

RAISING THE NATIONAL PROFILE OF INDIAN COUNTRY: A 51st State for Indians?

In an article posted on line, Mark Charles proposed the concept for a 51st state representing Indian Country in the US Congress. It is an interesting concept that has been considered before, in terms of providing a better process for government to government consultation.

In the 1990s, the National Congress of American Indians proposed an *Inter-Departmental Council on Indian Affairs (IDCIA)* and a *National Native American Advisory Commission (NNAAC)*, considerations which were encouraged by Senator Inouye (D-HI). With funding from the new American Indian Policy Center at GWU, I wrote a report on the history of Indian representation in matters of national Indian affairs from the time of the early Spanish up to modern times. That report titled "Indian Representation in Washington: Considerations for Improved Federal-Indian Relations through Consultation," should be available in the files of the AIPC.

The following article is largely taken from that report:

The improvement of Federal-Indian consultation pursuant to the government-to-government relationship has been a goal of Indians leaders and federal officials for many years. There have been several efforts to involve Indian leadership in national policy development; these have consisted of ad hoc commissions and task forces, and on-going advisory councils such as the National Indian Education Council and the National Indian Health Board.

Various arrangements for Indian representation in Washington have been studied as part of the mandated work of the Congressional American Indian Policy Review Commission (AIPRC) in 1975-76, these included:

- Election of an American Indian Congressional delegation (51st State concept)
- A Union of Indian Nations
- An Indian Board of Representatives or Commissioners
- Recognition of Tribal Governments in a manner similar to the trust relations between Micronesia and the United States

These were studied, albeit cursorily, by the AIPRC Task Force on Federal Administration, which decided not to endorse any concept and to make no recommendation on the issue to the AIPRC.

However, in the event that a 51st state were established in Congress for Indian Country, unless the tribes would want their new, presumably-Indian senators and congressmen to be their sole representation, which is highly unlikely, there would still be a need for Indian organizations to represent them.

Tribal leaders have consistently sought the establishment of a White House Office of Indian Affairs, and even a Cabinet-level Department of Indian Affairs. However, with the exception of a brief period during the Nixon administration, Indian affairs in the White House has been generally relegated to liaison desks in such offices as the Carter administration's Small Communities and Rural Development (SCRUD). President George H.W. Bush elevated Indian affairs to the White House Office of inter-governmental Affairs, but Indian organizations concluded that the White House staff with these responsibilities was so low ranking as to make the office largely ceremonial.

The closest entity Indians have had to a White House Office of Indian Affairs has been the *National Council for Indian Opportunity (NCIO)*, which was placed under the Office of the Vice President (Spiro Agnew, at the time). However, although Indian leadership at first welcomed its creation by Congress and the White House, NCIO died without much regret, defunded by Congress because of its political activities, abuse of power, and its efforts to demean and destroy NCAI.

Among the national Indian leadership, there has been considerable thought and effort given to

improving the tribal side of the consultation process. The National Tribal Chairmen's Association (NTCA), made up of principal executive officers of the federally-recognized Indian tribes, was established to improve consultation on national Indian policy. Although it was supported by the BIA and other federal agencies, NTCA failed to get support from the tribes, and ceased to exist.

Later, during the internecine conflict between NTCA and NCAI, Indian leaders seeing a need for greater unity and improved national representation proposed a concept for establishment of a consortium of Indian organizations. Put forth by Navajo President Peter MacDonald, the concept of a *Native American Treaty Rights Organization* (NATRO) was to include the NCAI, NTCA, the Navajo Tribe, the National Indian Youth Council (NIYC), the American Indian Movement (AIM), the Alaska Federation of Natives (AFN), and Americans for Indian Opportunity (AIO). This would have been a curious mix of two national constituency organizations, one tribe, one special-interest organization (Indian youth), a self-described non-organization (AIM), one regional intertribal organization (AFN), and a private non-profit organization (AIO).

The NATRO concept was rejected out of hand by NTCA, and after consideration was declined by NCAI as well. To the NCAI, the NATRO concept was for a national entity that would, in reality, supersede each of the organizations in the coalition.

Finally, although the proposal was never formally made, some Indian leaders had discussed the possibility of NTCA and NCAI coming together as a Congress of Indian America. The NCAI with its sophisticated weighted-vote structure, and representing a wide constituency of federally-recognized tribes, non-federally-recognized tribal groups, and special-interest Indian constituency organizations, would be like a House of Representatives. The NTCA, with its one-member-one-vote arrangement, would serve as a Senate. Only major issues of national policy would require the endorsement of both organizations. However, that concept was never formally proposed to either the NCAI or to the NTCA.

The most enduring intertribal organization representing Native America nationally is the National Congress of American Indians. Although there are national Indian organizations representing every intertribal region of the country, and virtually every special interest and profession, the only national tribal constituency organization is the NCAI.

It's always interesting and exciting to think about to raise the national profile of Indian tribes commensurate with their sovereignty, and to make their voices heard more equitably in the Nation's Capitol. But it is also good to look into the considerations of past generations of Indian leaders and see what their ideas were in the matter, and why the concepts were not pursued further.

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