



Muscogee (CREEK) Nation

Executive Office

Testimony of the Principal Chief James R. Floyd for the Oversight Hearing on
“The 30th Anniversary of Tribal Self-Governance: Successes in
Self-governance and an Outlook for the Next 30 Years”

April 18, 2016

Good Afternoon Chairman Hoeven, Vice Chairman Udall, and Committee Members. It is my pleasure to be before you today to share the Muscogee (Creek) Nation’s Self-Governance success story. This hearing is well timed as the Committee has just advanced the PROGRESS for Indians Act which modernizes Title IV of the Indian Self-Determination and Education Assistance Act and others weigh expansion of those Self-Governance tenets to other federally operated programs within the Departments of Agriculture and Health and Human Services.

Self-Governance changes the governing landscape for tribes, it providing tribal leaders with choices to expand services, to serve more citizens, and tailor opportunities based on local needs through innovative programmatic delivery, administrative efficiencies, and coordinated services. Muscogee (Creek) Nation has leveraged the flexibility within the program to provide expanded burial assistance services, to support additional child welfare and family programs, to offer policing services, and to execute complex land, title and record transactions. Though the Muscogee (Creek) Nation has several great examples where Self-Governance has improved the delivery of federal programs for Muscogee citizens and other tribal citizens, today I am going to focus on the success of our Law Enforcement and Realty Department.

The Muscogee (Creek) Nation is the fourth largest federally recognized Tribe in the United States with a total population of 85,501 tribal citizens – more than half of whom live within the tribal jurisdiction. MCN tribal headquarters are centrally situated within the Nation’s jurisdiction in the city of Okmulgee. The service area consists of urban, rural, and very remote areas and population densities vary from fewer than fifty (50) residents, to Tulsa, one of the largest urban areas within the State of Oklahoma. The Muscogee (Creek) Nation’s Lighthorse Police Department (“Lighthorse”) patrols and polices the entire MCN jurisdiction, which covers eleven (11) counties and nearly 5,000 square miles in the east central part of the state of Oklahoma.

Without Self-Governance, Muscogee (Creek) Nation would have to rely solely on the Federal Bureau of Investigations to patrol, police and investigate crime on tribal and individual trust and restricted properties. The sheer size of the Nation’s needs greatly outweigh the human and capital resources available in the Muskogee Satellite Office. However, Self-Governance provides base funding to support the Criminal Investigation Division within the Lighthorse

Police Department and empowers the Nation to work with other police departments to enhance the safety of communities across the entire jurisdiction.

The MCN Lighthouse Police Department employs more than 65 people, including 42 sworn officers, 12 reserve officers, and several criminal investigators who are responsible for patrolling an area larger than the state of New Jersey. MCN Lighthouse has primary policing responsibilities over all tribally-owned, restricted and trust properties totaling more than 150,000 acres, including 25 individual MCN Indian communities, 9 gaming and 9 tribal health facilities, five tribally-owned housing properties, many tribal offices and the College of the Muscogee Nation.

To best service MCN communities and assist cities within the Nation jurisdiction, Lighthouse maintains Cross Deputization Agreements with non-tribal law enforcement agencies across the MCN original jurisdiction, including county and city police departments. These Agreements allow Lighthouse officers, local law enforcement officers, state, county, and federal officials to cooperatively manage active scenes and provide policing services when necessary. Current Agreements include police departments for the cities of Tulsa, Bristow, Okmulgee, Morris, Dewar, Eufaula, Wetumka, Holdenville, Okemah, Weleetka, and the Sheriff Offices of Wagoner and McIntosh Counties.

An active law enforcement division is foundational for any government, but for Tribal governments it is the only way to protect its citizens in an ever-growing and complex jurisdictional environment. Another critical function for tribal governments is related to land ownership, protection, and management as performed by the Nation's realty office. For nearly 22 years, the Muscogee (Creek) Nation has operated the Land, Title and Records Office functions. These functions are crucial to the Nation's restricted and trust property owners and essential to the economic vitality of tribal nations.

The Nation's Realty Department is the repository of information related to all trust and restricted property within the jurisdiction. The Department employs seventeen individuals to maintain land ownership records, to provide Title Status Reports, to execute and oversee all trust and restricted property leases, to assist citizens in the probate process, to perform onsite inspections and surveys, and to approve right-of-way and easements. The Nation's performance of nearly all matters related to trust and restricted property removes many bureaucratic barriers for tribal citizens and the tribal government.

The Realty Department houses all records related to restricted property onsite, which allows realty employees to research and provide available documents upon requests of a tribal citizen on the same day. The speed in document recovery and one-on-one assistance provided is critical during a family's probate procedure or leasing process. It also helps protect the interests of individual land owners, while provide clear and concise information to tribal landowners. The Department not only provides critical information to Muscogee citizens, it also maintains and sources records for the Bureau of Indian Affairs, oil and gas companies, and other municipalities. Maintenance of the land and title records within the Nation is a time intensive process that requires regular manual updates because the BIA system cannot currently support restricted land ownership. As such, Muscogee (Creek) Nation subsidizes the funds provided by the Department of the Interior to ensure that citizens and third parties have adequate and timely access to essential land records.

Since Muscogee (Creek) Nation first signed its compact more than twenty years ago, tribal leaders before me have worked persistently to create, maintain, and expand essential government functions. Today, like other governments, the Nation searches for opportunities to provide better services when, where and how citizens need them. Only through Self-Governance can I and others continue to pursue the goals leaders set before Congress in 1988 and only with your support can Tribal governments continue to claim their space among the family governments. I look forward to working this Committee and others to ensure that Tribes can continue serve the best interests of their citizens. Thank you for this opportunity. I am happy to answer any questions you may have.