

## *THE FUTURE OF "TRIBAL" SELF-GOVERNANCE*

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*You are the future of self governance when you imagine a future that is able to continue the meaningful expression of traditional values that is relevant to a contemporary setting.*

Jerry Folsom, IHS Self-Governance Training  
San Francisco, CA

I am very pleased to have been asked to share some remarks about the *Future of Tribal Self-Governance* and the government-to-government relationship with the U.S. Indian Health Service (IHS). My goal is to share a vision of Self-Governance which offers ways to meet the needs and fulfill the goals and dreams of your family, your people and yourself. I want to help you answer questions about Self-Governance and minimize any concerns anxieties that you may have whether you are considering Self-Governance, or since you've been in Self-Governance, or just general trepidation about making a change in the Tribal-Federal relationship.

I want to remind you of the messages you've heard from previous presenters these past two days - about the rich and varied history of Self-Governance. How it has been operating and working for over twenty (20) years. Self-Governance has provided a diverse foundation with a broad and varied spectrum of options for Tribes to assume the roles of administrator, operator and manager of Tribal health programs. You've heard about the processes they used to transition the new Tribal-Federal relationship under Self-Governance. This new horizon is just the tip of the iceberg and holds promise for so much more as Tribes consider the option of Self-Governance.

We are fortunate to have had the pioneers that set the stage and paved the way, opened doors and built good partnerships with the Federal government. It is by example that others can contemplate these choices and determine if Self-Governance is right for them. There is literally still 75 % of the work waiting to be done.

We stand ready and willing to build upon the foundation, the planning, the examples and the successes that you have heard about here today. There are still problems to remedy, challenges to confront and your contributions to this evolving and riveting initiative are paramount to the future. Some of you are holding the missing pieces and perspectives that will add to the Tribal Self-Governance mural. It is a work in progress. The future will continue to be dictated by the strength of great leadership, the commitment of a Nation of people eager to once again reassume their destiny and a collective willingness of a country to acknowledge the sovereign right of American Indian and Alaska Native people to be self-governing.

Many Tribes may be struggling with next steps because think that they have not been heard. Let me tell you that you have been heard which is why we are here today. But this is only the beginning. As one of my Lummi elders says "if we keep talking we will find a way, to not only survive, but to flourish".

You are the future of Tribal Self-Governance! When your Tribe is able to express its unique connection to the universe, the earth, to the other Tribes, the United States of America and most importantly to its own membership - your Tribe is self-governing on all levels.

The future of Self-Governance is the golden past of each Tribe brought forward and expressed in contemporary terms. Babies are gifts not burdens, elders are an essential part of all community functions, women should be respected as the givers of life, and men and women should be able to work productively to meet the needs of their families and the needs of others

through service. Ceremonial life is supported both spiritually and materially and songs, dances and stories are valued as basic and revered skills learned by all individuals.

Self-Governance begins with you and your family, your community and your Tribal nation. Self-Governance does not begin in Washington D.C. Self-Governance cannot be given or taken away by the Federal government. It is up to each Tribe to claim Self-Governance as their inherent right.

### **POSITIVE GROWTH OF SELF-GOVERNANCE**

To provide a scale of the growth of the success of Self-Governance I present the following money based example. In 1988 one tenth (1/10) of the funding appropriated by the U.S. Congress for the benefit of Indian People actually reached Indian People. Today, with significant increases in funding the fraction of funding that actually reaches Indian people is about a quarter ( $\frac{1}{4}$ ). Annually, over a billion dollars is under the direct control of federally-recognized Tribal governments.

***So tribes have progressed from a dime to a quarter. There is a long way to go before we rest!!!***

### **SELF-GOVERNANCE ANXIETY**

**Responsibility:** Many tribes fear that choosing and entering Self-Governance will mean assuming responsibilities that the Tribe is not prepared to fully exercise. Tribes already have all of the responsibility for all that Tribal government is doing and for what the Tribal government is allowing the Indian Health Service and Bureau of Indian Affairs (BIA) to do on the reservation. There are no other additional responsibilities that you will be required to assume.

**Authority:** What you will gain is authority. Currently the Tribal authority is growing; but it was non-existent before Self-Governance. The exercise of authority like success breeds more authority. Responsibility without authority is a cruel joke that has crippled the role of the Tribal government since the arrival of the settlers.

An analogy of sorts would be feeling the pain of a tooth ache and needing to go to the dentist. Of course you fret the dentist because of the probing in a sensitive area, the needle and yes the removal the tooth. But if you didn't go to the dentist, I could not go instead because it would not help you, your pain, nor give you the relief you will have after visiting the dentist. In contrast unless Tribes are tired enough and the needs of the communities are being compromised and absent of the critical services and funding they need to help improve their local situation, than you are not ready for Self-Governance. Unless you are *"sick and tired of being sick and tired"*, then you are not ready to commit to options that offer you more and a better way to improve the quality of life on your reservation, in your community for your citizens.

**Process of Expanding the Authority of Tribes under Self-Governance:** This use of this expansion of authority is exercised in all interactions with representatives of the BIA and IHS area, regional and agency offices. Many of the provisions of the Title V amendments to P.L. 93-638 have been developed by the Alaskan Tribes in their negotiations with the IHS. Self-Governance authorizes Tribes to manage, operate and administer programs, services, functions and some activities designed to address the direct and current needs of their citizens. In some instances the federal roles have been decreased but the United States trust responsibility for Indian People remains in tack and as obligating as always.

The current Administration has been receptive to discussions on the proposed Title VI amendments to the ISDEAA that will expand Tribal Self-Governance in agencies other than the IHS within the Department of Health and Human Services. These discussions have required that we start anew with our efforts to advance this effort. Even though we take exception to

once again “starting over in the discussions” we are encouraged by the advances we have made under Title IV and Title V. We will be resilient to the redundant and repeated requests of the Administration and Congress in order to move forward and not be discouraged by the need to continue to educate the old guard, as well as the new comers in Washington, D.C.

Our message is only as strong as our voices and Tribes must remember the words in the message that motivated the Tribal Leaders and initiated the Self-Governance movement, *“The future will be dictated by the strength of great leadership, commitment of a Nation of people eager to once again reassume their destiny and a collective willingness of a country to acknowledge the sovereign right of American Indian and Alaska Native peoples to be self-governing.”*

*In closing, “unless you are sick and tired of being sick and tired”,* and ready for a change, you may not be not ready to make the commitment. We [the rest of us] will champion the Self-Governance message and usher the Future Agenda...just like the Tribal Leaders did in 1988.

We hope to see you on the journey!