Town Hall,
22 representing 13 tribes, gathered in Phoenix to address how to improve tribal/state relations.
23 Focusing on such issues as how to end dual taxation, forge private-public partnerships and create
24 greater cultural sensitivity, Town Hall participants developed a wide range of ideas and
25 recommendations. This is their report.

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OPPORTUNITIES FOR IMPROVING ECONOMIC DEVELOPMENT

What can tribes do to enhance and expand economic development? How do we make federal regulations work for us? What types of economic development are desired, and where do individual tribes wish to locate businesses? How does Indian gaming work as an economic generator? How do we separate economic development from politics?

Participants acknowledge the diversity of tribes and that each of the tribes come from all different types of experiences. Comments reflect the participants' unique, individual experiences.

Tribes can be their own worst enemy with respect to business development because they can throw up barriers in the form of red tape and laws and regulations that hinder business opportunities. Tribes need to establish ordinances and codes to regulate businesses and create a clean-cut, bureaucracy-free process to make it easier to start up and conduct business. Consider creating foreign trade zones that make it easier for outside businesses to come onto the reservation. Keep politics out of the tribal business regulatory processes. Tribes need to think outside the box: Look at such things as off-reservation development and funneling the revenue back onto the reservation. Tourism and personal health-care services are emerging business opportunities that are "outside the box" for tribes and should be explored fully. Another opportunity would be for tribes to partner with private industry.

1 Tribal tax codes need to be developed and uniformly enforced to ensure that some dollars
2 generated by off-reservation businesses who do business on the reservations are kept within
3 Indian communities.

4
5 Tribes also need to identify what types of businesses bring the most benefit and cultivate those
6 businesses. Along these lines, growth and tax policies that match the tribes land base and needs
7 should be developed, such as establishment of commercial development zones.

8
9 Tribes need to begin forming intertribal business alliances and networks so that knowledge and
10 strengths can be shared. Tribes should encourage full participation from their communities in
11 developing businesses through such activities as business development forums. This will help
12 ensure that businesses and their products match the values of the communities in which they
13 exist. Tribes also should tap into the \$200 million of state programs and monies available for
14 business training and development. Relationships with both state and federal agencies need
15 reassessment and strengthening.

16
17 A marketing plan or vision is needed by tribal communities to present the needs, desires and
18 future direction as a guideline for tribal businesses. Tribes need to stand behind decisions to
19 support tribal businesses. Strategic plans are needed to help build consensus within tribal
20 communities about the best ways to maximize business development and use of land.

21
22 Physical infrastructure is needed in order to develop businesses on the reservation, which
23 consists of utilities, roads and telecom, which is coordinated by a land-use or general plan.

24

1 Resource directories that list all tribal businesses and the type of resources they provide should
2 be created.

3
4 Businesses need to provide and promote employment opportunities and on-going training for
5 tribal members, as well as programs to attract educated tribal members back to the reservation to
6 serve their tribes.

7
8 Tribes need to develop strong partnerships with schools, colleges and universities to begin
9 training Native youth as future entrepreneurs and as educators and leaders. The current
10 workforce needs in-service training with a heavy emphasis on customer service. The tribes are
11 going to other organizations beyond the BIA and IHS for help with economic development. The
12 White Mountain Apache Tribe went to Fannie May, for example, for help. Such activity should
13 be encouraged because it maximizes opportunities and gives tribes a chance to leverage their
14 resources.

15
16 Tribes should bring businesses to the table to begin learning their needs and interests, develop an
17 assessment of their needs, and also learn about the tribe's resources- human and otherwise- that
18 can support these businesses.

19
20 Tribes need to find ways to maximize business growth without jeopardizing sovereignty and
21 their trust status. Incentives for investments should be provided for individual entrepreneurship.
22 An assessment of the potential of individual entrepreneurship is needed.

23
24 Gaming has become a major economic strategy, and successful tribes have begun to diversify
25 into other economic development ventures. The non-Indian community often feels threatened by

1 tribes' newfound wealth and power. Neighboring towns are concerned about losing their tax base
2 as tribes purchase and convert lands into trust. In one case, a community in north central Arizona
3 banned Indian people from a municipal election out of fear of the tribe's encroachment onto non-
4 Indian lands. As a result, Indian and non-Indian governments need to develop a mutual
5 understanding and respect for each other while recognizing that each is interdependent if tribes
6 are to have opportunities to expand their business opportunities.

7
8 *What resources are needed from the state to encourage and support tribal economic*
9 *development? How can tribes access existing state resources? How can tribes facilitate the*
10 *delivery of resources? How can tribes communicate the many contributions the tribal*
11 *economies have made to Arizona's overall economy?*

12
13 Tribes need to speak with one voice when addressing economic development issues with the
14 state. The state of Arizona needs to provide—as the state law requires—infrastructure, such as roads, water,
15 electricity, so that businesses will be willing to locate on reservations. Dr. Steven Cornell of the University of
16 Arizona's Udall Center for Public Policy states, "If it's good for Indians, it's good for Arizona."

17
18 The Arizona legislative should develop laws that end dual taxation, set up enterprise zones and
19 returns state and local taxes to tribes. Gaming tribes needs to share their wealth with other tribes
20 and individual entrepreneurs, such as the revenue sharing plan that the Mashantucket Pequot
21 Nation and the state of Connecticut developed.

22
23 A state/tribal consultation policy, similar to President Clinton's federal policy, should be
24 implemented so that all state agencies are required to consult with tribes. State and local

1 representatives, such as elected state lawmakers, should also visit tribal councils to discuss
2 government-to-government relationships.

3
4 The Arizona Commission of Indian Affairs should provide a mid-year report on the progress on
5 the Town Hall issues. It is requested that a list of all names and addresses of participants to be
6 shared with all participants to foster continued dialogue.

7
8 State university resources and expertise should be used, as well. The Arizona Department of
9 Education should revise curriculums to show the contributions of tribes to the state.

10
11 State agencies need to be educated about tribal needs so that appropriate state resources can be
12 provided. At the same time, tribes and state agencies need to share economic development
13 information. The two should conduct an assessment of current levels of knowledge as a starting
14 point. Indian people should lead the assessment. Tribes proprietary information needs to be
15 protected however.

16
17 The Commission of Indian Affairs' role as a conduit of information between states and tribes
18 should be strengthened and used more. The Commission should serve as a primary coordination
19 tool of other Indian organizations, such as the ITCA. The Commission needs to foster a strong
20 relationship with tribes. As a first step, the Commission should meet with leaders of all 21 tribes
21 in Arizona.

22
23 The State funds distribution system should be re-examined to ensure that resource allocation is
24 fair. The commission should received increased funding to be able to follow up and monitor the
25 distribution system. Arizona should provide more resources to tribes to help tribes better prepare

1 for increased numbers of tourists. Technical assistance from the Arizona Office of Tourism could
2 be provided to tribes, for example. Many people who reside in Arizona, even work for the state,
3 are unfamiliar with the fact that nearly two dozen reservations exist in the state. State leaders
4 need to be better educated about the tribes that exist in Arizona.

5
6 Tribes also need to develop a better understanding of how the state political process works and
7 ACIA should help in this area.

8
9 The roles of the Inter Tribal Council of Arizona and the Arizona Commission of Indian Affairs
10 need to be clarified and encouraged to work together. Is it possible for a staff member of the
11 ACIA to register as a lobbyist on behalf of Arizona tribes? If so, a staffer should become a
12 lobbyist on behalf of tribes, otherwise, tribes should pool their resources to hire lobbyists to
13 advocate on their behalf.

14 15 ***OPPORTUNITIES FOR IMPROVING TOURISM IN INDIAN COUNTRY***

16 ***How can tribes identify and take advantage of opportunities to increase tourism in Indian***
17 ***Country? What can be done to foster cooperation between tribes to jointly promote tourism?***
18 ***How can tribes improve tourism infrastructure? How can tribes track tourists and revenues***
19 ***they bring to the Indian Nations? How can individual tribes or consortiums of tribes in a***
20 ***geographic region attract tourists to Native American cultural events or attractions?***

21
22 Tribes share a common concern about preserving language and cultural identity while finding a
23 balance with Native tourism. Tribes need to determine what they are willing to share with
24 tourists. Similarly, tribes need to identify market audiences that would be attracted to those
25 attractions.

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Tribes need to provide more opportunities for tourists, such as guided tours, visitor centers, etc. Tribes need to provide more opportunities for other tribes, by sharing information intertribally about what each is doing in the way of tourism.

Tribes need to become tourist-friendly, providing such things as signs, rest stops, and paved roads. Tribes should promote tourism as a career opportunity to young members, starting in elementary school. A directory of tribal performers and artists should be developed.

Tribes need to coordinate among each other to develop joint tourism products and marketing plans that could capitalize on larger tourist markets. Tribes should share promotional materials among themselves, develop more cooperative advertising and promote niche tourism activities, such as big game hunting. They also need to support the Arizona American Indian Tourism Association (AAITA) and some of the non-Indian tourism-based organizations, such as chambers of commerce, sister cities programs, and so on.

The State of Arizona needs to aggressively promote tourism on Indian lands, and develop a revenue-sharing plan with tribes. More Native people need to serve on Arizona boards, commissions and agencies that promote tourism.

Arizona also needs to regulate non-Indian tourist activities, as well as items sold, that exploit Indian peoples. Tribes need to also regulate such activities. Joint regulatory cooperation between tribes and state should also be explored, such as registration or licensing of authentic Native items. A first step should be a joint state/tribal education campaign to help tourists identify authentic Native goods.

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Tribes should explore the use of mass media for marketing opportunities. A focal point for Native tourism is needed; the Phoenix Indian School could be used to coordinate between all tribes and Native tourism entities.

The American Indian Buy Act should be enforced to restrict counterfeiting of Native arts and crafts. Copyright laws for Native designs needs to be addressed by tribes and Native entities, and import laws researched to better monitor arts and crafts that are exported.

Tourism data should be collected to determine the extent of the involvement of Native people and businesses in Arizona tourism.

What opportunities exist for the state to work with tribes to increase tourism in Arizona? How can tribes increase access to existing state resources? What can be done to foster cooperation between the state and federal governments, and Indian Nations, to jointly promote tourism?

The State of Arizona needs to encourage the tribes to participate in such organizations as Metropolitan Planning Organizations and Councils of Government. Tribes, in turn, need to commit to working within these programs for the long term, and to involve Native people in these programs. Other organizations, such as the hotel/motel organizations, should be included in the sharing of information so as to avoid misconceptions regarding tribal resort developments.

The state needs to work more openly with tribes in identifying, developing, and promoting landmarks and attractions on Indian lands. The state should consider including promotional material on the Indian tribes in tourism publications. In order to obtain accurate information,

1 Arizona officials, such as Governor Jane Hull, should visit Indian Nations. The state and tribes
2 should perform a feasibility study to determine the best means of balancing Native American
3 culture and tourism activities.

4
5 The Department of Commerce, along with the Arizona Office of Tourism, ACIA and tribes
6 should work together to explore the future of Arizona tourism as we move into the 21st Century.
7 Tribes also felt the need to explore taxation issues concerning hotel occupancy and how they
8 should better address this issue.

9
10 The tribes need to come together to provide opportunities for the private sector to become
11 involved in economic development on Indian lands. The tribes also need to form economic
12 development consortiums to enable them to pool their resources and determine effective means
13 of developing commerce. The tribes should coordinate with the state to provide specific data
14 with regards to their social and economic needs or goals. Likewise, the state should accurately
15 communicate what programs and resources are available to tribes. Tribes need to determine
16 what parts of their culture are appropriate to share and what parts need to be protected to ensure
17 religious privacy.

18
19 The ADOT, tribes and other organizations should develop closer working relationships to
20 improve and enhance infrastructure needs, such as roads, signage or kiosks. Some models of
21 agencies working together, such as Game and Fish Dept., Bureau of Land Management, Arizona
22 Parks and Recreation, Department of Commerce, can provide tribes with better assistance to
23 improve infrastructure needs.

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1 OPPORTUNITIES FOR IMPROVING TRIBAL-STATE RELATIONS

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3 *What can tribes do to improve their relations with the state? How can tribal representatives*
4 *gain appointments to state organizations, boards, or committees? What can be done by tribes*
5 *to facilitate and sustain involvement in state organizations, boards, or committees? How can*
6 *intertribal cooperation be enhanced?*

7
8 Tribes should be encouraged to host state official visits on a continuing basis. This will allow
9 representatives of the state to examine specific needs of the communities. State officials as well
10 as elected officials should spend more than a couple of days at each Indian community to learn
11 more about Indian people and their culture.

12
13 Tribes should develop specific educational programs for state leaders, so that the state and tribes
14 can increase executive level communications.

15
16 Tribes need to become more active politically at the state legislature in order to introduce bills of
17 importance to Indian people and to alter any existing bills that may negatively affect them.

18
19 The ACIA should sponsor 3 workshops per year on topics including policy development,
20 lobbying, grassroots organizing and rights advocacy. The Commission needs to provide the
21 tribes with information about boards, organizations, and committees that influence policy. This
22 would include a training program to foster potential community-based organizations. This
23 would include projects that are central to reservations issues such as drought management,
24 wildlife management and so forth. Such organizations can be especially effective when the

1 legislature is in session and seek to influence the budget process to help reservation
2 communities.

3
4 Tribes should assign members to communicate with the elected leaders in their districts for
5 effective communications with Non-Indian elected leaders whose districts include Indian lands.
6 Others felt the need to develop better internship programs for Indian students to learn about the
7 legislative process and about issues around the state.

8
9 Some of the participants felt that the Tribal-State Legislative Day lacks the focus it needs to
10 properly address policy issues for Indian tribes. Tribes need to become more proactive by
11 contacting the state legislature on legislative issues concerning tribal issues. Elected tribal
12 leaders should encourage more tribal members to actively participate in the state legislature and
13 provide representation for tribes in the state government. By next year, 22 seats in the legislature
14 will open up due to term limits.

15
16 There needs to be open discussion between the Arizona Commission of Indian Affairs and the
17 tribes on active bills that directly involve the Indian tribes. The tribes would like to see a follow-
18 up to the Town Hall, which will enable the crafting of legislation targeted toward the issues
19 discussed. The Governor should be acknowledged by tribal leaders for her participation at the
20 Indian Town Hall and encouraged to continue her interaction with tribes through the year.

21
22 Tribal participants at the 19th Indian Town Hall would like to have a follow up meeting in
23 October with Governor Hull's policy advisors to craft bills based on discussion at the Indian
24 Town Hall, particularly economic development and tourism relation legislation. Tribes feel that
25 any legislation supported by the Governor may have a better chance of passage. The tribes

1 should also coordinate with ACIA to ensure that they have the necessary representation and
2 support for these bills to be enacted.

3

4 *What can the state do to improve their relationships with the tribes, and how can the Arizona*
5 *Commission of Indian Affairs facilitate this? Arizona Commission of Indian Affairs (ACIA)*
6 *is the state agency responsible for tracking legislation related to Indian issues. How can this*
7 *information best be communicated to tribes? How can the state increase tribal input and*
8 *comment on issues affecting tribes? What information is needed from the tribes to assist state*
9 *in understanding tribal issues?*

10

11 The ACIA needs to facilitate better information sharing with state agencies about tribal issues
12 and goals. Although, tribes do not have to share all information with the state, it may be
13 beneficial for the state and tribes to cooperate in sharing certain information, such as road
14 accident information, which will enhance highway safety

15

16 The ACIA should report to Indian nations on a more regular basis by way of its newsletter and
17 use of other media sources, such as tribal radio stations and tribal press.

18

19 Finally, the ACIA can help correct misconceptions of Indian rights and treaties by educating
20 state leaders and advocate on behalf of Native Americans. Advocacy may be effective during
21 freshman orientation for new legislators. In addition, tribes would also like to know more about
22 Mike Bielecki, Governor's staff executive, and his role in with regards to Indian nation.

23

24 *What can be done to strengthen intergovernmental relations and partnerships? What laws*
25 *and/or legal documents exist that impede effective tribal/state relations? Can they be*

1 *changed? What can tribe and state do to prepare for upcoming renewal of gaming compacts?*
2 *How can elected state representatives, appointees, and directors become more visible in Indian*
3 *Country? What can state and tribes do to encourage state agencies to improve coordination*
4 *and communication with tribes? What are the implications for future directions in tribal/state*
5 *relations?*

6
7 Many laws that govern the flow of revenues impede tribal/state relations. Specifically, Highway
8 User Revenue Funds need to be distributed to Indian communities, including unincorporated
9 Indian communities on tribal lands.

10
11 Although not very specific, tribes felt that they should take advantage of the current responsive
12 state government to begin negotiating state gaming compacts, rather than waiting until renewals.

13
14 The Legislature should continue to work with tribes to appropriate funding for specific programs,
15 such as economic development, and health, to reflect the government-to-government
16 relationship.

17
18 The Dingel Johnson Pittman and Roberson legislation needs to be revisited, as it is a tax on
19 recreational equipment that is not redistributed back to tribes with recreational activities and
20 programs.

21
22 Some gaming tribes felt that new approaches should be explored to bring more awareness to the
23 state legislators on the benefits of gaming to the state of Arizona. Some felt that sharing more
24 facts and information on gaming with regular follow up might help to accomplish this. In

1 addition, a public relations campaign should be launched to educate the public for support. As
2 for tribes, unity needs to be stressed in order to become a strong voice in state legislation.

3
4 There is a need to better understand the devolution process that is taking place in the federal
5 government and tribes need to learn more about the changes in the balance of power between the
6 federal, state, and tribal governments. President Clinton's Economic Development Initiative has
7 federal agencies pool their resources to assist tribes with economic development. Tribal summits
8 may be a way to promote business development with representative from tribes, state, and the
9 federal government.

10
11 It was suggested that Governor Hull should develop a proclamation that publicly recognizes a
12 government-to-government relationship between the Indian tribes and the State of Arizona.
13 This may encourage agencies like the ADOT to work closer with tribes to provide and access
14 resources. Another recommendation was to develop more intergovernmental agreements
15 between tribes and state.

16
17 Improving tribal-state relations will need continuous education from various approaches, such as
18 ethnohistorical and/or from an environmental impact. There needs to be a continuous review of
19 any current and future legislation by tribes and the state. The topics may include the role of the
20 courts, fair and equal due process, and effective communication of sovereign powers.

21
22 **SUMMARY**

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1 It is apparent from the responses to the questions posed during the Indian Town Hall that
2 Arizona's tribal leaders are aware of the possibilities inherent in enhancing and improving their
3 relationship with the State of Arizona. By forming and building partnerships with state agencies,
4 the tribes can travel a new path, one that promises that our rights to sovereignty and self-
5 governance will be upheld.

6
7 The 21 tribes of Arizona are keen to increase opportunities for economic development and
8 tourism on Indian lands. Such development, done with sensitivity and cognizance of the
9 uniqueness of each Indian Nation, will improve the lives of all Arizonans, both Native and non-
10 Native. A strong, self-sustaining and growing economy will prove beneficial to our children and
11 grandchildren.

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