



TRIBAL ALLIANCE OF SOVEREIGN INDIAN NATIONS

PREPARED TESTIMONY OF

**LYNN VALBUENA, CHAIRWOMAN
TRIBAL ALLIANCE OF SOVEREIGN INDIAN NATIONS**

**BEFORE THE COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE**

RECLAIMING OUR IMAGE AND IDENTITY FOR THE NEXT SEVEN GENERATIONS

NOVEMBER 29, 2012

TRIBAL GOVERNMENTS:

AGUA CALIENTE BAND
OF CAHUILLA INDIANS

AUGUSTINE BAND OF
MISSION INDIANS

CAHUILLA BAND
OF INDIANS

CHEMEHUEVI INDIAN
TRIBE

PECHANGA BAND OF
LUISEÑO INDIANS

SAN MANUEL BAND OF
MISSION INDIANS

SANTA ROSA BAND OF
MISSION INDIANS

SANTA YNEZ BAND OF
CHUMASH INDIANS

SOBOBA BAND OF
LUISEÑO INDIANS

Good afternoon, Chairman Akaka, Vice Chairman Barrasso and distinguished Members of the Committee.

I am Lynn Valbuena, Chairwoman of the Tribal Alliance of Sovereign Indian Nations, or TASIN as we are more commonly referred to. I am also the former Vice Chairwoman of the San Manuel Band of Mission Indians near San Bernardino, California and previously served as secretary of the National Indian Gaming Association; I currently serve as the secretary for the Smithsonian Institution's National Museum of the American Indian and as a Trustee for the Autry National Center in Los Angeles.

Thank you for holding this hearing.

TASIN is an intergovernmental association of nine federally recognized tribal governments throughout Southern California. Our members include the Agua Caliente Band of Cahuilla Indians, the Augustine Band of Cahuilla Indians, the Cahuilla Band of Indians, the Chemehuevi Indian Tribe, the Pechanga Band of Luiseño Indians, the San Manuel Band of Mission Indians, the Santa Rosa Band of Mission Indians, the Santa Ynez Band of Chumash Indians, and the Soboba Band of Luiseño Indians.

Our purpose is to protect and promote the tribal sovereign government rights, the cultural identity and interests of federally recognized tribes located within the Federal Central Judicial District within the State of California.

TASIN and member tribes have been at the forefront of almost every major public policy issue in California affecting tribal governments, either sponsoring or helping to shape legislation regarding Indian Child Welfare, the Indian Gaming Special Distribution Fund, sacred sites protection, Internet Gaming, protection of tribal gaming exclusivity, off-reservation gaming, and the Revenue Sharing Trust Fund for non-gaming tribes.

I thank and commend you, Chairman Akaka, members of the Committee and senior staff for your diligence in reaching out to Indian Country throughout the last year. We hope future committees will continue the regular and ongoing dialogue with Indian Country that you have helped to initiate.

Our Native culture is central to the identity of American Indians. Our traditions, our belief systems, our inherent rights - *our way of life* - have all been handed down by our forefathers generation by generation.

My daughter teaches my grandchildren the stories and traditions I taught her as a child, just like my mother, who learned them from my grandmother, taught them to me.

My mother, Pauline Murillo, intuitively understood and would often talk about Indian people living in two worlds. She and my grandmother instilled in us kids the importance of educating the public and non-Indian people about who we are as tribes and tribal people.

In fact, my mother even wrote a book about her experiences of living on the San Manuel Reservation while also being an active citizen in the non-Indian world.

Growing up, my mother and other tribal children were teased and harassed by the non-Indian kids. They tolerated and endured a lot of bigotry and isolation, just like so many of our tribal elders across the country, because of stereotypes and inaccuracies.

But the foundation of the modern rights and identity of sovereign nations is our unique legacy of traditions, language, values, and beliefs, tested throughout history that shapes and informs every tribal member.

It is for this reason, and despite past misguided federal policies, hostilities, Hollywood stereotypes, and hardships suffered by American Indians, that the self-identity of America's indigenous people remains strong and vibrant.

We know who we are: the descendants of the original people who governed this land now called America. We are also her stewards.

For much of the 20th century, the stereotype of a Native person was that of a feather bonnet-wearing Indian living in a tepee. I remember growing up and being asked about my tepee and if I put on my costume when I get home back on the reservation. But tepees, of course, were not indigenous to Southern California.

Another heinous stereotype, which sadly continues to be perpetuated today, is that of the drunken Indian. Sadly, most of the public believes the stereotype. In 2010, TASIN conducted a statewide public opinion poll of California voters and found that 60% of respondents believe Indians living on a reservation have a high degree of alcoholism and substance abuse.

Obviously we recognize the rate of alcoholism and substance abuse among Native Americans is higher than the general population, but at the same time a 2007 study by the Substance Abuse & Mental Health Services Administration found that fewer American Indians and Alaska Natives used alcohol in the past year as compared to other racial groups.

Yet, the perception continues to hold, and this has deep consequences for our youth since their self-worth has such a bearing on their long-term success in life. Research has concluded that negative stereotypes foster feelings of inferiority, shame, and low self-esteem among Native youth.^[1] Low self-esteem, which has been linked to academic performance and social adjustment, has also been identified as a factor in Native youth's historically low high school graduation rates^[2] and high suicide and homicide rates.^[3]

I submit to you that history demands that we define *ourselves* to the non-Native world; otherwise these and other stereotypes will take hold and redefine our children and grandchildren.

Clearly, IGRA's policy goal of promoting tribal economic development, self-sufficiency, and strong tribal governments through Indian Gaming has brought unprecedented economic opportunities to tribes and tribal people. But it has also thrust Indian tribes and Indian people into a very bright spotlight, raising awareness and creating greater interest into our way of life that for generations has been deeply cherished and held private.

To a large extent, IGRA's success has resulted in a new stereotype: that every Indian is wealthy and owns a casino. In fact, our public opinion survey from 2010 found that 53% of Californians think Indian casinos have made Indian people rich.

Naturally, this perception breeds envy and results in a backlash toward tribes, which creates new challenges with real policy and human consequences.

In 2003, for example, Arnold Schwarzenegger ran a political ad saying he would force tribes to "pay their fair share." He exploited the commonly misunderstood circumstance that tribal government gaming operations don't pay taxes. Of course he ignored the long-held principle that governments don't tax other governments.

And when Schwarzenegger became governor, he demanded tribes renegotiate their compacts and make payments into the State's General Fund in order to help solve the state's budget crises.

The result of this misguided policy was that the 9th Circuit Court of Appeals last year ruled Schwarzenegger negotiated in bad-faith by effectively demanding an illegal tax.

[1] Pewewardy, 2004

[2] Payment, 2011

[3] Harjo, 1990; Young, 1993; Centers for Disease Control and Prevention, 2012

Even many elected officials – the people charged with policymaking – are also uninformed about our rights and who we are.

This is one of the reasons TASIN has partnered with the League of California Cities, a coalition of 478 cities, to help educate elected officials at the local government level about tribal governments. Each year, we participate in their annual conference and each year without fail, local officials will come by and ask us to build a casino in their cities. The first year we participated, several elected officials asked, “why are the Indians at our conference, what’s the purpose? Are you trying to build more casinos?” Even today, some just don’t understand that we have governmental rights and responsibilities.

This is why several TASIN tribes every year undertake educational campaigns to bring awareness to people throughout our region about our rights, history, and cultural heritage. Every year, my tribe and other tribal governments air and place ads in regional media to tell our story in our way.

We recognize that we bear the responsibility of educating non-Native people about ourselves, but Congress and this Committee can and should take a couple of simple steps to help us, particularly since past federal policies have contributed to and perpetuated the stereotypes that exist today.

It is very fitting that this hearing is held this month - November. November, as you are aware, is National American Indian Heritage Month.

Before it was Native American Week, which was held in November, then September, then the first week of December. My point is: not until 1995 have presidents issued annual proclamations *consistently* designating November as National American Indian Heritage Month.

And we deeply appreciate that President Obama signed into law the Native American Heritage Day Act of 2009, declaring the Friday after Thanksgiving as Native American Heritage Day. This was an important and long overdue acknowledgment by Congress, but we all need to do more to raise awareness of this important month and day.

If you were to ask most Americans what the day after Thanksgiving is called, I would venture to guess that 99.9% would say its “Black Friday” instead of Native American Heritage Day. We all need to do more to raise awareness about this important day if we expect it to become a meaningful and relevant American tradition like Martin Luther King, Jr. Day, Labor Day, or even Columbus Day.

Another important step this committee can take is to reauthorize and fund the Esther Martinez Native American Languages Preservation Act, which was enacted in 2006 to preserve and increase fluency in Native American languages. Language shapes everyone’s identity, but for Native communities there is an urgent need to protect our languages from extinction.

In closing, let me say that we recognize that most education policy is decided at the state and local levels; however, you and Congress can do a lot to encourage states and school districts to adopt curricula that accurately reflect the history, culture, and experience of local American Indian tribes.

As early as the 1950s my mother and grandmother would visit local schools to counteract inaccurate and misleading stereotypes of Indian people. They worked hard to teach as many people as they could. More than 50 years later, we are still visiting schools to correct inaccurate accounts of our history and our culture. Tribal people should not be in the position of constantly having to undo misperceptions caused in part by flawed policies.

In California, tribes have worked for more than a decade to encourage the adoption of curriculum that teaches local children about the history and culture of the local tribes.

We still have more work to do, but we believe accurate and appropriate lessons would go a long ways toward helping to undo stereotypes and misunderstanding.

Indian tribes and Indian people are part of America's past, present, and its future. We look for Congress's collaboration into the future so that our image and identity is strong and vibrant for the next seven generations.

Thank you.