

Fiscal Year 2010 Annual Report

The Arizona Commission of Indian Affairs



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ABOUT THE COMMISSION

The Commission was established by the adoption of A.R.S. § 41-541 in 1953 by the 21st Legislature to consider and study conditions among the Indians residing within the State of Arizona.

Pursuant to A.R.S. § 41-542, the Commission exists to assist and support state and federal agencies in assisting Indians and tribal councils in this state to develop mutual goals, to design projects for achieving goals and to implement their plans.

The commission meets this charge by:

1. Assembling and make available facts needed by tribal, state and federal agencies to work together effectively.
2. Assisting this state in its responsibilities to Indians and tribes of this state by making recommendations to the governor and the legislature.
3. Conferring and coordinate with officials and agencies of other governmental units and legislative committees regarding Indian needs and goals.
4. Working for a greater understanding and improved relationships between Indians and non-Indians by creating an awareness of the legal, social and economic needs of Indians in this state.
5. Promoting increased participation by Indians in local and state affairs.
6. Assisting tribal groups in developing increasingly effective methods of self-government.
7. Assisting urban Indians.

The Commission hosts two distinct events that enable the state and tribes to address issues on a regular and proactive basis. In cooperation with representatives from the state's Indian nations, the Commission facilitates an Indian Nations and Tribes Legislative day on Tuesday of the second week of each regular legislative session for the purpose of celebrating the rich culture and history of Arizona's Tribes and Nations and also to address issues of mutual interest. The other event, Arizona Indian Town Hall, creates a process that promotes public consideration of issues, builds consensus and supports the implementation of resulting recommendations.

The Commission consists of 17 Commissioners, including seven Indian and two non-Indian members appointed by the Governor, and 8 Ex-Officio members who serve by the virtue of their office. The selection process for the appointed membership is based off of recommendations made by each individual tribe.

Appointed Membership:

- Ms. Lucinda Hughes-Juan of the Tohono O'odham Nation, Chair
- Mr. Cedric Kuwaninvaya of the Hopi Tribe, Vice Chair
- Ms. GinaMarie Scarpa – Member at Large, Secretary
- Ms. Elizabeth McNamee – Member at Large

Ms. Cora Maxx Phillips of the Navajo Nation
Mr. Paul Nosie Jr. of the San Carlos Apache Tribe
Mr. Taylor Satala of the Yavapai Apache Nation

Ex-Officio Membership:

On the behalf of The Honorable Janice K. Brewer, Governor of Arizona
Ms. Katosha Nakai, Policy Advisor for Tribal Affairs

On the behalf of The Honorable Terry Goddard, Arizona Attorney General
Ms. Barbara Bailey, Assistant Attorney General

On the behalf of The Honorable Tom Horne, Superintendent of Public Instruction
Ms. Debora Norris, Indian Education Specialist

On the behalf of Director William Humble, Arizona Department of Health Services
Ms. Michael Allison, Native American Liaison

On the behalf of Director Don Cardon, Arizona Department of Commerce
Mr. David Drennon, Communications Director

On the behalf of Director Sherry Henry, Arizona Office of Tourism
Ms. Dawn Melvin, Native American Tourism Development Manager

On the behalf of Director John Halikowski, Arizona Department of Transportation
Ms. Misty Dayzie, Tribal Planner

On behalf of Director Neal Young, Arizona Department of Economic Security
Ms. Judith Fritsch, Program Administrator for the Office of Community Services

The Commission is staffed by Ms. Kristine Thomas the Executive Director.

LINKING PEOPLE AND COMMUNITIES

Through tribal consultation, the Commission works to ensure that state services and resources are available to all eligible state citizens residing in Arizona tribal communities to the same extent that such services are available to all other eligible state citizens. This collaboration serves the public interest by providing a perspective on Indian Affairs and creating forums for tribal members and urban Indians to impart their knowledge on statewide issues.

To determine the best approach, the Commission responds in one of three ways:

1. Counseling - Most often, members of the public are not familiar with processes to proactively engage tribal governments. Through counseling, the Commission helps people identify specific issues and/or interests, identify solutions to resolve problems, identify key tribal contacts and develop feasible outcomes.
2. Research - In situations where businesses (or institutions) require additional data to make informed decisions, the Commission will contact agencies on behalf of businesses (or institutions) to bring attention to underlying issues, educate the public on any

misunderstandings within tribal communities, and coordinate actions between different agencies and levels of government.

3. Facilitation - In an effort to encourage a spirit of cooperation to guide the continuing government-to-government relationship, the Commission will facilitate consultations between tribal entities and the State of Arizona.

OBJECTIVES AND PERFORMANCE MEASURES

The performance measures reported each year to the Office of Strategic Planning and Budgeting and the Joint Legislative Budget Committee reflect the Commission's effectiveness in meeting its objective and purpose.

GOAL 1: Facilitate communication between tribal entities (both public and private), elected state officials, and other state agencies

- 1.1 Establish working relationships with state and tribal policymakers
 - 22 meetings were facilitated between stakeholders, tribal officials and state officials to communicate and/or collaborate on administrative and legislative issues
- 1.2 Identify and make recommendations to State Policymakers about Indian Affairs
 - 4 quarterly communications and reports were collected and distributed to the Governor, State Legislators and State Officials regarding Indian Affairs
 - Created and issued an annual report describing Commission activities to state policymakers
- 1.3 Coordination of the State of Arizona Tribal Liaison Meetings
 - Advertise 10 projects and activities of each Tribal Liaison subcommittee
 - Identified 4 partnerships with private industry to pursue projects that reduce disparities within tribal communities
 - Conduct 10 meetings with the Tribal Liaisons and subcommittees within the year
- 1.4 Disseminate pertinent information to tribes on a consistent basis
 - Track legislative bills related to Education, Health, Transportation, Economic Security, Commerce and Tourism
 - Tracked legislative issues will be updated once a week during regular session. This data will be an analysis of legislation distributed for informational purposes.

GOAL 2: Establish and maintain relationships between the State of Arizona and the 22 Indian Tribes

- 2.1 Establish and sustain a forum where the state and the tribes can address issues on a regular and proactive basis
 - 4 visits were coordinated with varying tribes on their respective tribal communities to obtain tribal input about state activities.
- 2.2 Collect Annual Agency Tribal Consultation Reports
 - Distribute electronic annual reports to tribal leaders (per Executive Order 2006-14)

GOAL 3: Act as an informational clearinghouse and reference desk

- 3.1 Invest resources in ACIA website to increase awareness about various Indian, state issues and areas of interest
 - Update the website monthly to ensure relevant data is consistently available. Obtain, retain, and share information about: state and federal policies that impact tribes; grants (and other monies available for tribal use) and national Indian issues

- Produced and published a Tribal Resource Directory
- 3.2 Provide assistance to the public at large in identifying resources that meet individual needs regarding Indian issues
- 641 phone, walk-in, email and standard mail inquiries were processed

GOAL 4: Promote Economic and Community Development Programs

- 4.1 Support programs that stimulate economic growth and prosperity
- Recruited 8 tribal members to serve on boards and commissions
 - Advertise employment opportunities within state and tribal government
 - Developed and established a internship to further the ACIA mission thereby fostering future Indian liaisons and reducing administrative costs
- 4.2 Coordinate efforts to attract business development within tribal communities
- Established 2 memberships with organizations that specialize in community and economic development projects
 - Establish partnerships with 2 of 3 state universities to develop programs for small business advocacy

15th ANNUAL INDIAN NATIONS AND TRIBES LEGISLATIVE DAY

The Commission in partnership with the Arizona State House of Representatives, and State of Arizona Tribal Liaisons, hosted the 15th Annual Indian Nations and Tribes Legislative Day (INTLD) on Tuesday, January 19, 2010.

The purpose of this day is to celebrate the rich culture and history of Arizona’s Tribes and Nations and also to address issues of mutual interest. Following up on recommendations produced at the 28th Annual Indian Town Hall, the ACIA is committed to developing a plan to identify proactive solutions to overcome challenges related to growth, which includes investment in environmental science and technology. The theme for this year’s event was “Prospering through Renewable Energy and Technology” to emphasize the tribal role in energy and growth.

In attendance were over 450 tribal leaders, state legislators, and other interested constituents. Beginning with a joint protocol session held in the House, we were honored to have a posting of the colors by the Ira Hayes Post #84 and flag song by the drum group, Dearhouse. This year’s featured speaker was the Chairman of the Fort Mojave Indian Tribe, Mr. Timothy Williams, who focused on the benefits of investing in renewable energy and technology.

Following the joint session, a catered luncheon prepared by Classic Cooking Academy was graciously provided by Red Arrow Homes, NABI Foundation and Chasing the Sun. During the lunch hour, guests had the opportunity to visit with various state agencies and companies who specialize in energy efficiency, recycling, waste reduction, pollution prevention, and green building. An added feature during this year’s lunch, were performances by Gila River Basket Dancers and Hopi Hoop Dancers.

The day concluded with an afternoon workshop in the Capitol Museum Old Senate room that was attended by 90 attendees including legislators. Workshop presentations were provided by:

1. Introduction to Renewable Energy – Sandra Begay-Campbell, Sandia National Laboratories
2. Retrofit Technology – Kris Mayes, AZ Corporation Commission
3. Big Boquillas Wind Energy Project – Arvin Trujillo, Navajo Nation

4. Addressing Dual Taxation & Transmission Lines – Mike Connolly Miskwish, High Pass Energy, Inc.
5. Balancing an Energy Portfolio – Tracey Lebeau, Sonnenschein Nath & Rosenthal

The Commission would like to thank everyone for their participation and the success of the 15th Annual Indian Nations and Tribes Legislative Day to provide an opportunity for legislators and tribal leaders to engage in meaningful dialogue.

LEGISLATIVE HIGHLIGHTS

On February 24th, 2010 the Commission facilitated a community meeting for traditional healers to discuss SB1164, a bill which recommended the regulation of sweat lodge ceremonies off the reservation. Over 70 practitioners were in attendance to provide valuable feedback on how this bill would impact Native Medicine, the definition of a traditional healer and potential licensing requirements to conduct ceremonies. This was the first meeting of its kind to bring a large group of traditional healers from all over the state to discuss pending legislation while engaging the bill sponsor.

On June 8th, 2010, the Commission facilitated a consultation on behalf of the Arizona Peace Officer and Standards and Training (AZPOST) board to discuss how SB1070 would be implemented at a time when Tribal Leaders began to raise their concerns. All tribes were invited and encouraged to send additional representatives of law enforcement and public safety to address unique situations regarding presumptive identification. This meeting proved valuable for AZPOST as feedback from the consultation was integrated into the training program.

STATE OF ARIZONA TRIBAL LIAISONS

In addition to resources provided by the Commission of Indian Affairs, tribal concerns require the attention of an individual working at the policy level to advise and explain how decisions would impact tribes and ensure that tribal concerns are vetted and fully understood. By 2003, a Policy Advisor for Tribal Affairs was established within the Office of the Governor to serve a vital role as the direct contact for Tribal leaders to address concerns. The combination of a Policy Advisor and the Commission of Indian Affairs proved to be so successful that consideration was then focused on what the possibilities would be if a direct contact were located in each Executive Branch agency.

On September 14th, 2006, Executive Order 2006-14 Consultation and Cooperation with Arizona Tribes was established. The Executive Order required each Executive Branch agency to:

1. Develop and implement a tribal consultation policy to guide their work and interaction with federally-recognized Tribes in Arizona.
2. Designate a principle point of contact for tribal issues; and
3. Review their tribal consultation policies each year and submit an electronic report to describe all action undertaken as a result of implementation of these policies.

The Commission coordinates regular meetings of the tribal liaisons and subcommittees, collects and distributes the work of each tribal liaison quarterly and annually.

As a tribal liaison the guiding principles are to:

- Encourage a spirit of cooperation to guide the continuing government-to-government relationship between the State of Arizona and Tribal Nations and Communities located in Arizona.
- Ensure meaningful and timely consultation with Tribal Leaders to facilitate better understanding, informed decision making, and intergovernmental cooperation.
- Advocate for cultural diversity education and training.
- Provide support for excellence in customer service.
- Promote and support access to economic, infrastructure and regulatory resources.
- Establish a spirit of cooperation and collaboration among state agency tribal liaison's in order to share ideas, address needs and effectively implement the mandates outlined in EO 2006-14
- Ensure that state services and resources are available to all eligible state citizens residing in Arizona tribal communities to the same extent that such services are available to all other eligible state citizens.

State Agency Tribal Liaisons:

Office of the Governor - Katosha Nakai, Policy Advisor for Tribal Affairs
AZ Commission of Indian Affairs - Kristine Thomas, Executive Director
Dept of Commerce - Energy Office Debby Tewa, Renewable & Tribal Energy Coordinator
Dept of Housing - Karia Lee Basta, Tribal Liaison
Dept of Transportation - Misty Dayzie, Tribal Planner
Library, Archives and Public Records - Mary Villegas, Tribal Library Consultant
Office of Tourism - Dawn Melvin, Native American Tourism Development Manager
Registrar of Contractors - Wilma Himel, Assistant Director and Tribal Liaison
School Facilities Board - Ron Passarelli, Government and Tribal Liaison, Special Projects
AHCCCS - Carol Chicharello, Tribal Relations Liaison, Office of the Director
AZ Advisory Council on Indian Health Care - Fred Hubbard, Executive Director
Dept of Economic Security - Judith Fritsch, Program Administrator, CPIP
Dept of Education - Debora Norris, Indian Education Program Director
Dept of Health Services - Verna Johnson, Program Manager, Tobacco Education & Prevention
Dept of Health Services - Teresa Ehnert, Emergency Preparedness Office Chief
Dept of Health Services - Taryn Watson, Native American Community Development Manager
Dept of Health Services - Michael Allison, Native American Liaison
Dept of Health Services - Lydia Hubbard-Pourier, TRBHA Contract Administrator
Dept of Veterans' Services - Mike Klier, Assistant Deputy Director
First Things First - Beverly Russell, Tribal Liaison
Dept of Agriculture - Doug Marsh, State Agriculture Laboratory Director
Dept of Water Resources - Fred Breedlove, Legislative and Tribal Liaison
Game and Fish Department - Bob Broscheid, Deputy Director
Land Department - Steve Ross, Cultural Resources Mgr/Archaeologist
State Parks - Jim Garrison, State Historic Preservation Officer
Dept of Corrections - Leticia Smith, Investigator III
Dept of Emergency and Military Affairs - Ed Flinn, Director of Joint Programs
Dept of Homeland Security - Fernando Reyes, Border and Tribal Liaison
Dept of Juvenile Corrections - Marie Bahe, AA/ADA/EEO Coordinator
Dept of Public Safety - Larry Scarber, Commander of Southern Patrol