

*SECURING THE NATIVE VOICE:
REAUTHORIZING THE MINORITY LANGUAGE ASSISTANCE PROVISIONS
(SECTION 203) OF THE VOTING RIGHTS ACT*

**JOINT TESTIMONY OF
THE NATIONAL CONGRESS OF AMERICAN INDIANS AND
THE NATIVE AMERICAN RIGHTS FUND**

**BEFORE THE HOUSE JUDICIARY COMMITTEE
SUBCOMMITTEE ON THE CONSTITUTION**

**WASHINGTON, D.C.
NOVEMBER 9, 2005**

INTRODUCTION

Thank you Mr. Chairman and members of the Subcommittee. On behalf of the National Congress of American Indians (NCAI) and the Native American Rights Fund (NARF), I appreciate this opportunity to express our support for reauthorization of all of the provisions in the Voting Rights Act that are scheduled to expire in 2007; and in particular, to testify today in support of reauthorization of Section 203 and the continuing need for the minority language assistance provisions throughout Indian country.

Since 1944, the National Congress of American Indians has worked diligently to strengthen, protect and inform the public and Congress on the governmental rights of American Indians and Alaskan Natives. NCAI is the oldest and largest national organization addressing American Indian interests, representing more than 250 member tribes throughout the United States. Since 1971, the Native American Rights Fund has provided legal and technical services to individuals, groups and organizations on major issues facing Native people. NARF has become one of the largest Native non-profit legal advocacy organizations in the United States, dedicating its resources to the preservation of tribal existence, the protection of tribal natural and cultural resources, the promotion of human rights and the accountability of governments to Native Americans.

TESTIMONY - SECTION 203 SHOULD BE REAUTHORIZED

Last week at the NCAI Annual Session in Tulsa, Oklahoma, tribal leaders from across the nation passed a Resolution calling upon the Congress to re-authorize and expand the minority language provisions of the Voting Rights Act. This resolution is attached and submitted for the record. Native Americans were an historically disenfranchised people. Although Native Americans have inhabited North America longer than any other segment of American-society,

they were the last group to receive the right to vote when the United States finally made them citizens in 1924. Even after 1924, certain states with large native populations barred Native Americans from voting by setting discriminatory voter registration requirements. For example, various states denied Indians the right to vote because they were “under guardianship,” or Indians were denied the right to vote unless they could prove they were “civilized” by moving off of the reservation and renouncing their tribal ties. New Mexico was the last State to remove all express legal impediments to voting for Native Americans in 1962, three years before the passage of the Voting Rights Act. In addition, Native Americans have experienced many of the discriminatory tactics that kept African-Americans in the South from exercising the franchise.

With the passage of the 1965 Voting Rights Act, Congress took the first necessary steps to start the process of remedying this history of discrimination and disenfranchisement. While we have made tremendous progress in the last 40 years, we still have a long way to go. When the Voting Rights Act came up for reauthorization in 1975, Congress heard extensive testimony regarding voting discrimination suffered not just by African-Americans, but also by Hispanics, Asian-Americans and American Indians. As a result, Congress took another major step by adding section 203 to the Voting Rights Act. Congress did so based on its finding that educational inequality and racial discrimination prohibited full participation in the democratic process by Native Americans, Alaskan Natives and other language minority groups.

In 1992, Congress moved forward again, passing the Voting Rights Language Assistance Amendments – the provisions which are the subject of today’s hearing. Under the 1992 amendments, Congress strengthened the triggering mechanism of section 203 by adding a numerical threshold provision and by adding the so-called “Indian trigger” – wherein a state or political subdivision is “covered” if it contains all or any part of an Indian reservation where

more than five percent of the American Indian or Alaskan Native voting age population are members of a single language minority and have limited English proficiency. In 1992, Congress heard testimony from a number of leaders from across Indian Country, all of whom testified about the importance of the minority language provisions to Native communities. NCAI and NARF offered joint testimony at that time as well and documented persistent educational inequities and discrimination in voting that persist today. In passing the 1992 Language Assistance Amendments, Congress clearly recognized the need for language assistance in American Indian and Alaskan Native communities.

While significant progress has been made in enfranchising Native Americans, the need for Section 203 has not diminished in the years since Congress added that section to the Voting Rights Act. Historically disenfranchised, Native Americans continue to need and to use language assistance in the electoral process today. This assistance enables those who understand their own language better than they understand English to effectively participate in the democratic process. The value of Section 203 to Indian country cannot be overstated. Today, according to the new determinations released by the Census Bureau in July 2002, eighty-eight (88) jurisdictions in seventeen (17) states are covered jurisdictions that need to provide language assistance to American Indians and Alaskan Natives. Section 203 has resulted in the filing of numerous minority language assistance cases involving American Indians, with the vast majority being resolved by consent decree with the covered jurisdictions agreeing to provide the necessary translations of written voter materials, or the necessary oral assistance at polling places.¹

¹ See *e.g.*, *U.S. v. Bernalillo County*, No. 98-156-BB/LCS (D.N.M. July 1, 2003); *U.S. v. Arizona*, No. 88-1989-PHX EHC (D.Ariz. May 22 1989, amended September 27, 1993); and *U.S. v. San Juan County*, No. C-83-1287 (D.Utah Oct. 11, 1990).

While no one knows exactly how many Native American language speakers live in the U.S. today, the language provisions of Section 203 continue to be critical for many Native communities. In many Native communities, tribal business is conducted exclusively or primarily in Native languages. Many Native people, particularly our elders, speak English only as a second language. Even if they have English language skills, many Indian people have said that they feel more comfortable speaking their Native language and are better able to understand complicated ballot issues in their Native language. Furthermore, it is the policy of the federal government, as expressed in the Native American Languages Act of 1990 (NALA) to “preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages.”² The NALA was the first, and may be the only, federal law to guarantee the right of a language minority group to use its language in “public proceedings.” Disenfranchising Native Americans by failing to provide language assistance in the electoral process to those who need it would surely violate this statutory right. Section 203 ensures all Native people, particularly our elders, many of whom speak English poorly if at all, have access to the ballot box. At the same time, it recognizes the importance of preserving and honoring indigenous languages and cultures.

Traditionally, voter participation rates by American Indians and Alaskan Natives have always been among the lowest of all communities within the United States. While voter registration and turnout by Native American voters is still below non-Native averages in many parts of the country, many Native communities have seen steady, even significant increases, since the passage of the Voting Rights Act. In recent years, there has been a steady increase in the number of Native American candidates who are being elected to local school boards, county commissions and state legislatures.

² 25 U.S.C. 2901, et seq.

In 2004, the National Congress of American Indians spearheaded a groundbreaking campaign to register and turn out a record number of American Indian and Alaskan Native voters. Known as “Native Vote 2004,” NCAI, in collaboration with various national and regional organizations, local tribal governments, urban Indian centers and, most important, many grassroots organizations throughout Indian country, coordinated an extensive national non-partisan effort to mobilize the Native vote and to ensure that every Native vote was counted. The culmination of the Native Vote 2004 efforts on November 2nd was a resounding moment for tribal governments nationwide, as it empowered Native voters and raised the profile of Native issues in the eyes of politicians.

In the appendices to our testimony, we have provided a copy of our study: *Native Vote 2004: A National Survey and Analysis of Efforts to Increase the Native Vote in 2004 and the Results Achieved*. To our knowledge, this report is the first of its kind in Indian country. This study provides background information, Native voter participation data and election results for eight states: Alaska, Arizona, Minnesota, Montana, New Mexico, South Dakota, Washington and Wisconsin. Each assessment provides invaluable information regarding how the Voting Rights Act is working in Indian country, and the challenges that still lie ahead.

We anticipate that the substance of this report will provide, in part, the evidentiary basis underlying the need to strengthen and extend the Voting Rights Act. At its essence, the research shows a direct correlation between focused localized commitments to increasing voter participation rates in Native communities and the actual increases that result. I submit to you that Section 203 is an essential component to ensuring the success of such focused localized commitments in our Native communities. Thank you.



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #TUL-05-090

TITLE: Support Reauthorization of Provisions Set to Expire in the Voting Rights Act

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WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, through its unique relationship with Indian nations and tribes, the federal government has established programs and resources to meet the educational needs of American Indians, Alaska Natives, and Native Hawaiians, residing on and off their reserved or non-reserved homelands; and

WHEREAS, while the Indian Citizenship Act made Native Americans eligible to vote in 1924, state law determined who could actually vote, which effectively excluded many Native Americans from political participation for decades; and

WHEREAS, the Voting Rights Act was enacted to remove barriers to political participation and prohibit the denial of the right to vote on account of race or color and as a result, the Voting Rights Act has guaranteed millions of Americans the equal opportunity to participate in the political process and is considered one of the most successful civil rights laws ever enacted by Congress; and

WHEREAS, while much progress has been made in the area of voting rights, significant hurdles to securing voting rights for still remain as documented by a recent court case in South Dakota detailing three decades of systematic voting rights abuses against Native Americans; and

WHEREAS, while most of the Voting Rights Act is permanent, some provisions are set to expire in 2007, including: a requirement that states with a documented history of discriminatory voting practices obtain approval from federal officials before they change election laws; provisions that guarantee access to bilingual election materials for citizens with limited English proficiency; and the authority to send federal examiners and observers to monitor elections in order to prevent efforts to intimidate minority voters at the polls.

NOW THEREFORE BE IT RESOLVED, that the NCAI, in light of the history of discrimination that minorities have experienced when voting, and the proven effectiveness of the Voting Rights Act, encourages Congress to:

1. Re-enact the Section 5 pre-clearance requirements for 25 years, consistent with the time period adopted with the 1982 extension. These provisions directly impact nine states (South Dakota, Arizona, California, New York, Florida, Michigan, Louisiana, Mississippi, and Texas) with a documented history of discriminatory voting practices, and local jurisdictions in seven others by requiring them to submit planned changes in their election laws or procedures to the U.S. Department of Justice or the District Court in Washington, D.C. for pre-approval. Congress should also consider options for modifying the mechanism by which coverage is determined in order to expand coverage to additional areas with a high concentration of Native Americans.
2. Renew Section 203 for 25 years so that the indigenous people of what is now called the United States and other Americans who are limited in their ability to speak English can continue to receive assistance when voting. Of the 466 local jurisdictions impacted by this provision, 102 jurisdictions must assist American Indians and Alaska Natives in 18 states. Congress also should modify the formula by which these covered jurisdictions are identified in order to provide more communities with Section 203 assistance.
3. Renew Sections 6 to 9, which authorize the attorney general to appoint election monitors and poll watchers to ensure voters are free from harassment, intimidation, or other illegal activity at the polls on Election Day; and

BE IT FURTHER RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

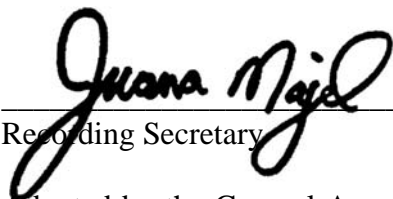
CERTIFICATION

The foregoing resolution was adopted at the 2005 Annual Session of the National Congress of American Indians, held at the 62nd Annual Convention in Tulsa, Oklahoma on November 4, 2005 with a quorum present.



Joe Garcia, President

ATTEST:



Recording Secretary

Adopted by the General Assembly during the 2005 Annual Session of the National Congress of American Indians held from October 30, 2005 to November 4, 2005 at the Convention Center in Tulsa, Oklahoma.

NATIVEVOTE2004



A National Survey and Analysis of Efforts to Increase the Native Vote In 2004 and the Results Achieved



Produced by the First American Education Project
Russ Lehman, Managing Director; Native Vote Report Project Director,
Alyssa Macy, Native Vote 2004 Project Director, Senior Researcher/Co-Author,
Center for Civic Participation



Sponsored by the National
Congress of American Indians

Acknowledgements

The First American Education Project wants to expressly recognize the incalculable contributions to this report from senior researcher and co-author Alyssa Macy. From her vantage point as a national leader in the Native Vote 2004 effort, Ms. Macy played a critical role in the design, coordination and implementation of this nation wide project. We would like to expressly recognize the extensive

time, effort, expertise, energy and skills she brought to this report.

We regret that it is impossible to name all the people who provided valuable input to this report, but we would like to make a special acknowledgment of the contributions of the people/organizations named below:

**Jackie Johnson, Ex. Dir., the National Congress
of American Indians (NCAI)**

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Attorney Pat Smith, Montana

Nancy Warneke-Gaynor, Montana

Brett Healy, South Dakota

Gwen Carr, Wisconsin Native American Caucus

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Tom Katus, Northern Plains Tribal Voter Education Project

Patti Hibbeler, Arizona Moving America Forward Foundation

**Zane James, Native American Election Information Program,
NM Secretary of State Office**

Joel Foster, Arizona Leadership Institute

Richard Harding, Pinal County

Dan Sena, Moving America Forward

Suzanne Stenson O'Brien, Center for Civic Participation

Aryn Bowman, Center for Civic Participation

Mark Ritchie, Center for Civic Participation

Vicki Otte, Alaska Native Vote

Nicole Hallingstad, Alaska Native Vote

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Executive Summary

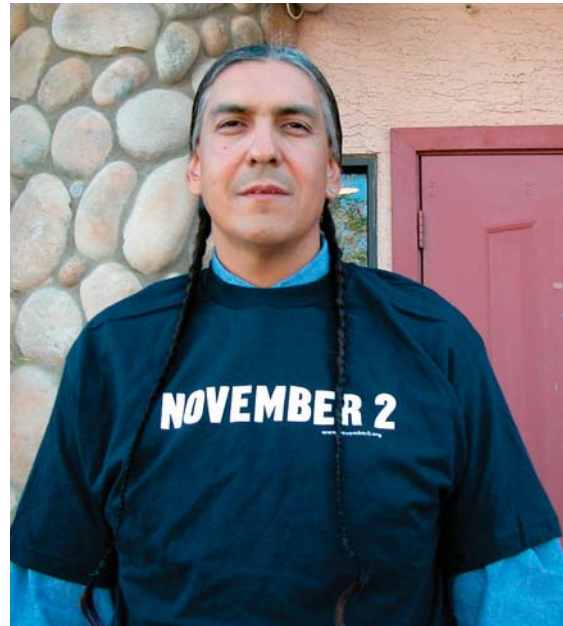
“If liberty and equality, as is thought by some are chiefly to be found in democracy, they will be best attained when all persons alike share in the government to the utmost”¹.

This study was conducted to examine the state of Native participation in the American electoral process generally, and the specific impact of the effort in 2004 to dramatically increase that participation. A combined survey approach was utilized whereby primary data collection from the U.S. Census, individual state Secretary’s of State offices and County Auditors provided the numerical underpinnings while secondary sources, Tribal Leaders and activists, provided indispensable background and anecdotal information.

While election turnout by Native Americans has traditionally been among the lowest of all communities in the U.S., dramatic changes have occurred recently such that, in some places, Native and non-Native participation rates are closer than ever.

From treaty ratification to abrogation, from Trust responsibility to culpability, from natural and cultural resource protection to destruction, federal, state and public officials have tremendous influence over the very nature of the relationship between Natives and other Americans.

In the past, and until only recently, many circumstances conspired to discourage Native Americans from participating in the election of those who could, and often do, exercise dramatic power over their lives. There was, and with some still remains, the fear that “registration” of any kind with a non-Indian government could have



only negative consequences. It was also axiomatic within Indian Country that to participate in the election of non-Indian government officials served only to undermine their own true sovereignty. Finally, and perhaps most importantly within the context of this report, historically, Native Americans simply felt that their voice wouldn’t matter.

Indian Country has seen significant changes in the last 15 years. Along with the increase in economic opportunities present in many Native communities have come the greater vested interest in politics and policymaking in state capitals and Washington, D.C. where the gains made are often viewed as at risk. At the same time in the U.S. generally, elections have become more regularly so close that small electoral minorities can have a determinative role in the outcome.

Recently, coordinated participation and activism with Indian Country has had dramatic electoral results. In Washington state and in South Dakota federal race winners were determined by the participation of Native Americans. In Arizona, the

¹ Aristotle (384 BC - 322 BC), *Politics*.

fate of state office candidates and ballot measurers were determined by the participation of Native Americans. While it had always been known that Native voters could help determine local election winners and losers, for the first time candidates for statewide and federal offices became plainly aware of the importance of Native constituencies.

With the high profile impacts that Native voters were having, it was not long before the national media recognized the potential new found power and a proliferation of stories appeared highlighting Native “victories” and forecasting even greater influence in the 2004 elections. This served to reinforce the growing confidence of some Native communities and the “sky became the limit.”

Many analyses occurred of both recent victories and the potential for even more dramatic results in 2004. The empowerment felt in Native communities was palpable. Clearly there can be no downside to the self-assuredness developing in some communities where for far too long detachment and dependence was the prevalent *raison d’etre*.

To vote because one’s voice may in fact be the determining factor in an election is an essential reward of Democracy. While the potential to have such power was a clear possibility in 2004, in perhaps more races across the U.S. than at anytime in U.S. history, some critical electoral realities may have gone somewhat under appreciated.

The “stars” which “lined up” in recent races so that Native voters had an impact far beyond their numbers were essential prerequisites for a recurrence. Particular candidates and/or issues of interest, an evenly divided electorate, a Native lead coordinated and professionally engineered campaign, to register and get-out Native voters, and consensus among Native communities are all factors recent history shows are directly relevant to increasing the likelihood Native voters will turn out in greater numbers in state and federal races.

The challenges inherent in documenting Native voting patterns are considerable. Urban Indians

are dispersed and difficult to organize and track, and data collected within non-standardized and incomplete frameworks created and maintained by non-Indian organizations present formidable obstacles to obtaining the full picture. It is within this environment, and maybe because of it that no such effort has endeavored previously to increase Native participation in the electoral process across the U.S. Further, there remains a dangerous paucity of data and analysis of actual participation so necessary in order to achieve meaningful increases in such participation.

In 2004, the rule was again proven true in that circumstances varied greatly from tribe to tribe and state to state. Overall, Native participation grew from a small amount in some places to tremendously in others. The extent to which increases occurred were directly tied to the presence of the factors listed above with one important addition: the first-of-its-kind national Native Vote effort can be credited with a near perfect record in directly resulting in increased participation.

Participation rates varied greatly, even where Native Vote was active. In addition, the absence of a Native Vote effort, as sponsored and coordinated from outside, did not necessarily mean participation rates didn’t increase. In Montana, few outside resources were available, yet the results there were remarkable.

In an election year where hopes were high that Native voters would “make history,” many Native-preferred candidates were unsuccessful. While party preference among Native voters remains consistent, the overwhelming support of Native voters can be virtually guaranteed only when a candidate has a record of support for Native issues. Further, in such cases where a candidate has a consistent record of hostility towards issues of importance to Native voters a strong showing of electoral opposition from Native voters can almost be assured.

Introduction

Purpose of the Report

There was extensive focus on the potential electoral significance of the Native vote in the run-up to the 2004 elections. From within Indian Country tribal leaders and activists worked to mobilize existing voters and register new ones. The political media produced numerous stories on the effort to increase the role Native voters now play in elections and the potential impact of Native participation, especially in close races and “swing” states. Candidates from both major political parties for myriad local, state and federal offices courted Native voters as never before.

It was within this environment that an extraordinary commitment of resources was made to increase Native participation. Indian Tribes, foundations, political organizations and others committed substantial resources and enlisted numerous activists to increase Native participation.

Given that an effort quite like this has never before occurred in Indian Country, it is especially important to gather and analyze the data available in order to discern those practices that produced measurable and meaningful results from those which perhaps were less effective at increasing Native participation in the electoral process. Since there were efforts that were both partisan and non-partisan, this assessment has taken all relevant factors into consideration.

This research follows upon “The Emerging Role of Native Americans in the Electoral Process” (www.first-americans.net) report produced by the First American Education Project after the 2002 elections. Like the earlier report, it intends to educate Native Americans about their role in determining who “make the rules and set the policies” and encourage their full involvement in this participatory Democracy. The health and welfare of the American electoral process is predicated upon the participation of all Americans.

In order to be of the greatest value to Indian Country, and to all those who care about the Native voice in the American government, this report considers all data objectively and without

bias towards a particular outcome. This report is intended to provide the reader with a clear look at the results from the 2004 election as they are.

Background

As a result of the dramatic electoral results in Washington state in 2000 and in South Dakota and Arizona in 2002, Native Americans became aware of the power of their voice in determining who makes the laws and sets the policies which affect their every day lives. Natives were not alone in this realization. The media, political constituency groups, political parties and, of course, candidates themselves started to pay close attention to the participation of Native Americans in federal and state politics for virtually the first time in U.S. history.

With a Presidential race, control of the U.S. Senate, the entire House of Representatives, many Governors races, statewide ballot measures and most of the country’s Statehouses all at stake, 2004 became a critical year for Native Americans to keep up the momentum and increase participation rates among a population which still participated in the electoral process at rates far below the average for the general population.

Never before had Indian Country experienced such attention. Never before had such a commitment of time, energy and resources been expended in an effort to increase Native participation in American politics.

It was within this environment that many leaders within Indian Country determined that 2004 was to be a priority for increasing Native participation and thus “Native Vote 2004” was created. By and through the National Congress of American Indians (NCAI) and National Voice at the national level, and countless Tribes and independent groups at the statewide and local levels, Native communities were educated, organized, and trained to increase registration and turnout numbers.

With the attention and commitment, hopes and aspirations rose to levels previously unforeseen. A Choctaw woman in Oklahoma with a

personal record of accomplishment and electoral success ran for Congress. If she were to succeed she would be the first Native American woman to serve in the U.S. House of Representatives. With the retirement of the only Native member of the U.S. Senate, another Native candidate was running from Oklahoma and if he were to succeed, would become that body's sole Native member.

Of course Native candidates, at the federal level, will always be a minority of all those running. Indian Country recognized this and set their sights on having an impact, perhaps the deciding impact on numerous races around the U.S. where candidates articulated positions and/or had records on issues of importance to Native Americans.

The projects throughout Indian Country were almost entirely non-partisan. While the political parties were involved in some organizing, for the express or implied purpose of increasing turnout for their candidates, the vast bulk of all projects within Indian Country were funded by charitable contributions and were required to be non-partisan. The research conducted for this report indicates that the efforts were conducted with one goal – increasing Native participation in this election – not support for any particular party or candidate.

The almost religious commitment to non-partisan political activities by many of the groups who worked to increase Native participation has been questioned by some who mistake ideological affiliation for partisan affiliation. Native voters, like all others, will tend to come out and vote for those who speak to them and who have a record of support for issues important to them. They will also come out and vote against those who oppose their interests.

Pronouncements of ambitious goals were set forth publicly and with fanfare regarding the anticipated increase of Natives in the election and the intended impacts on election results. Well-intentioned and sincere, many of the likely outcomes promised were based more on unabashed optimism than on realistic assessments.

The results of the U.S. Senate elections in Washington and South Dakota gave rise to an “imagine what is possible” attitude in some parts of Indian Country. With that came high expectations of specific electoral victories and political influence that would occur as a result of the increased turnout to come. To the extent success of the Native Vote effort in 2004 is judged only on these terms it could be considered far less than successful.

To use specific electoral “victories” as the only criteria to determine its success would be to miss critical outcomes that will have long-lasting implications, especially if participation rates continue to increase. The goal of full participation by Native voters is important in and of itself. The voice must be heard even when it is not determinative in any particular election race.

While registration and turnout is still below non-Native averages in many parts of the country, many Native communities saw increases of 50 percent to 150 percent in their turnout. Further, while many Native - favored federal candidates lost their races, many Native and pro-Native candidates fared far better in their local races. The tremendous success of Native Members elected to the Montana State Legislature is a testament the power of Native voters at the smaller geographic and jurisdictional levels.

The research conducted for this report shows a direct correlation between focused localized commitments to increasing participation rates in Native communities and the actual increases that result.

This report also sheds light on the challenges facing those who strive to increase Native participation. With between 50 percent and 60 percent of Native populations living off-Reservations, often in urban areas, much more effort must occur to find, organize and turnout those eligible voters.

With the only very recent passing of 2004, we cannot know whether Indian Country will continue to increase its civic participation and more of those eligible will actually participate. The results

of this study however show that when concentrated and coordinated efforts occur, increases, sometimes dramatic, will result.

Methodology

Tracking the voting participation of a particular community of American citizens is a difficult task. To do so for Native American communities is a daunting challenge indeed. The U.S. Census served as the primary source for the population data used in this report. This poses particular challenges because reporting in Native communities for Census purposes is notoriously inaccurate, especially in rural and remote areas.

For purposes of this report, population and age of population data are from the U.S. Census 2000 Decennial Survey. While this creates some level of scientific uncertainty, generally, population in many areas used as data points for this report has not changed significantly since the Census data was gathered. Further, this report uses Census 2003 estimates where possible in order to use the most accurate numbers available. In those cases where Tribal generated data was available, it was used and is so noted.

The U.S. Census accounts for the race of American citizens in a number of different fashions. For the purposes of this report, unless otherwise noted, "Native" when used in the context of a numerical (or age) representation of people means "American Indian or Alaska Native Alone or in Combination with one or more races."

Election registration and turnout data was derived from state secretary's of state offices as well as county auditors. Here again, while this remains the best and often only source for such data, there are great variations from state to state with regard to inactive or disqualified voter removal processes.

The term "eligible voter" in this report means those voters who are of Voting Age Population (VAP) minus those who are otherwise disqualified (where known). When available, VAP data is best used when at the smallest jurisdictional level possible (i.e., precinct or ward). That data, provided by the U.S. Census Bureau, was not available to the

authors for every state we analyzed. In those cases, VAP at the next smallest jurisdiction available in that state was used (i.e. county or Reservation).

In this report anecdotal information was gathered and analyzed to a great degree. For purposes of providing explanation and background, in order to paint the fullest picture possible, the researchers relied heavily on "reports from the field" from Native leaders and activists who were "on the ground" across the country working to increase Native participation. Because great reliance was placed on those who gathered data, and/or personally undertook the Native Vote effort themselves, the information used here is as current and thorough as what was provided to the researchers by this writing.

Because of the unique issues presented by attempting to chronicle Native voting patterns, with a high degree of scientific certainty, this report utilizes data gathered from only those jurisdictions where the proportion of Natives is sufficient enough to analyze their behavior as opposed to non-Natives. While many counties in various states have significant Native populations, if the county did not meet a threshold of at least 85 percent Native population it was not used for data purposes. Any exceptions are so noted.

Whenever possible, precincts or wards, are used where the Native population is at least 90 percent so that an analysis of Native voting can occur with as little dilution as possible. Again, any exceptions are so noted.

Finally, it would likely be neither possible nor particularly productive to analyze every precinct, county or state where Native Americans reside in order to make an assessment of the Native vote in 2004. The researchers here determined particular states (and particular Tribes within these states) upon which to focus this report based on a number of circumstances including, but not limited to: Native Vote 2004 activities, Native population and relative ease with which data could be gathered.

Alaska

Fast Facts

Total Native American Population	119,241 (19.0%)
Bethel Census Area	13,680
Nome Census Area	7,274
Anchorage	26,995 (10.4%)
Sealaska Native Corporation²	15, 059
Reservations at-large/Native Corporations in state	49/12
Statewide Native American VAP (estimate)	83,468

Recent margins of victory:

U.S. Senator Lisa Murkowski (2004, over former Governor Tony Knowles) by: 9,349
State Senator Hollis French, Anchorage (2004 General Election) by: 3,349
State Rep. Richard Foster, Nome (2004, General Election) by: 1,329

Background

It is axiomatic that the state of Alaska is like no other. At the same time, like some other states studied here (i.e. South Dakota, Montana, Oklahoma) the Presidential race was never in question in Alaska. President Bush had consistently polled well in the state and neither candidate made the state a priority. Also like those other states there was, however, a statewide race which garnered much attention and had the potential to catalyze Native participation.

On the ballot last year was a heavyweight contest between U.S. Senator Lisa Murkowski and former Governor Tony Knowles. She was seeking her first election to the office to which she was previously appointed by her father who became Governor after becoming elected just two years prior. Both candidates were well known with established records for voters to consider.

Alaska is unique due to complicated distinctions between Native Corporation members many of which are in urban areas, and the rural Native Alaskans who reside in the vast open areas. In most other states Native voters, generally speaking and subject to a few notable exceptions, vote overwhelmingly for Democratic candidates. In Alaska, there has generally been a rural/urban split with

rural Natives voting heavily Democratic and urban Natives (i.e. Native Corp. members) tending to vote more Republican. Further complicating matters is the omnipresence of senior U.S. Senator Ted Stevens who occupies a very powerful position in the Senate over many matters important to Natives.

From an early point the candidates worked to increase, or exploit, their Native connections. Mr. Knowles worked lower 48 Tribes and Tribal contributors and was relatively successful on that front. His record as Governor was a "mixed bag" according to many Native leaders and activists in Alaska. Because of his support of opening ANWR, there was a considerable group of Natives opposed to him.

At the same time, Sen. Murkowski, and her close ties to Sen. Stevens and the Republican majority in Congress, both comforted some and concerned others. As the race developed, it became clear that neither one could claim sufficient support from a significant majority of Natives to either assume victory, or concede defeat. This was not to be a race where a clear anti-Native or pro-Native candidate was to so engage Native voters as to precipitate a groundswell of activity.

There were many reports from Alaska,

² Sealaska is a regional corporation formed under the Alaska Native Claims Settlement Act of 1971.

similar to those from South Dakota, that powerful officeholders from D.C. and elsewhere were utilized in an attempt to use their “power of persuasion” to encourage the support of one candidate or opposition to the other. It is unclear, and virtually impossible to measure what, if any impact this had on the race. Suffice it to say however, that in a race which was determined by 9,349 votes the stakes were high and many things likely had an impact on at least small numbers of voters, which when added together, could in fact have “made the difference.”

The Get Out The Native Vote (GOTNV) campaign in Alaska³ was incentivized if not created by NCAI’s national Native Vote effort. Two separate but coordinated projects were initiated under the GOTNV banner, one in Southeast and the other in the North. Leading the project in the North out of Anchorage was Vicki Otte (Cook Inlet), who has had, among many other roles, that of Redistricting Board Chair. She focused her considerable efforts on Anchorage, often called the “state’s biggest Native Village.” “As a young person, I ran around the village taking elders to the polling place... I’ve just seen so much that happens, or that we lose out on.”⁴ While Vicki is originally from McGrath, her commitment now is to increase Native participation in Anchorage.

Historically, turnout in Alaska’s rural areas has been relatively strong, but in Anchorage civic participation, as evidenced by voting, has been between 9 percent and 15 percent lower. To change that Vicki used various techniques to educate and motivate Native voters. She hired three voter registrants, trained them at the Alaska Division of Elections, and then dispatched them to the Alaska Native Medical Center and the Primary Care Center in Anchorage. The goal was to register 300 people in this period: they wound up registering 612.

Three other things Vicki did are especially noteworthy. The “Rock the Vote” concert in

Fairbanks was a “huge success,” in that attendance surpassed expectations. Additionally, on site voter registration booths registered many who may otherwise have avoided registration. Also, by using the statewide Native Shareholder list for mailings and then to crosscheck with precinct voter roles to measure participation, Vicki has figured out how to use available data efficiently and effectively to increase the Native vote.⁵ Finally, the Get Out The Native Vote campaign conducted mobilization activities during the Alaska Federation of Natives Conventions held the week before the election in Anchorage which attracts approximately 10,000 Alaska Natives.

In the Southeast, the task of increasing the Native vote was happily taken on by Nicole Hallingstad (Sealaska) who conducted her operations out of Juneau. Perhaps the event most noteworthy created and undertaken by Nicole for GOTNV was the Community Meeting she arranged which offered the opportunity for candidates and Natives to meet each other and offered the opportunity for Natives to hear from the candidates their positions on a wide range of issues important to Native communities. Of course at the event, and coordinated with the League of Women Voters, were volunteers with information and the requisite forms to register new voters. Nicole reports 700 new voters registered through their efforts.

In Juneau, and throughout the Southeast, Nicole and GOTNV partnered with a coalition of other Native organizations to spread a “branded” Native voting campaign. In Juneau, housing communities were targeted as locations with a high proportion of Natives.

In recent elections results from rural areas, like Nome, turnout is typically around 61 percent of corporation shareholders. In the Mountain View area in Anchorage, only 36 percent of the Native shareholders voted while the overall turnout overall ranges from 60-70 percent.

³ <http://www.aknativevote.com/>

⁴ “Push is on to ‘Get Out the Native Vote’” Monday, September 27, 2004 - by Rhonda McBride, KTUU.

⁵ Unfortunately, as of this writing, the cross check with the voter turnout data from the precincts was not yet available. Historically, Vicki reports, that her efforts have “outperformed” non-Native efforts in Anchorage and Fairbanks.

Results

Statewide Alaska Voter Turnout, 1990-2004

Election Year	Registered Voters	Turnout	Turnout as % of those registered	Turnout as % of VAP
1990	300,467	197,540	65.75%	52.30%
1992	315,058	261,427	82.99%	N/A ⁶
2000	473,648	287,825	60.79%	66.01%
2004	472,160	312,598	66.23%	69.25% ⁷

As we have seen from time to time in other western states with large Native populations, the Alaska Secretary of State actually shows more registered voters than the Census-determined voting age population in 2000 and 2004. Regardless, the turnout listed must be considered accurate as it measures the percentage of those registered who actually voted. As such it provides a valuable benchmark for purposes of analyzing Native voting as compared to otherwise similarly situated non-Native Alaskans.

There are many predominantly Native precincts which report higher-than-the-state turnout

averages. An example is the Brevig Mission in the Nome area, and the Akiak precinct in the Bethel Census Area, both of which saw turnout rates over 70 percent. Anchorage's precincts average 54 percent.

Great variation occurs throughout the state with regards to Native participation. In the Wade Hampton Census Area (second only to Shannon County in South Dakota for the highest percentage Native population in the U.S.) and the Yukon-Koyukuk Census Area, which includes the Calista and Doyon Native Regional Corporations a 46.8 percent average turnout



⁶ Census VAP not available for 1992.

⁷ U.S. Census, 2003 estimated.

Precincts ⁸	Percent Native	Turnout
Brevig Mission	92.03%	71.05%
Diomede	93.84%	53.09%
Gambell	95.8%	59.02%
Golovin	92.3%	65.26%
Koyuk	93.0%	72.33%
Savoonga	95.5%	61.63%
St. Michael	93.2%	56.52%
Stebbins	94.7%	53.53%
Teller	85.8%	52.78%
Unalakleet	87.3%	49.33%
Chefornak	97.9%	49.07%
Kipnuk	97.9%	43.07%
Kwigillongok	97.9%	39.57%
Lower Kalskag	95.51%	56.55%
Mekoryuk	96.9%	42.18%
Napaskiak	98.2%	37.37%
Toksook Bay	97.6%	53.52%
Tuntutuliak	98.9%	49.48%

Sum and Substance

Alaska presents perhaps the greatest opportunity for gathering and utilizing the data necessary to target Native voters in ways Tribes in the Lower 48 can only dream about. Because the Native Regional Corporations have the ability to identify the name, age and location of virtually all their shareholders, the GOTNV organization has already shown how it can connect with and educate Natives over a wide geographic area.

The next step is to then track eligible (to vote) shareholders to determine if they have voted so as to better determine actual turnout

results. Of course other opportunities to maximize Native participation also exist and are limited only by the imagination, commitment, and resources available.

One concern raised by GOTNV leaders is that due to the substantial rise in “outreach” by the political parties, the candidates, and advocacy groups, contacting many Natives for purposes of education and organization is becoming more difficult. The fear being that many households are already so inundated by political propaganda that getting through the “noise” is becoming more and more difficult.

⁸ Nome and Bethel Census Areas.

Arizona

Fast Facts

Total Native American Population	292,552 (5.7%)
Maricopa County (Phoenix included)	75,867 (2.5%)
Navajo County	47,593 (48.8)
Apache County	53,998 (77.8%)
Coconino County	34,579 (29.7%)
Federally recognized Tribes located in state	22
Statewide Native American VAP (estimate)	179,744

Recent margins of victory:

State Senator Jake Flake (2004, over Cameron Udall) by: 6,251
Governor Janet Napolitano (2002, over Matt Salmon) by: 11,819
Proposition 202 (2002) passed by 20,836 votes.

Background

In nearly every presidential election since 1948, Arizona voters have supported Republican candidates. Despite this trend, Democrats were optimistic heading into the elections following 2002 victories in the Attorney General and Governor's race and the 1996 victory by President Clinton. Clinton's victory was the first time a Democratic candidate had carried the state since Harry Truman in 1948. Further, political scientists indicated that rapid growth in the state could result in a more moderate population, giving Democrats further reason to invest in the states voters. In addition to the presidential election, Senator John McCain was seeking a 4th term, and all 8 U.S. House seats up for re-election. Candidates, elected officials, and others recognized that the sizable Native American population in the state could provide key votes in a close race.

Throughout the state, there were a number of Tribes and organizations working to mobilize Native American voters. Several campaigns kicked off in collaboration with the Governor's office with the proclamation of July as "Arizona Indian Right to Vote Month" and a celebration of the 56th Anniversary of Native Americans winning the right to vote.⁹ The Arizona Indian Gaming Association (AIGA)¹⁰ and Inter-Tribal Council of Arizona (ITCA)¹¹ took the lead on coordinating a statewide effort while the Arizona Leadership Institute (ALI) worked closely with the Navajo Nation to mobilize voters on the reservation. The Moving America Forward Foundation had both an urban and reservation effort and the Native American Community Organizing Project focused their efforts primarily on urban voters located in Phoenix metro area. Given efforts underway in 2004, Native American voter participation saw sizable increases in 2004 over 2000.

⁹ "The State of Arizona denied Native Americans the right to vote until 1948, in spite of a 1924 federal law granting them full citizenship. The Arizona Supreme Court ruled that the wording of the state constitution, which denied the right to vote to "mental incompetents and people under guardianship", included Native Americans as federal wards. The Court reversed itself in 1948 when Native Americans Frank Harrison and Harry Austin's right to register and vote was upheld." http://azcapitol.lib.az.us/capitol_timeline1948.htm

¹⁰ The Arizona Indian Gaming Association was established in 1994 as a non-profit organization dedicated to advancing the lives of Indian peoples in the state. For more information, visit: azindiagaming.org

¹¹ The Inter Tribal Council of Arizona was established in 1952 to provide a united voice for tribal governments located in the State of Arizona to address common issues of concerns. For more information, visit: <http://www.itcaonline.com/index.html>

The Moving America Forward Foundation (MAFF), a 501(c)3 organization, had a large state-wide initiative to register and mobilize Latino and Native American voters throughout the state including Phoenix and Tucson. MAFF partnered with NCAI and National Voice to host two non-partisan Native Vote trainings in late summer that trained over 30 individuals working on mobilizing Native American voters in urban and reservation communities. Over the course of the campaign, they provided additional training and support to communities in setting up GOTV rallies and candidate forums. Their voter registration efforts across the state relied on paid canvassers who registered individuals at high traffic areas including the Indian Health Services located in central Phoenix and various tribal events throughout the state. They also worked closely with the AIGA/ITCA project by providing staff to register voters at casinos in the Phoenix metro area. In the month prior to November 2, MAFF hosted several early voting events on the Navajo Nation and used an autodial from Governor Napolitano encouraging Navajos to vote. Through their efforts and collaboration with some tribes, MAFF developed a Native American voter file with approximately 10,000 names of the total 57,006 new registrants statewide.

Native Vote Statewide Effort

AIGA/ITCA worked with a core group of 15 tribal and urban representatives over the course of their campaign to develop and implement voter mobilization efforts. AIGA/ITCA served as a coordinating body and facilitated communication between voter projects, prepared voter education materials, and developed Arizona Native Vote materials. Monthly meetings provided a forum for individuals to get feedback on their local efforts, recruit volunteers, and to coordinate efforts and resources. AIGA/ITCA worked closely with tribal casinos to open up these venues for voter registration efforts. Tribes were encouraged to

register all employees and provide non-partisan voter information to all tribal and casino employees. AIGA also submitted op-eds to tribal media outlets throughout the state encouraging Native people to make it to the polls. In the days leading up to the election, AIGA coordinated auto-dials to high-density Native American precincts with messages from Tribal leaders encouraging them to vote.

Individual tribal efforts included a variety of mobilization tactics. Several tribes, including the Tohono O'odham and the Salt River Pima Maricopa Indian Community, developed voter guides for tribal members. Several tribes, including Ak-Chin and the Ft. McDowell Yavapai Nation held early voting events where they bussed in tribal members to the polls to cast their vote. Over the course of the campaign, several tribes also held political forums for tribal members to educate them on the candidates and ballots that they would be voting on. The Native Vote Election Protection effort also worked closely with the AIGA/ITCA effort and Tribes to place poll watchers in precincts where high populations of Native Americans would be voting.





Phoenix Urban Native Vote Efforts

The U.S. Census identified over 75,000 Native American/Alaska Natives in Maricopa County in 2000. While a sizable number, locating the population for voter mobilization efforts was challenging. Transient populations, coupled with a large geographical area, make these efforts time consuming and expensive. Given the challenges, projects had to make adjustments to their organizing strategies to identify and register voters.

The Native American Community Organizing Project (NACOP)¹² continued their work in identifying and registering Native American voters in the Phoenix metro area. Their efforts included voter registration and education. NACOP also organized a Native American voting celebration concert held on November 2. The Native-POLL-Ooza¹³ concert was a free election day concert that was designed to “foster a climate of voter awareness within the Native American community and highlight the vital role that Native Americans play in Arizona’s political landscape,” according to Jonodev Chaudhuri, co-chair of the concert planning committee. The planning committee urged people to vote before coming to the concert and volunteers collected contact information from attendees to be used in NACOP’s ongoing organizing efforts. The concert served as a capstone to the many ongoing Native American voting efforts

in 2004 and drew several thousand attendees on November 2 to Indian Steele Park in central Phoenix.

Navajo Nation Get-Out-The-Vote Efforts

The Arizona Leadership Institute (ALI) undertook an ambitious effort to mobilize voters on the Navajo Nation. Working in partnership with the Office of the President and Vice-President of the Navajo Nation and the Office of the First Lady of the Navajo Nation, the ALI effort sought to mobilize the nation’s tribal members of voting age on the reservation. The Navajo Nation covers more than 25,000 square miles, an area larger than the states of Massachusetts, Rhode Island, Connecticut, and New Jersey combined, yet has only 7.2 people per square mile. With the population spread over such a large geographical area, there were significant adjustments that had to be made to traditional GOTV model. Complicating efforts further was the fact that the Navajo Nation elections and the general elections were happening on the same day – however, voters could not vote in both elections at the same site.

The Navajo Nation GOTV Project targeted 56 precincts in 3 Arizona counties including Apache, Coconino, and Navajo. The effort began in July and started off with a direct mail campaign coupled with an aggressive media campaign led by Alternatives/Alternativos, a multicultural marketing and public relations firm in Phoenix, Arizona. The brand, “Be my Voice, Choosing Leadership from Navajoland to Washington, D.C.” was chosen and incorporated into public service announcements (PSAs) as well as the media and direct mail campaigns. The media campaign was launched in early August, and was designed to prepare Navajo voters for a direct mail piece that they would receive encouraging the use of vote-by-mail. Partnering with the Navajo Times and KTNN Radio, the media campaign included radio remotes and outreach efforts at local events.

¹² NACOP is a non-profit, non-partisan organization that works to improve health care and educational opportunities for the off-reservation Native American Community of Arizona. For information on NACOP, visit: <http://www.phxindcenter.org/>

¹³ For more information on the Native-POLL-Ooza concert, visit: <http://www.native-poll-ooza.com/>

The first mail piece was sent following the conclusion of the radio remotes and the Primary Election to a universe of approximately 51,000 individuals with a 2 of 4 incidence of voting. The goal of the direct mail campaign was to get a 3 percent response rate. Utilizing both English and Navajo, the piece incorporated the same imagery as the print campaign and contained informa-

tion on the importance of voting, key issues, and requested that individuals fill out the vote-by-mail request. The second and final direct mail piece was sent the week of October 11. This mail piece contained a "Count on Me" message that encouraged and reinforced the need for Navajo Nation Tribal members to vote on November 2. This piece was mailed to a universe of 29,000 households.

"Vote By Mail Request" Direct Mail - Total Returns¹⁴

As of	Apache	Navajo	Coconino	Totals
9/21/2004	292	744	13	1,049
9/23/2004	77	96	1	174
9/27/2004	68	37	3	108
9/30/2004	57	41	0	98
10/4/2004	47	60	1	108
10/8/2004	21	29	0	50
10/12/2004	25	35	0	60
10/18/2004	14	35	0	49
Totals:	601	1,077	18	1,696

The weekend prior to the election, ALI organizers knocked on all the doors in each targeted precinct. National Voice and NCAI provided additional funds to hire Lakota Action Express in South Dakota to do live calls to the ALI voter file. National Voice also provided funding for an auto-dial to the list. Notah Begay, a member of the Navajo Nation and a PGA tour golfer, recorded a message encouraging people to vote on November 2. On Election Day, ALI provided transportation in select precincts.

The Navajo Nation Office of the Speaker also had a GOTV effort underway in 2004. Working with an advisory board consisting of representa-

tives from the Navajo Nation Elections Office, Office of the Speaker, Department of Youth and representatives from urban areas in Arizona and New Mexico, their effort focused on voter education and registration of newly eligible Navajo voters. Presentations, combined with voter registration efforts were held at high schools in both states. Additional voter registration events were held at large youth gatherings such as regional basketball tournaments. The Office of the Speaker worked with National Voice to host the only reservation stop of the Rock the Vote Bus Tour in Lupton, Arizona, in late June.

¹⁴ Arizona League of Conservation Voters Education Fund and Arizona Leadership Institute. (2004). Navajo get out the vote "Be my voice" campaign. Direct mail pieces were also sent to Maricopa County tribal members. Data does not include requests from New Mexico.

Results

Statewide Arizona Voter Turnout, 1996-2004¹⁵

Election Year	Registered Voters	Turnout	Turnout as % of those registered	Turnout as % of VAP
1996	2,244,672	1,431,342	63.78%	53.33% ¹⁶
2000	2,173,122	1,559,520	71.79%	41.44%
2002	2,229,180	1,255,615	56.34%	33.37%
2004	2,643,331	2,038,069	77.16%	54.17%

In the 2004 election cycle, slightly more than half of the VAP cast a ballot statewide. However, over 77 percent of the registered voters made it to the polls. In general, reservations in the state saw voter turnout increases in 2004 from 2000. Ft. McDowell had 77 percent of its registered voters cast a ballot – matching the statewide average. They also had the largest increase in voter turnout of the tribes analyzed in Arizona. In 2000, less than half of the registered voters (49.50%) cast a ballot in the general election. The Colorado River Indian Tribes had 62.66 percent of their registered voters cast a ballot, followed by the Salt River Pima Maricopa Indian Community with 60.39 percent. Several other tribes mobilized over half of their registered voters on tribal lands. This includes: Tohono O’odham (59.24%), San Carlos Apache (58.34%), Havasupai (55.9%), Hualapai (55.49%), Cocopah (55.07%), and White Mountain Apache (50.20%). The Hopi Nation had the second largest percentage increase in voter turnout. This year, 43.63 percent of registered

voters cast a ballot compared to 29.99 percent in 2000. Finally, the Navajo Nation had an overall turnout of 53.79 percent of registered voters. This was a slight increase from 2000 where 49.24 percent cast a ballot in the general election.

For Arizona tribes, work over the years has resulted in increased voter turnout on tribal lands. However, in order to fully understand the voting potential, one must also look at turnout as a percentage of VAP. For example, Tohono O’odham Nation has approximately 6,840¹⁷ tribal members of voting age on the reservation. In 2004, the percentage of registered voters casting a ballot is almost 60 percent. However, only 41.03 percent of eligible tribal members made it to the polls. This indicates that future efforts should also focus on educating and registering those who are eligible to vote but haven’t.

As with other states, turnout for Native Americans located in urban areas was not calculated.

¹⁵ Arizona Secretary of State and U.S. Census.

¹⁶ VAP calculated using 1990 U.S. Census data.

¹⁷ VAP data provided by Tohono O’odham Nation.

General Election Voter Turnout 2000, 2004 – Arizona Indian Reservations

Tribe	Year	Registered Voters	Turnout	Turnout as a % of those registered
Navajo ¹⁸	2000	56,326	27,736	49.24%
	2004	63,618	34,213	53.79%
Hopi ¹⁹	2000	1,851	555	29.99%
	2004	2,075	905	43.63%
Tohono O'odham ²⁰	2000	3,964	2,236	56.43%
	2004	4,739	2,806	59.24%
Gila River ²¹	2000	2,836	964	34.00%
	2004	3,166	1,504	47.51%
White Mountain ²²	2000	4,243	1,876	44.22%
	2004	4,865	2,442	50.20%
San Carlos ²³	2000	1,418	721	50.86%
	2004	1,735	1,012	58.34%
Colorado River Indian Tribes ²⁴	2000	1,414	757	53.56%
	2004	2,187	1,370	62.66%
Hualapai ²⁵	2000	365	184	50.43%
	2004	420	233	55.49%
Cocopah ²⁶	2000	2,089	1,010	48.35%
	2004	2,647	1,457	55.07%
Ft. McDowell ²⁷	2000	196	97	49.50%
	2004	355	274	77.22%
Havasupai ²⁸	2000	131	59	45.05%
	2004	102	57	55.9%
Salt River	2000	1,763	939	53.28%
	2004	2,444	1,475	60.39%

¹⁸ In 2004, the precincts located on the Navajo populations included: Apache (33), Navajo (18), and Coconino (20). There are slight differences in precincts between 2004 and 2000 due to redistricting.

¹⁹ Precincts include: Keams Canyon, Oraibi, Polacca, and Toreva (Navajo County) and Moenkopi (Coconino County).

²⁰ Precincts include: Baboquivari, Chukut Kuk, Gu Achi, Gu Vo, Pisinemo, San Xavier, San Lucy, Schuk Toak, and Sells (Pima County), Sif Oidak (Pinal County), and Hickiwan (Maricopa County).

²¹ Precincts include: Pee Posh, Komatke, and Lone Butte (Maricopa County) and Sacaton, Blackwater, Santan, and Casa Blanca (Pinal County).

²² Precincts include: Cibecue, Hon Dah, Whiteriver #1, and Whiteriver #2 (Navajo County), McNary (Apache County), and Canyon Day and Carrizo (Gila County).

²³ Includes precincts 11 and 16 (Graham County).

²⁴ Precincts include: Parker One and La Pera (La Paz County).

²⁵ Includes Peach Springs (Mohave County).

²⁶ Includes Sommertown (Yuma County).

²⁷ Includes Ft. McDowell (Maricopa County).

²⁸ Includes Havasupai (Coconino County).

Sum and Substance

The 2004 Native Vote effort is not the first attempt at mobilizing Native American voters in the state. In 1996, The Salt River Pima Maricopa Indian Community took a gaming initiative to the voters to allow all tribes who wanted to have a compact with the state to have one. In 2002, there were three competing Indian gaming ballot initiatives up for vote, complicating voter education and turnout. AIGA led a successful statewide effort in support of one of those initiatives, Proposition 202. This proposition set a new stage for gaming compacts between the state and Arizona tribes. Prop 202 was successfully passed in 2002 with the backing of 17 of the states Indian tribes despite

an effort by the Colorado River Indian Tribes to pass another competing gaming ballot initiative and an initiative backed by the Arizona Racing Industry to put slots in racetracks. Due to the increased turnout driven by the gaming initiatives, Native voters were also credited for helping to elect Democratic Governor Janet Napolitano. She confirmed the importance of the Native American vote by saying at the Democratic National Convention that, "Without the Native American vote I would not be standing here as Governor."²⁹ Given the close race in 2002, she wasn't exaggerating. Napolitano garnered 46 percent of the vote giving her a slim victory over Matt Salmon's 45 percent of the vote.

Minnesota

Fast Facts

Total Native American Population	81,074 (1.6%)
Duluth	2,984 (3.4%)
Minneapolis/St. Paul	32,000
Federally recognized Tribes located in state	11
Statewide Native American VAP (estimate)	54,571

Recent margins of victory:

Cass Lake Mayor Elaine Flemming (2004, over Leonard Fineday) by: 10
Cass County, Court of Appeals 3, David Minge (2004, over Paul Elliot Ross) by: 7
MN House of Representatives Frank Moe (2004, over Doug Fuller) by: 1,392
MN House of Representatives Brita Sailer (2004, over Doug Lindgren) by: 336

²⁹ Martha R. Garreau. (08/05/04). Indian Representation at the DNC. Accessed 12/15/05 from: http://www.sioux.org/indian_rep_at_dnc.html

Background

Minnesota is known for having higher-than-average voter turnout in general elections and in 2000 had one of the highest voter turnout rates for the country with almost 70 percent of the VAP casting a ballot.³⁰ Since 1976, Minnesota has been a Democratic voting state in Presidential elections. In 2000, Gore carried the state with 47.91 percent of the total vote compared to Bush's 45.50 percent of the vote. The difference between the two parties was significant – 58,607 votes separated the two candidates. In that election however, 5 percent of the voters supported the Green Party candidate. Minnesota did not have a governor or senate race in 2004 although all 8 U.S. House seats were up for grabs. Given the outcome of the 2000 elections, the state was identified early on in 2004 as a battleground state and there were significant partisan and non-partisan voter mobilization efforts.

In the spring of 2004, Mille Lacs Band of Ojibwe Chief Executive Melanie Benjamin and Prairie Island Tribal Council President Doreen Hagen took the lead on the development and implementation of a statewide coordinated Native Vote effort. Judy Hanks, Project Development Coordinator for Mille Lacs, was brought on to handle the day-to-day operations of the initiative in April and to see it through Election Day. Invitations were sent to the eleven tribes within the state and to urban area organizations asking them to identify an individual who would be responsible for the local Native Vote effort and who would participate in monthly meetings.

These gatherings focused on development and implementation of the campaign and gave representatives the opportunity to share ideas and provide support for each community effort. Trainings were held on topics such as voter registration laws and tactics, election protection, list development and Get-Out-The-Vote plans.³¹ Over the course of the campaign, approximately fifteen individuals attended on a regular basis.

Increasing attention on Native American voters throughout the country raised several issues, most notably surrounding the use of tribal IDs as an acceptable form of identification for voting purposes. In Minnesota, Secretary of State Mary Kiffmeyer issued a statement indicating that tribal ID cards would only be accepted for those individuals residing on Indian reservations. This caused considerable concern given that approximately 32,000 American Indians live off-reservation in the greater St. Paul/Minneapolis area.³² NCAI and the Minnesota ACLU filed a lawsuit against the State of Minnesota for discrimination against American Indian voters by denying them the right to vote using tribal-government-issued ID cards for voting purposes. On October 29, Judge James Rosenbaum in the U.S. District Court in Minneapolis ordered the Secretary of State to accept tribal government issued ID cards for voting in the November 2nd election.³³ This was an important victory for Native Americans in the state and further galvanized Native Vote efforts underway in the state and throughout the nation.

³⁰ Minnesota Secretary of State. (n.d.). 2000 Statewide results for President and Vice-President. Accessed 12/02/04 from: <http://electionresults.sos.state.mn.us/20001107/ElecRsults.asp?M=S&R=P&P=A>

³¹ The MN Native Vote effort partnered with existing non-partisan projects in the state including the Minnesota Participation Project hosted by the MN Council of Non-profits. The MPP project provided trainers for non-partisan voting efforts throughout the state.

³² American Indian Community Profile and Data Center. (n.d.). Introductory data on American Indians. Accessed 01/04/05 from: www.airpi.org. This number includes Native Americans who identified as "Race alone or in combination with one or more races."

³³ Case No: 04-CV-4653. Specifically, the court ordered: 1) Tribal identification cards that contain name, address, signature and photo will have the same status as Minnesota drivers license as sufficient proof of identity and residency and can be used to register to vote on election day. 2) Photographic tribal identification cards that do not contain an address (or a current address) can be used in combination with a current utility bill to register to vote on election day. 3) Tribal identification cards can be used to register to vote on Election day as described above for tribal members living on or off reservation.

Election Day in Minnesota was not without incident. On the Red Lake Indian reservation, election judges from the Ponemah precinct called in several complaints to the Native Vote Election Protection Project regarding a partisan poll watcher. This poll watcher was intimidating election judges and voters by telling the judges that they could not vouch for voters who did not have identification, pointing to those voters in line who he would be challenging for validity of their identification, peering over the shoulders of the election judges while they were working, and stating that tribal identifications cards were illegal to use. As a result of his behavior, the Red Lake tribal chairman ordered the tribal police to escort the partisan poll watcher off the Reservation. The Ponemah precinct did not experience any further problems with poll watchers on Election Day following the removal of that individual.

Momentum for the Minnesota Native Vote effort also came in other forms. Peggy Flanagan, a member of the White Earth Band of Ojibwe, was running for a seat on the Minneapolis School Board and also served as the Kerry Campaign's Native American Director for Minnesota. Her political involvement both as a candidate and a campaign director made Native American political participation highly visible throughout the state. Another Native American, Elaine Flemming, made a decision late in the election cycle to run again for mayor of Cass Lake. Despite a late entry into the race, Flemming was re-elected as a write-in candidate.³⁴ While these candidates certainly did not drive voter registration or turnout throughout the state, their presence was important nonetheless in bringing attention to Native American political participation.

Results

*Statewide Minnesota Voter Turnout, 1996-2004*³⁵

Election Year	VAP	Turnout	Turnout as % of VAP
1996	3,384,000	2,211,161	65.34%
2000	3,521,000	2,458,303	69.82%
2002	3,590,000	2,282,860	63.59%
2004	3,658,000	2,842,912	77.72%

As with the previous election, overall voter turnout for the state was high. In the 2004 general elections, approximately 77 percent of the eligible voters cast a ballot.³⁶ Throughout the state, precincts in reservation areas saw increases in voter

turnout. Utilizing census data, high-density Native American precincts were identified on reservation lands and included in the analysis for the state.

³⁴ Elaine Flemming was elected as mayor of Cass Lake, Minnesota in November 2002 as a member of the Green Party. She is the first woman and the first Native American to hold this position. She is also the first Native American woman ever elected to the position of mayor in the state of Minnesota.

³⁵ Minnesota Secretary of State (n.d.). Minnesota General Election Statistics 1950-2004. Accessed 01/16/05 from: <http://www.sos.state.mn.us/election/ElectionResultStats.pdf>. Data on total registered voters was not available.

³⁶ Minnesota Secretary of State. (n.d.). 2004 Statewide results for President and Vice-President. Accessed 12/02/04 from: <http://electionresults.sos.state.mn.us/20041102/ElecRsults.asp?M=S&R=ALL&P=A>

The White Earth Reservation is spread over 3 counties including Becker, Clearwater, and Mahnommen Counties. Five precincts were identified on the reservation, which, on average are 77.5 percent Native American. Voter turnout in these precincts saw increases in 2004 over 2000. Approximately 73 percent of the registered voters cast a ballot – a slight increase over 2000. Of the total VAP, over 86 percent cast a ballot. White Earth’s Native effort included voter education, reminder calls in the days before the election, and rides to the polls. With total expenditures of approximately \$6,000, the effort produced an almost 3 percent increase in voter turnout. However, the increase in turnout as it relates to VAP saw the largest difference. In this election cycle, the turnout as a percentage of VAP saw a 29 percent increase in 2004 over 2000.

The Red Lake Reservation is located entirely in Beltrami County and tribal members are concentrated in 4 precincts. In this year’s election, almost 80 percent of the registered voters cast a ballot – an almost a 20 percent increase over 2000. In these precincts, there were also large increases of same day registrations. In 2004, 700 voters registered on Election Day, more than doubling the number in 2000 of 309. With a modest budget of approximately \$4,200, the Red Lake Native Vote efforts investment in radio ads, direct mailings, and Election Day drivers resulted in significant increases in voter turnout. Leech Lake reservation precincts also saw increases in voter turnout. Almost 74 percent of the registered voters cast a ballot, an almost 10 percent increase over 2000. Other increases were seen on the Bois Forte and Fond du Lac reservations (see table).

General Election Voter Turnout – Minnesota Indian Reservations

Tribe	Year	Registered Voters	Turnout	Turnout as a % of those registered	Turnout as a % of VAP
White Earth ³⁷	2000	960	676	70.42 %	57.48 %
	2004	1,387	1,015	73.18 %	86.31 %
Red Lake ³⁸	2000	2,415	1,457	60.33 %	45.07 %
	2004	2,659	2,124	79.88 %	60.93 %
Bois Forte ³⁹	2000	197	106	53.81 %	N/A ⁴⁰
	2004	200	112	56.00 %	N/A
Fond du Lac ⁴¹	2000	324	233	71.92 %	81.76 %
	2004	433	358	82.69 %	N/A ⁴²
Leech Lake ⁴³	2000	1,161	741	63.82 %	85.27 %
	2004	1,180	868	73.58 %	N/A ⁴⁴

³⁷ Pine Point, White Earth, La Prairie, Little Elbow, and Twin Lakes precincts which are (on average) 77.5% Native American.

³⁸ Littlerock, Ponemah, Red Lake, and Redby precincts which are (on average) 98.83% Native American.

³⁹ Nett Lake precinct is 87.5% Native American.

⁴⁰ Turnout as a percentage of VAP was not calculated for Bois Forte because census data for the precinct was significantly smaller than the number of registered voters. Thus, the data is unreliable for this particular analysis.

⁴¹ Cloquet, Ward 5, Precinct 2 is 67.5% Native American.

⁴² Turnout as a percentage of VAP was not calculated for Fond du Lac because census data for the precinct was significantly smaller than the number of registered voters. Thus, the data is unreliable for this particular analysis.

⁴³ Bena, Pike Bay, and Inger precincts which are (on average) 72.73% Native American.

⁴⁴ Turnout as a percentage of VAP was not calculated for Leech Lake in 2004 because census data for the precinct was almost equal to the number of registered voters. In this case, researchers felt that the data was likely incorrect for this tribal community and thus did not calculate this turnout as a percentage of eligible voters.

Sum and Substance

This was the first year that a Native American voter mobilization project was implemented in the state and reservations across the state saw increases in voter turnout. The “Native Vote – MN Style” campaign was successful in engaging Native people in the elections. The leadership provided early on in the campaign played a key role in the campaigns success. Backed by tribal leaders, the effort engaged all the states tribes. Efforts were developed and implemented by each tribal community and they provided important opportunities to engage and motivate tribal members. Native Voter surveys distributed to tribal members on the Fond du Lac reservation showed that 84 percent of the 584 respondents were aware of their communities Native Vote effort. As one respondent stated, “Native Vote is the best thing since sliced bread.”⁴⁵

While the increases are to be celebrated, it is the long-term impact of this effort that will be its

legacy. The next step for the state’s Native population is to decide collectively how this effort will be maintained and grown. In 2005, Minneapolis and St. Paul residents will chose a mayor and urban Native people must ensure that their voices are heard. With a significant number of service agencies in the Twin Cities and the vibrant Native community, developing an urban effort is an important step in building overall political power for Native people in the state.

The following year’s election includes almost all elected members of the federal and state legislatures as well as the Governor, Attorney General, and Secretary of State. Given the number of races and the issues surrounding tribal gaming that have taken on a more visible role in state politics, Native people will again be the focus of campaigns and elected officials. How the tribes and Native people will engage and how successful this engagement will be is up to them.

MONTANA

Fast Facts

Total Native American Population	66,320 (7.4%)
Billings	4,072 (4.5%)
Glacier County	8,471 (63.9%)
Big Horn County	7,859 (62%)
Federally recognized Tribes located in state	7
Statewide Native American VAP (estimate)	41,516

Recent margins of victory:

Governor Brian Schweitzer (2004, over Bob Brown) by: 19,703
State Rep. Margaret Campbell (2004, in Roosevelt County/Fort Peck) by: 659 (815 total margin)
Glacier County Commissioner Mike DesRosiers (2004) by: 830

⁴⁵ Native Voter survey was distributed to 587 respondents on Election Day on the Fond du Lac reservation. It was also made available to all of the states tribes to collect data from their tribal members.

Background

The election story in Montana in 2004 was the success of the Democratic Party at various state office levels at the same time President Bush scored a (predicted) overwhelming victory over Senator Kerry in the state. The apparently incongruous results made national news. "On election night, as President Bush was winning all but a half-dozen of Montana's 56 counties, the Democrats took every statewide office but one."⁴⁶ They gained control of the governor's office for the first time in 20 years, the State Senate, and after a court battle, the State House.

During the long campaign Montana was not, on anyone's scorecard, a "swing" or "battle-ground" state with regards to the Presidential race. The state was all but certain to go to President Bush and neither the national Democrats, nor any significant national independent groups invested any substantial resources in the state.

An analysis of the Native Vote, and any relevant impact it had on electoral results in Montana presents a familiar situation to one found throughout this report. The circumstances in Montana in 2004 yield important and valuable lessons, as well as tools from which others can and should gain valuable insight. At the same time, the potential portability of the Montana

experience depends entirely upon the similarity of circumstances present in other states and with other Native communities.

Native leaders and activists in Montana are quick to point out that the seeds of any electoral successes (i.e., increased participation and electoral victories) experienced in 2004 were planted with much attention and hard work years before.

If one were to look only at events that occurred in 2004, many important precursors would be missed. From Missoula, Attorney Pat Smith (Fort Peck) reports that state political redistricting was particularly beneficial to tribes by creating eight majority Native legislative districts. The redistricting was due, in part, to the successful federal voting rights litigation brought by the tribes.

Further, Montana created a redistricting commission designed to be bi-partisan with a "tiebreaker" (the other members are appointed by political leaders and are split evenly between Republicans and Democrats) appointed by the State Supreme Court. The last redistricting was performed by a commission with a Native tiebreaker. The State Supreme Court is generally viewed as friendly to Native concerns - the result of years of education, professional advocacy, and relationship building by the Native American Bar there.

⁴⁶ Montana Democrats Reflect on Success, The New York Times, 11/14/05.

⁴⁷ U.S. Census.

This report has found dramatic variations in terms of communication and interaction between the political parties, especially the Democrats, and Native American communities and tribes from state to state.⁴⁸ In Montana there has been a tradition of direct involvement by the Democratic Party, state and national, with Native communities. Former U.S. Rep. Pat Williams is credited with helping to focus Party attention on Indian Country people and issues. Presently, the state Democratic Party includes the Montana Indian Democrats Council and a newly created Montana Democratic Party Tribal Coordinator position.⁴⁹ The Council is run by Native leaders including State Rep. Carol Juneau (Mandan-Hidatsa) who is their Treasurer.

In the run up to the 2004 election an ambitious proposal was made to the state Democratic Party: \$100,000 for an all-out registration and GOTV effort to maximize the Native vote. The proposal was made by a small group of Montanan Native leaders with a track record of commitment and accomplishment. The Party, however, simply did not have the funds available. As a result any concerted, coordinated effort was going to have to be makeshift, and cheap.

An often-overlooked resource in Indian

Country is the multitude of Tribal Colleges. The colleges offer committed staff and students often ready to assist in organizing and education efforts. In Montana, Nancy Warneke-Gaynor a Flathead woman, neighbor of Brian Schweitzer, and Salish Kootenai college staff member decided to make a difference in 2004.

In coordination with attorney Pat Smith and his group Nancy registered over 4,000 Native voters on all seven of the states federally recognized Reservations. With a total Native VAP of just over 40,000, Nancy's effort led to the addition of 10 percent of all eligible Native voters.

Finally, the presence of a ballot measure, I-147 clearly added to higher than normal levels of interest in the election, especially on the Fort Belknap community. Just six years ago, Montana voters approved an initiative that was to protect the Blackfoot River from a proposed cyanide open-pit gold mine near the river's headwaters. In 2004, a Colorado mining company bankrolled a new initiative that would have removed the 1998 ban. In the end, the initiative lost 257,280 (no) to 185,974 (yes), but was an important catalyst for increasing the Native vote.

⁴⁸ Generally speaking the national Republican Party has made little effort in Native communities. While there are some exceptions (i.e. John Thune in S.D. in 2004) this has been attributed, in part, to the overwhelming support of Democratic candidates from those communities.

⁴⁹ The Council states as its purposes: "to facilitate Montana Indian Democrats to become a more effective voice within the Montana Democratic Party and to strengthen the Democratic Party's base in Indian communities through membership expansion, candidate recruitment, get-out-the-vote, voter registration, platform development, campaign assistance and other activities; to create a better understanding of and advocacy for issues of concern to Indian communities within the Democratic Party; to increase involvement and improve communication between Indian Democrats and the Party, to elect Indian Democrats (and non-Indian supportive Democrats) to local, state, and federal offices." <http://www.montanademocrats.org/organizations/indian.html>

Results

On the Montana Secretary of State web site, the state boasts of very high participation by its eligible voters. In fact it claims that for the 2000 general election it had the seventh highest participation rate in the U.S.

Statewide Montana Voter Turnout, 1996-2004 ⁵⁰

Election Year	Registered Voters	Turnout	Turnout as % of Registered Voters	Turnout as % of VAP
1996	590,751	417,232	70.6%	63.21%
2000	698,260	417,916	59.9%	62.11%
2002	624,548	340,272	54.5%	50.17%
2004	638,474	456,096	71%	66.75%

General Election Voter Turnout– Montana Indian Reservations ⁵¹

Tribe	Year	Registered Voters	Turnout	Turnout as a % of those registered	Turnout as a % of VAP
Blackfeet ⁵²	2004	5,336	2,760	51.73%	51.28%
Crow ⁵³	2004	4,063	2,229	54.88%	67.84%
Flathead ⁵⁴	2004	8,987	5,744	63.94%	N/A ⁵⁵
Fort Belknap ⁵⁶	2004	2,214	1,326	59.92%	80.58%
Fort Peck ⁵⁷	2004	5,335	3,008	56.40%	71.28%
Northern Cheyenne ⁵⁸	2004	2,659	1,226	46.13%	52.69%
Rocky Boy	2004	1,709	797	46.64%	56.12%

⁵⁰ Montana Secretary of State and U.S. Census.

⁵¹ Federally recognized Tribes, Native population living on Reservation; Blackfeet – 8,684, Crow – 5,275, Rocky Boy – 2,598, Flathead – 7,883, Fort Belknap – 2,809, Fort Peck – 6,577, Northern Cheyenne – 4,106.

⁵² Includes 10 precincts. Native Americans account for 86% of VAP.

⁵³ Includes 9 precincts. Native Americans account for 76.5% of VAP.

⁵⁴ Includes 11 precincts. Native Americans account for 30.1% of VAP.

⁵⁵ Turnout as a percentage of VAP was not calculated for the Flathead reservation because census data for VAP was significantly smaller than the total votes cast. Thus, the data is unreliable for this particular analysis.

⁵⁶ Includes 5 precincts. Native Americans account for 94.9% of VAP.

⁵⁷ Includes 9 precincts. Native Americans account for 63.7% of VAP.

⁵⁸ Includes 4 precincts. Native Americans account for 91.9% of VAP.

County	Year	Turnout	Increase
Glacier	2000	50%	
	2004	60%	20%
Roosevelt	2000	54%	
	2004	63%	16.6%
Big Horn	2000	58%	
	2004	59%	1.7%

The 2004 election rendered Montana alone at the top, as the state with the highest number of Native state legislators. There are now eight

members of the Montana State House and Senate who are Native American.

Gerald Pease (Crow)

Senate District 21, (Crow and Northern Cheyenne areas)

Frank Smith (Assiniboine /Sioux-Fort Peck)

Senate District 16 (Fort Belknap, Fort Peck and Rocky Boy’s Reservation areas)

Joey Jayne (Navajo)

House District 15, (Blackfeet and Flathead Reservation areas)

Carol Juneau (Hidatsa Mandan)

House District 16, (Blackfeet Reservation area)

Norma Bixby (Northern Cheyenne)

House District 41, (Northern Cheyenne & Crow Reservation areas)

Veronica Small-Eastman (Crow)

House District 42, (Crow Reservation area)

Margarett Campbell (Fort Peck Assiniboine)

House District 31, (Fort Peck Reservation area)

Jonathan Windy Boy (Chippewa Cree)

House District 32, (Rocky Boy’s and Fort Belknap Reservation areas)

Sum and Substance

Turnout in Native communities increased in 2004 over 2000. The amount of the increase varied from reservation to reservation, and from county to county. Interestingly, the turnout in some high-Native counties reached a level in 2004 achieved earlier in 1996 when the statewide turnout was over 70 percent.

The success stories in Montana in 2004 are important and informative. As is often the case it is particular personalities and their level of commitment that play a significant role in the success

or failure of a program designed to increase Native civic participation. In Montana, Nancy Warneke-Gaynor was such a person. Her tireless educating, organizing and mobilizing went a long way in increasing the Native vote in Montana.

Clearly the massive effort undertaken by Brian Schweitzer, from delivering beef to feed 1,700 at Fort Belknap, to visiting every reservation and speaking directly to Native communities about issues important to them, made a critical difference in convincing them to vote – many for the first time.

Also of importance in increasing Native participation were funding incentives made available to those “on the ground” working on reservations and registering voters. From the Center for Community Change, an organization which helps “low-income people, especially people of color, build powerful, effective organizations through which they can change their communities and public policies for the better,” came funding to volunteers and organizing workers to register voters and hopefully secure “pledge” cards from voters. These cards, proven to increase voting, have the signer pledge to vote on Election Day, sometimes within a very specific time frame. While difficult to assess precisely how many voters actually voted because of these efforts, reports from the field credit them with making a substantial difference.

At the end of the campaign, Diane Kerry, sister of Presidential candidate John Kerry, visited some of Montana’s Indian Reservations. While her effort appeared to be well intended, reports are she simply assumed that these communities, some

of the poorest in the country, would stage large events merely because of her stature. As it turned out, most of the communities opened up their homes and gathered together, then shared gifts and their usual hospitality with Ms. Kerry. This story was conveyed in an effort to inform candidates that while Native communities there desire and encourage them to visit (or their surrogates where necessary) those who want Native support should always be mindful that no community wants to feel as though their votes can be taken for granted.

Lastly, there were some in Montana’s Native communities who labored to accomplish the “holy grail” of Native organizing: urban Indians. Groups like the Native Development Corporation lead an effort in Billings, Montana’s largest city, to register and then get out the Native vote. In Missoula, Janet Robideau and Montana Peoples Action undertook a similar effort. Despite the extreme difficulty in tracking these voters, all evidence points to a dramatic and positive impact.

New Mexico

Fast Facts

Total Native American Population	191,475 (10.5%)
Albuquerque	22,047 (4.9%)
McKinley County	57,126 (76.4%)
Federally recognized Tribes located in state	22
Statewide Native American VAP (estimate)	128,844

Recent margins of victory:

State Representative Teresa Zanetti (2004, over Bill O’Neill) by: 818
 State Senator Shannon Robinson (2004, over Mary Gilbert) by: 1,335
 Presidential candidate Gore (2000, over Bush) by: 366

Background

In the last three presidential elections, the Democratic candidate has won the state of New Mexico. In the 2000 election, New Mexico was the closest national victory for Gore – the difference between the two candidates being only 366 votes. Given the close election in 2000 and the high incidence of voters who tend to “swing” between parties and candidates, political parties and non-partisan organizations were focused and committed in the state in 2004. President Bush made several stops in the state and other Republican leaders stumped for him over the course of the campaign. With five electoral votes up for grabs and the chance for the Republicans to take control of the state, there was an incredible amount of voter mobilization activity in 2004.

One of the biggest challenges for voter mobilization efforts designed to increase Native American participation has been identifying and targeting this constituent group. Fortunately, in New Mexico the Secretary of State’s Office efforts to increase Native American voter participation has been particularly helpful. In 1978, the Secretary of State’s Office hired Native American staff who could interpret voter and candidate information. Ten years later, as a result of a U.S. Department of Justice legal action against the state, it was required to, “extend greater election information to Native Americans based on the minority language assistance amendments to the Federal Voting Rights Act of 1965.”⁵⁹ To remedy this problem, the Native American Election Information Program (NAEIP) was established within the Bureau of Elections. The goal of the NAEIP is to provide voter education to the states Native American population and to ensure compliance with the minority language assistance amendments of the Federal Voting Rights Act of

1965. The office currently has two Native American Program Coordinators who provide a wide range of services to Native American voters including voter education materials on candidacy and voting requirements, the electoral process, general participation and translation services. The Program Coordinators work closely with county officials and Native American outreach workers to ensure that voters receive the information they need to make educated decisions at the polls. In addition to outreach efforts, the office also provides valuable data analysis – specifically identifying high-density Native American precincts as well as analyzing voter turnout for these precincts.

In the state, there were significant voter mobilization efforts underway in 2004. Moving America Forward (MAF), a “527” organization, undertook a statewide effort targeting Latino and Native American voters. The nine-month efforts focused on urban areas including Albuquerque, Santa Fe, and Las Cruces and a specific Native American program that included the Pueblos and the Navajo Nation. MAF trained Native Americans interested in working in tribal and urban communities early on in the campaign and worked directly with several tribes to match county voter files against tribal member enrollment lists. MAF also undertook an extensive “earned” media campaign in the state, and worked with a number of tribal newspapers, although they did not develop any Native-specific advertising. On the Navajo Nation, MAF canvassers attended various events throughout the course of the campaign to register voters and worked closely with other groups on the Navajo Nation to get voters to the polls on Election Day. Over the course of the campaign, MAF registered 27,291 new voters in the state that included approximately 7,000-8,000 Native Americans.⁶⁰

⁵⁹ Source: <http://www.sos.state.nm.us/NAEIP/History.html>

⁶⁰ Amber Carillo, Native American Outreach Coordinator, Moving America Forward

Pueblo Native Vote Efforts

There were several Pueblo Native Vote projects that consulted with Soltari Inc., a political consulting firm in Albuquerque. Keegan King, a Soltari organizer and a member of Acoma Pueblo, coordinated with San Juan, San Felipe, and Laguna Pueblos in the last election cycle. For each project, the main focus was to build long-term capacity within the community to plan and execute voter mobilization plans. Soltari trained and hired tribal members for each project and worked with respective tribes to develop all in-house voter organizations. The goal of each Voter Project was to create self-sustaining tribal-run voter programs. Field operations, mail production and delivery, and GOTV efforts were all manned by tribal members and tribal entities.

In San Juan, 2004 was the first year that they coordinated a full-scale GOTV effort. Of the Pueblos 850 tribal members, 502 cast a vote in this year's election. This year was also the first that San Felipe had a GOTV program in their community that resulted in the mobilization of almost half of their tribal membership (424 members voted out of the 875 registered members). The Laguna Voting Project set a goal of registering 500 new voters and surpassed it by garnering 541 new registrants. A total of 1,042 tribal members cast a vote in this year's election, however, due to several problems, only 955 of the total votes cast by tribal members were actually counted. There were numerous problems that were a result of mistakes made by the County Clerk in processing voter registration forms, fulfilling absentee ballot requests, and having inadequate materials for provisional voting on Election Day. As a result, some voters were registered in the wrong precinct or did not receive absentee ballots. In other cases, voters were not notified that they had registered incorrectly. As a result, 98 Laguna votes were not counted.

The three Pueblos analyzed here increased their voter participation in the 2004 General Election; however, the long-term impact of this work is

yet to be determined. With up-to-date tribal voter databases, these communities can continue to build a culture of voting and continue to encourage their own tribal members to run for political office. Already the positive effects of a sustained voter program can be seen in Laguna Pueblo where the 2005 School Board election saw a turnout double that of the 2001 election.

Urban Albuquerque Efforts

The Native American Voters Alliance (NAVA), a project of the Sacred Alliance for Grassroots Equality (SAGE) Council,⁶¹ has been working to build a politically active and educated voters alliance of Native American voters in the Albuquerque area for the past 3 years. In September, NAVA hosted a forum to introduce Congressional Candidates to the Native American community. Candidates Heather Wilson and Richard Romero sent representatives to the forum to discuss Native American issues with community members. The forum also included a listening session with Native American State Legislators and City Council members and provided an important opportunity for Native American people to share with elected officials the issues they were facing.

During this election cycle, NAVA compiled a list of over 6,000 Native American households with approximately 4,200 registered voters. This list was enhanced through collaborative efforts with other Native American organizations including Native employment centers in the Albuquerque area. NAVA matched their list to the official state voter file and determined that Native American voters were spread throughout the city in over 400 precincts. Given the dispersed population, NAVA organizers decided to focus their GOTV efforts on encouraging the use of absentee and early voting, direct mail, phone banking, visibility, and providing transportation to voting sites.

⁶¹ SAGE Council, a 501(c)3 organization, is a people-of-color community organization building self-determination and relationships through organizing, education, and leadership development. For more information on this organization, visit: <http://www.sagecouncil.org>

In the last few weeks before the election, NAVA held two “Early Voting Day” events. The first event was held at the City Hall with guest speakers Winona LaDuke, Annishanabe activist, and City Council member Eric Griego. They held an additional event at the Southwest Indian Polytechnical Institute encouraging college students to vote early. Through this event and other voter education efforts encouraging the use of early votes, NAVA produced approximately 230 early votes. In 3 different mailings a total of 12,800 mail pieces were distributed to the list encouraging the use of absentee, or early voting, and non-partisan information on ballot initiatives and candidates. Over the course of the campaign, the designated GOTV universe received two autodialers (computer generated phone calls) and four direct contacts as well as an additional reminder live call on Election Day itself. In total, volunteers and staff made over 4,000 calls.

Albuquerque voters were also galvanized in 2004 by a street bonds proposal that included \$8.7 million for an extension through Petroglyph National Monument. The Petroglyph National Monument is a site that is still in use for religious purposes by the states’ nineteen tribes. SAGE Council and others had successfully prevented development in the Petroglyph National Monument for the past 10 years. In 2003, voters defeated a similar street bonds package that included the Paseo del Norte Extension. In both campaigns, New Mexico’s Pueblos came out against the Extension.

The Vote No on the Street Bonds campaign, a 501(c)4 organization, worked to educate voters on the proposed bond and encouraged the City of Albuquerque to look at alternatives to relieving congestion in the area. In the end, the Street Bond issue was passed by Albuquerque voters by a large



margin. In February of 2005, SAGE Council along with several other organizations, filed suit against the Mayor and the City of Albuquerque challenging the construction of the Paseo del Norte Extension through the Las Imagines Archaeological District and the Petroglyph National Monument. They have also formerly requested that the City begin its Environmental Impact Study on the extension. This long-fought battle now moves into the judicial system where SAGE Council and others hope that they will continue their success in protecting this sacred site.

NAVA plans to continue their work in building a political base in the Albuquerque metro area. NAVA organizers believe that there is significant room to catalyze political dialogue and are encouraging Native American people to engage in local, state and federal politics. While funding cycles are often based on “political seasons,” NAVA plans to work year-around within the community.

Results

*Statewide New Mexico Voter Turnout, 1996-2004*⁶²

Election Year	Registered Voters	Turnout	Turnout as % of those registered	Turnout as % of VAP
1996	837,794	566,409	67.61%	53.02% ⁶³
2000	973,533	615,607	63.25%	46.99% ⁶⁴
2002	950,743	502,230	52.83%	38.33%
2004	1,105,372	775,301	70.18%	59.17%

General Election Voter Turnout 2000, 2004 – Navajo and Apache Nations

Tribes	Year	Registered Voters	Turnout	Turnout as a % of those registered
Navajo ⁶⁵	2000	34,246	19,663	57.44%
	2004	38,184	25,433	66.61%
Jicarilla Apache ⁶⁶	2000	873	401	45.93%
	2004	943	545	57.8%
Mescalero Apache ⁶⁷	2000	823	274	33.29%
	2004	916	435	47.49%

The Native American Election Information Program (NAEIP) has identified precincts in the state with 80 percent and over Native American registered to vote. This information has made it possible to look at voter turnout for almost all of the tribes in the state.

The portion of the Navajo Nation located in New Mexico saw increases in voter turnout in 2004 over 2000. Over 66 percent of the registered voters in 62 precincts cast a ballot in this years' election. The Jicarilla Apache and Mescalero Apaches also saw increases of 11 percent and 14 percent in voter turnout respectively.

⁶² New Mexico Secretary of State and U.S. Census.

⁶³ VAP calculated using 1996 U.S. Census data.

⁶⁴ VAP for 2000, 2002, and 2004 calculated using 2000 U.S. Census data.

⁶⁵ In 2000, the precincts with Navajo populations included: Bernalillo (1), Cibola (1), McKinley (37), Sandoval (3), San Juan (19), and Socorro (1). In 2004, precincts with Navajo populations included: Bernalillo (1), Cibola (2), McKinley (36), Sandoval (3), San Juan (19), and Socorro (1).

⁶⁶ Otero County, Precinct 11.

⁶⁷ Rio Arriba County, Precinct 24.

The states Pueblos also saw increases. Sandia Pueblo had the highest voter turnout with 82 percent of those registered voters casting a ballot. Tesuque Pueblo saw a slight increase in voter turnout in 2004 over 2000 with 78 percent of voters casting a ballot compared to 73 percent in 2000. Zia Pueblo had a 76 percent turnout, a 25 percent

increase over 2000. San Ildefonso and Santa Ana Pueblos rounded out the top five performing Pueblos with 74 percent and 71 percent voter turnout of registered voters casting a ballot. Other pueblos in the state saw increases as well. See table below for more information.

General Election Voter Turnout 2000, 2004 – New Mexico Pueblos

Tribe	Year	Registered Voters	Turnout	Turnout as a % of those registered
Sandia ⁶⁸	2000	235	191	81.28%
	2004	287	237	82.58%
Tesuque ⁶⁹	2000	164	121	73.78%
	2004	188	147	78.19%
Zia ⁷⁰	2000	314	160	50.96%
	2004	376	286	76.07%
San Ildefonso ⁷¹	2000	202	130	64.36%
	2004	276	206	74.64%
Santa Ana ⁷²	2000	305	160	52.46%
	2004	338	240	71.01%
Cochiti ⁷³	2000	320	167	52.19%
	2004	394	268	68.02%
Jemez ⁷⁴	2000	1,130	656	58.05%
	2004	1,297	819	67.3%
Taos ⁷⁵	2000	457	249	54.49%
	2004	620	379	61.13%
San Juan ⁷⁶	2000	1,252	637	50.88%
	2004	852	502	58.92%
Santa Clara ⁷⁷	2000	659	331	50.23%
	2004	653	380	58.19%
Zuni ⁷⁸	2000	2,795	1,030	36.85%
	2004	3,683	1,979	53.73%
Laguna ⁷⁹	2000	1,700	839	49.35%
	2004	1,980	1,043	52.68%
San Felipe ⁸⁰	2000	745	213	28.59%
	2004	874	424	48.51%
Isleta ⁸¹	2000	1,308	576	44.04%
	2004	1,477	713	48.27%
Acoma ⁸²	2000	752	307	40.82%
	2004	899	427	47.5%
Santo Domingo ⁸³	2000	445	171	38.43%
	2004	747	301	40.29%

⁶⁸ Sandoval County, Precinct 29.
⁶⁹ Santa Fe County, Precinct 6.
⁷⁰ Sandoval County, Precinct 14.
⁷¹ Santa Fe County, Precinct 40.
⁷² Sandoval County, Precinct 19.
⁷³ Sandoval County, Precinct 8.

⁷⁴ Sandoval County, Precinct, 15.
⁷⁵ Taos County, Precinct 13.
⁷⁶ Rio Arriba County, Precinct 41.
⁷⁷ Rio Arriba County, Precinct 7.
⁷⁸ McKinley County, Precincts 27-30.
⁷⁹ Cibola County, Precincts 18-23.

⁸⁰ Sandoval County, Precinct 9.
⁸¹ Bernalillo County, Precinct 93, and Valencia County, Precinct 13.
⁸² Cibola County, Precincts 17.
⁸³ Sandoval County, Precinct 20.

Sum and Substance

Native Americans make up almost 10 percent of the total statewide population in New Mexico. As such, they can and should play an important role in the states electoral processes. The NAEIP is key in contributing to the growth of Native Americans in the electoral process statewide. Program Coordinators provide timely and valuable information to Native American voters and because they are Native themselves, have an ability to understand these communities like no other. Additionally, their analysis of high-density Native American precincts and voter turnout for these precincts provides important information for tribes to gauge and understand their communities' voting potential. This office is an asset to the states' Native American population and is a model for other states and Tribes to consider as they explore ways in which to increase Native American voter participation.

Like other states, there is a considerable amount of Native people residing in urban areas. In Albuquerque, SAGE Council's NAVA project has worked tirelessly to identify and engage Native voters. With an estimated population in Albuquerque of approximately 22,000,⁸⁴ Native people could be decisive voters in local elections. This past election cycle resulted in the identification of 4,200 Native voters - not a small feat. With an upcoming mayoral race in the fall of 2005,

NAVA can play an important role in educating and mobilizing urban voters. While NAVA is an important project of SAGE Council, it is not the only work that they do. SAGE Council has led the fight against development in the Petroglyph National Monument and worked on a variety of other environmental justice issues. Their work and the organizers individual commitment have made this organization an indispensable asset in the community.

All of the Tribes analyzed in this particular report saw increases in voter turnout in 2004 over 2000. Some communities, like the Sandia Pueblo, had turnout rates above 80 percent. In precincts where Native people are the majority, their ability to swing a local election is a reality. Some of the pueblos, including San Juan, San Felipe, and Laguna have already taken important steps in building a culture of voting in their communities. In addition to encouraging tribal members to vote, there is also an emphasis to have qualified tribal members run for political office. These two aspects are critical in building long-term political power in the state. The impact of Native American political participation in New Mexico should be on the radar of those interested in Native political participation as a whole. With the NAEIP's ability to provide both identification and turnout data for high-density Native precincts, it will also be one of the easiest states to follow.

⁸⁴ U.S. Census

South Dakota

Fast Facts

Total Native American Population	68,281 (9.0%)
Shannon County	11,850 (95.1%)
Todd County	7,861 (86.9%)
Rapid City	7,142 (12.0%)
Federally recognized Tribes located in state	9
Statewide Native American VAP (estimate)	38,920

Recent margins of victory:

U.S. Senator Tim Johnson (2002, over John Thune) by: 524
U.S. Rep. Stephanie Herseth (2004, special election) by: 3,005
John Thune (2004, over U.S. Senator Tom Daschle) by: 4,508
State Senator Theresa Two Bulls, Oglala Sioux (2004) by: 3,096

Background

To say merely that South Dakota was the epicenter of Native voting efforts in 2004 is to risk understating the significance of the election there, the spectacular national attention it brought, and the intense activity which took place in the state. The resources committed to South Dakota would make the casual observer believe that the Presidential race was likely to be decided by South Dakota's 394,930 voters. In fact it was because of U.S. Senate race between then-Minority Leader U.S. Senator Tom Daschle and former U.S. Rep. John Thune.

Even though the state was never "in play" in the Presidential race, Bush won by more than 20 percent, the recent impact of Native voters on the 2002 general election and the 2004 special election, and the tremendous outside influence and attention on the Daschle-Thune race meant that 2004 was going to again draw a spotlight on Native voting and its importance in particular races.

The importance of Indian voters was certainly not lost on either of the candidates, both of whom made numerous visits to reservations where they attended pow-wows and meetings with tribal leaders, in an attempt to influence Native voters. Because of the recent history of Native voters being the difference in both the Johnson and Herseth victories, Daschle clearly wanted to make sure that turnout was as high as possible given the overwhelming Democratic support of the states Native voters. Thune on the other hand, fearing a repeat of 2002 where Native voters voted 9 to 1 Democratic, worked directly and through surrogates to win over as many Native voters as possible. At the same time, sources report that numerous Republican leaders, including some with close ties to Indian Country were making clear to tribal leaders and tribal advocates their strong desire to secure a Thune victory.

But after months of campaigning, and a total of \$36.9 million spent by Daschle and Thune directly, only Daschle was able to claim the endorsement of all nine tribes. "Tribal leaders praised the Democratic candidate for his commitment to Indian issues, particularly his attempts to increase the budget for the Indian Health Service. They said he would continue to advocate for tribes in the state."⁸⁵

A plethora of organizations, both non-partisan/non-profit, and political (i.e. 501(c)4's and "527"'s) worked in South Dakota directly and indirectly to increase the Native Vote. There were three tribal organizations, all non-partisan, in particular which undertook leading roles in tribal voter registration, education and mobilization. United Sioux Tribes' (UST) Native Vote Project played a significant role in general election registration and mobilization. The Four Directions Committee took the lead in early registration and mobilization during the primary and special congressional election in June. They later became involved in exposing and opposing alleged voter suppression activities and created outposts at Pine Ridge and Rosebud.

The Northern Plains Tribal Voter Education Project worked closely with both UST and Four Directions, and assisted both in coordinating state-

wide tribal registration and mobilization efforts. Northern Plains' sponsor, the Rural Ethnic Institute, also coordinated its efforts with sixteen tribal colleges in Montana, North Dakota and South Dakota.⁸⁶

On the Pine Ridge Reservation, for only the second election cycle, the Tribe held its election in alignment with the local, state and federal elections. The election for President between Russell Means and Cecilia Fire Thunder was the marquis event and generated much attention from the Tribal membership. At some of the polling places on the Reservation, Tribal members could vote for Tribal candidates running for Tribal offices at the same location as they could also vote for their local, state and federal candidates and ballot measures. Some villages however had separate polling places where voters needed to exit their Tribal polling place and enter a different location in order to vote in the non-Indian elections.

⁸⁵ <http://www.indianz.com/News/2004/004933.asp>

⁸⁶ Special thanks to Tom Katus for this information.

Results

Statewide Registered voters	Turnout ⁸⁷				VAP ⁸⁸		Turnout as % of VAP		
502,261	394,930 (78.63%)				559,474		70.62%		
	1988	1990	1992	1994	1996	1998	2000	2002	2004
Turnout % of VAP	61.7%	52.2%	67.2%	62.4%	62.1%	49.5%	58.3%	61.4%	70.62%
Turnout % of Reg.	71.1%	61.8%	75.0%	73.7%	71.6%	58.8%	68.4%	71.5%	78.6%

Initial reports from South Dakota after the election were upbeat and positive. Native turnout was up, virtually everywhere, and tremendous progress was made raising the level of participation to, at least, that of the population at-large.

When reviewing turnout data from the four counties with at least 74 percent Native population, the average turnout of registered voters was 65.2 percent. While some have reported a higher Indian Country turnout rate than this using county turnout numbers, the other counties have such a significantly lower Native population, as a percentage of the total, so as to render the data of limited value.

County	Votes Cast	Turnout of registered voters
Buffalo	903	76%
Dewey	2,683	63%
Shannon	4,549	57%
Todd	3,691	65%
Avg.		65.2%

Still below the total state turnout rate, Native voters are nevertheless increasing their participation rates at a far faster pace than the state's general population. In 2000, also a Presidential year, the four counties listed above had a turnout percentage (as an average) of 42.7 percent. In the 2004 election, these very same counties saw their turnout, driven almost exclusively by Native voters, grow by an astounding 22.8 percent, while the state at-large, and saw its turnout grow by only 9.8 percent.

⁸⁷ South Dakota does not include "inactive" status registered voters in calculating turnout percentages. Inactive registered voters are in fact registered voters however and could have voted in 2004.

⁸⁸ US Census 2003 estimates.

In order to more fully analyze Native voting patterns, an examination of results at the precinct level must occur. It is only at that level, and only in precincts where Natives constitute as close to the complete voting pool as possible, that an accurate assessment can truly be made.

Using data from the Census which sets forth both a Native percentage of the total precinct population as well as a total and percentage for Native VAP, the dramatic increase in Native participation becomes even clearer. Three precincts in Shannon County, on the Pine Ridge Reservation illustrate this point quite clearly.

Turnout percentage on three Pine Ridge/Shannon County precincts

	2000	2002	2004
Kyle	35.9%	47.9%	54.6%
Oglala	26.4%	42.1%	50.6%
Pine Ridge #1	40.5%	44.1%	54.6%

The data included here is put forth for purposes of examining Native turnout as a percentage of registered voters and VAP at the precinct level in order to gain a clearer perspective on Native voting patterns. It must be understood however that these numbers show a wide variation as often times the number of registered voters within a particular precinct, as reported by the county auditor, are actually higher than the VAP as determined by the Census.

These caveats notwithstanding, it is this analysis which both informs best as to actual turnout numbers achieved, and at the same time, identifies where gains remain to be made.

Precincts in County	Total Pop. (in precincts used)	VAP⁸⁹ (in precincts used)	Turnout⁹⁰ (in precincts used)	Turnout (as a % of native VAP)
Dewey	4,134⁹¹	2,434	1,939	79.6%
Buffalo	1,578⁹²	945	613	64.9%
Todd	6,224⁹³	3,347	1,293	36.6%
Shannon	12,466⁹⁴	6,819	4,549	66.71%

⁸⁹ US Census 2000.

⁹⁰ S.D. Secretary of State and County Auditors 2004.

⁹¹ Using 9 precincts which are all over 83% Native American.

⁹² Using District 3-Victory precinct which includes more than 75% of the total county population and is 94.6% Native American.

⁹³ Using 5 precincts all over 93% Native American.

⁹⁴ Total county which is 95.1% Native American.

On the Pine Ridge Reservation, in Precincts 1-3, there was a turnout in the Tribal election of 2,365 voters. At the same time, and at essentially the same place, the turnout for the non-Tribal Local, State and Federal general election was just 1,721. In addition, Tribal membership total turnout for the election of Tribal President was 4,728. The geographic boundary for this election includes

primarily, but is not limited to Shannon County, which had a general election turnout of 4,549. Adding that together with the 5 additional precincts in Jackson and Bennett Counties where approximately 625 Native voters voted in the general election, the total Oglala Sioux general election turnout appears to be 5,174.

2004

	Herseth	Diedrich
TOTALS 389,468	207,837 (53.36%)	178,823 (45.91%)
SHANNON	3,960 (85.6%)	346 (14.1%)
TODD	2,878 (79.2%)	674(20.8%)
BUFFALO	702 (80.6%)	151 (18.4%)
DEWEY	1,941 (74.9%)	606 (25%)

	Daschle	Thune
TOTALS 391,188	193,340 (49.42%)	197,848 (50.58%)
SHANNON	3,887 (80.6%)	564 (19.4%)
TODD	2,885 (78.9%)	776 (21.1%)
BUFFALO	713 (80.9%)	168 (19.1%)
DEWEY	1,920 (73.2%)	705 (26.8%)

Sum and Substance

It is impossible to overstate the significance of the impact of the U.S. Senate race had on the entire election, not only in Indian Country within South Dakota, but the entire state. The intense efforts on the part of Native leaders and activists to increase Native participation occurred along side, and concurrently with the activities of the candidates' campaigns, the political party campaigns, the independent group campaigns and the various and many non-partisan efforts.

While some might argue the increase in Native participation in 2004 is so inextricably intertwined

with the saturation the U.S. Senate race brought upon the state, in truth only the next election cycle (and, actually the next Presidential election) will allow us to know whether the increases seen this year are a trend or an aberration. However, given the actual trending apparent when considering the last few cycles, this report concludes that at worst the increases this year were catalyzed in large part by the Daschle-Thune race and the Presidential race, but at best the trend will continue from the increased rates of 2004 and built from there for the next election.

While Cheyenne River also has aligned their Tribal elections with state elections, not all Tribes in South Dakota have done so. Further, as the results show, even though alignment does likely increase

turnout in non-Tribal elections, issues such as separate locations will continue to be impediments to maximizing Native participation in local, state and federal elections.

Washington

Fast Facts

Total Native American Population	158,970 (2.7%)
Seattle	11,869 (2.1%)
King County	33,022 (1.9%)
Whatcom County	6,420 (3.8%)
Federally recognized Tribes located in state	29
Statewide Native American VAP (estimate)	103,330

Recent margins of victory:

U.S. Senator Cantwell (2000, over Slade Gorton) by: 2,229
County Commissioner 2001 Whatcom County/Lummi Nation) by: 1,952
Justice Fairhurst (2002 over Jim Johnson) State Supreme Court by: 3,377
Governor Gregoire (2004 over Dino Rossi) by: 129

Background

Since the 2000 general election in Washington state, where Maria Cantwell defeated U.S. Senator Slade Gorton and the dramatic increase in participation by Native Americans was determined to play a critical role in the outcome, much attention has been placed on the state's Native population at election time.

In 2001 a County Commissioner, with a long and "distinguished" career fighting Indian tribes was defeated after a coordinated effort that was lead by the Lummi Nation. Then, in 2002 a Native

lead statewide independent expenditure campaign was cited as the reason for the defeat of a renowned anti-Indian lawyer in his bid for a seat on the State Supreme Court.

The 2004 election year began on a very different note. The state was not considered a "swing" state in terms of the Presidential race, due to its strong democratic majority, and so was not a focus of the national political parties. As a result, Indian Country within Washington state was not the scene of any extraordinary outside influence, resources or concentrated effort.

It was still, however, a Presidential election year which also included the election of one U.S. Senator, the Governor and all other statewide officers, the entire state U.S. House delegation as well as most of the State Legislature.

The Governor's race was especially interesting in 2004. The Republican, former State Senator Dino Rossi was a conservative who happened to be part Tlingit (Alaska) and had a 94.4 percent voting record on Native issues while in the State Senate (see <http://www.first-americans.net/senate.pdf>.) His opponent was the heavily favored Democratic state Attorney General who had spoke often of her commitment to natural resource protection and other issues which appealed to some Native voters.

Also to be considered by the voters in this election was a ballot measure, Initiative 892, entitled "Authorizing Additional Electronic Scratch Ticket Machines." According to the ballot measure description furnished by the Washington state Secretary of State's office, "this measure would authorize licensed non-tribal gambling establishments to operate the same type and number of machines as tribal governments, with a portion of tax revenue generated used to reduce state property taxes."

The Washington Indian Gaming Association began its opposition efforts early in 2004, creating a campaign structure and raising awareness and money from tribes within the state. The measure was put forth by the non-Indian gaming industry and spearheaded by an experienced campaign coordinator known more for his anti-tax crusades than any particular commitment to gaming issues. If the initiative were to pass, non-Indian gaming would have been able to spread through the use

of slot-style machines, and, the current gaming tribes believed, pose a serious threat to the critically important economic gains made by tribes in the state.

Also on the ballot in 2004 was the very same Jim Johnson who lost his last race for the State Supreme Court, and credited the Native lead independent expenditure campaign for his defeat, in 2002. The race last year was for another open seat on the court. While his opponent this time was thought to be a very formidable candidate – Mary Kay Becker, a highly regarded sitting lower court judge – many tribal advocates and activists argued that tribal leaders should pay close attention to the race because of the perceived potential threat to tribal sovereignty and a wide range of issues important to Native communities.

While a number of tribes did contribute directly to Becker, their contributions totaled about \$14,300, and little attention was paid within tribal communities. It must be noted that supreme court races generally elicit little public interest and even though the political donor class has begun to pay much closer attention to these races, the general public remains uneducated, and apparently uninterested in these races.

At the same time, the No on I-892 campaign raised \$6.6 million, the vast majority of which came from tribes. More importantly, for purposes of this report, the tribes worked to educate their members about the initiative and the importance of voting in the election to say "no" on the measure. It was difficult to travel through Indian Country and not see multiple signs advocating a "no" vote on I-892.

It was within this electoral environment that high hopes existed for increased Native voting participation. Results from 2000 and 2002, chronicled in the report “The Emerging Role of Native Americans in the Electoral Process” (<http://www.first-americans.net/ElectorP.pdf>), were also reason for optimism because Natives in Washington state had achieved some of the highest participation rates anywhere in Indian Country.

Individual tribes within Washington state conducted a wide variety of activities designed to increase voter participation. Tribes used myriad tactics including using volunteers to canvass Reservations. At the Lummi Nation, another organizing tool was used: they put on a “Rock the Rez” voting campaign with the stated goal of registering 1,000 new tribal voters. At Lummi and many other Reservations, community leaders and activists provided rides to polling places and called tribal members on Election Day to remind them to get out and vote.

Results

The results from 2004 indicate that, on the whole, total Native participation was up from 2000 and 2002. This trend has sustained a rate of increase seen in the last two federal election cycles.

The results indicate however that the increases were not likely due to any specific coordinated effort to raise Native participation and were more likely due to a combination of circumstances including a close national presidential election, the expanded gaming initiative and the efforts of a select group of Native leaders and activists.

Unlike some other western states with a more substantial Native population, there are no Washington counties with a Native population as a percentage of the total population that rises to even the double digits. To analyze Native registration and turnout a precinct by precinct survey must occur added together with anecdotal information gathered from those Tribes which gather voting information.

In a Presidential election year in Washington, general turnout is typically between 12 percent and 17 percent higher than during “off year” elections. This is likely a primary reason for the increase in Native participation in 2004. Upon review of Native registration and turnout, as compared to statewide registration and turnout, the increases in 2004, over the last two Presidential elections, was roughly the same: approximately 10 percent overall.

*Statewide Washington Voter Turnout, 1996-2004*⁹⁵

Election Year	Registered Voters	Turnout	Turnout as % of those registered	Turnout as % of VAP
1996	3,078,208	2,293,895	74.52%	55.65%
2000	3,335,714	2,517,028	75.46%	57.62%
2002	3,209,648	1,808,720	56.35%	39.87%
2004	3,508,208	2,883,499	82.2%	63.3%

⁹⁵ Washington Secretary of State.

When examining Native participation rates over the last few (federal) election cycles it becomes clear that the momentum begun in 2000 has continued, albeit at a pace of wide variation depending upon the Tribal community. While I-892 was expected to be a critical catalyst to increase Native registration and turnout, it appears to have added only marginally to the participation rates.

Another catalyst was thought to be State Rep. John McCoy (Tulalip) who was on the ballot seeking reelection to his state house seat. While Rep. McCoy received attention, and contributions from Tribes across the country, his presence on the ballot appears to have had only a marginal effect at Tulalip precincts. Writing in the *Seattle Times* on the weekend after the election, reporter Emily Heffter found that “[T]hrough McCoy’s victory margin over his Republican challenger was larger than in 2002, he didn’t do as well on the reserva-

tion, where he is a leader of the Tulalip Tribes.” The article went on to state that McCoy’s opponent, Kim Halvorson said that while she decided to not campaign on the Reservation, “because a Republican poll found her ahead by a 2-1 margin,” she agreed with McCoy that he had probably benefited to some degree from tribal members who went to the polls to vote against Initiative 892. “A lot of [tribal members] weren’t going to get out of bed to vote for McCoy, but they did get out and vote against 892,” Halvorson said. “And while they were there, they voted for McCoy.” Tracking the registration and turnout against prior elections and factoring in the normal “bump” for a close Presidential race, it does not appear that either McCoy or I-892 had a significant impact. In addition, turnout in Snohomish County, as a percentage of those registered was 84.3 percent.

General Election Voter Turnout 1996, 2000, 2004 – Washington Indian Reservations

Reservation	Year	Registered Voters	Turnout	Turnout as a % of those registered	Turnout as a % of VAP ⁹⁶
Lummi ⁹⁷	1996	1,435	868	60.5%	
	2000	1,564	968	61.9%	
	2004	1,613	1,045	71%	57.27%
Tulalip ⁹⁸	1996				
	2000	930	620	66.7%	65.4%
	2004	1,022	734	70.15%	
Colville ⁹⁹	1996	716	401	56.02%	
	2000	721 ¹⁰⁰	398	55.2%	
	2004	874 ¹⁰¹	584	66.84%	36.87%
Quinalt ¹⁰²	1996	398	297	74.6%	
	2000	424	313	73.8%	
	2004	435	221	50.8%	44.2%

⁹⁶ Estimate based on 2000 Census

⁹⁷ Lummi North and Lummi South which are (on average) 72.45% Native American.

⁹⁸ Tulalip 2 and Coho precincts which are (on average) 55.5% Native American.

⁹⁹ Columbia, Nespelem (City and Rural), Disautel and Mission precincts which are (on average) 81.2% Native American.

¹⁰⁰ Excluding Columbia precinct. Data on registered voters was not available for 2004.

¹⁰¹ Four of these five precincts have changed, minimally, from 2000.

¹⁰² Taholah precinct which is 91.1% Native American.

Election Day results in Washington gained national attention because of the closeness and subsequent recounts and legal action regarding the Governor's race. The results on I-892 results were quick and unambiguous with only 1,069,414 or 38.45 percent voting yes while 1,711,785 or 61.54 percent rejected the measure. Interestingly 102,300 fewer voters voted at all on that measure than did for the "top of the ticket" races.

Sum and Substance

The authors are aware of no public opinion surveying -- neither exit polls nor any other scientifically gathered data from Native Americans in Washington who are either eligible or actually registered and voting. Given that absence of information available, conclusions drawn about the reasons for particular voting (and non-voting) patterns are of course subjective and anecdotal.

That notwithstanding, some axioms are put forth here based upon the authors extensive experience. First, the Presidential race didn't speak to Natives in Washington as a distinct community. Neither of the candidates visited the state for anything significant other than the typical Seattle fundraisers, nor did they appear to undertake any particular outreach to Native communities. With that said Senator Kerry did assemble a Native Steering Committee which included Tribal Leaders from the state. While some Kerry signs did appear on some Reservations there was little evidence that this was as a result of anything more than a strong Democratic leaning and there was little discernible "grassroots" excitement apparent within Native communities.

Second, the expanded gaming initiative clearly was the focus of energy, money and other resources of Tribal Leaders throughout the state. Again though, while many "No on I-892" signs appeared throughout Indian Country there was little evidence of a groundswell of grassroots interest or activism. Again, there is strong evidence of Native opposition to the measure, just little "coattail" effect in terms of dramatically increasing voting participation.

Third, the marquis races on the top of the ticket (i.e. U.S. Senator, Governor) did not attract unusually high attention in Indian Country. Attorney General (now Governor) Gregoire had a mixed record on Native issues, opposing tribes on shell fishing and other natural resource issues. Dino Rossi, though part Native and with a relatively strong record while in the legislature was still a very conservative candidate and strong democratic allegiances might account for his tepid support in Indian Country. Further, neither candidate appeared to speak directly to tribal communities and focused their attention to Natives primarily on fundraising among the Tribal Leaders, especially those from successful gaming tribes.

Fourth, involvement from national groups was not present to any significant degree in Washington. Whether that would have made any appreciable impact is, of course, impossible to predict. Washington tribes began to establish a reputation around the country as active and involved in the electoral process beginning with the 2000 election. It is entirely possible that Indian Country attention outside Washington state was better spent in those state with a less distinguished record of electoral involvement.

With all that, the numbers in Washington state show a steady improvement and put Washington Native communities closer to general population participation rates than almost anywhere in the country. At this point, it is clear that Native voters, like all other voters will be more likely to participate in the process when they feel either threatened directly (i.e. Slade Gorton) or possess the opportunity to elect a Native candidate, or non-Native candidate with a strong commitment to issues important to them.

A new group was created in Seattle in 2004 called the Native Action Network (NAN). The purpose of the organization is to “serve as a communication link for Native people in the Puget

sound region by sharing information, discussing issues, linking people to community networking opportunities, and highlighting the great work that individuals and grassroots organizations are doing.” Used as a communication tool for Native communities, their website offered information about the election, including the importance of registering and voting in November. Focused on “Urban Indians,” the group appears to have started to make headway towards identifying, educating and organizing, this very large block of Native Americans for purposes of increasing their civic participation. While still new and reliant totally on volunteers, NAN is poised to play a critical role in this vital puzzle piece.

Wisconsin

Fast Facts

Total Native American Population	69,386 (1.3%)
Menominee County	4,010 (87.9%)
Milwaukee	9,116 (1.5%)
Green Bay	4,241 (4.1%)
Federally recognized Tribes located in state	11
Statewide Native American VAP (estimate)	43,089

Recent margins of victory:

Presidential candidate Kerry (2004, over Bush) by: 11,384
36th Assembly District Representative Jeff Mursau (2004 over Jim Crawford, Forest County Potawatomi) by: 3,511
Presidential candidate Gore (2000, over Bush) by: 5,708

Background

Wisconsin was identified early as a 2004 battleground state. In 2000, Gore carried the state by 5,708 votes. In addition to the presidential race, Russ Feingold was seeking his third term as senator and all eight U.S. House seats were up for grabs. Going into November 2, the house seats were split evenly between the Republicans and Democrats. Given the outcome of 2000 election and the chance for either party to tip the political balance, both Republicans and Democrats expended significant resources in the state.

Wisconsin is the home to eleven federally recognized tribes and Native Americans make up approximately 69,386 or 1.3 percent of the total state population.¹⁰³ While the overall statewide percentage is small, there are dense concentrations of the Native American population. For instance, in the case of the Menominee Nation, the entire reservation is located within one county. To calculate the Native American voter turnout for the state, population density was determined at the ward level utilizing ethnic breakdown data provided by the state. When possible, VAP data was obtained from tribal enrollment offices. For those wards that are identified as predominately Native American, overall voter turnout increased in 2004 over 2000. Many of the wards located on reservation land included sizable populations of non-Natives making it difficult to determine precisely what percentage the increase in turnout can be attributed solely to Native American people.

There were a few non-partisan Native Vote

efforts conducted in Wisconsin in 2004. The Oneida Nation, located near Green Bay, hosted a non-partisan Native Vote training in August that drew a small group of interested individuals. The majority of the Native American voter mobilization efforts were conducted by partisan organizations. For example, the Wisconsin Democratic Coordinating Committee (DNC), under the direction of Gwen Carr¹⁰⁴, employed several individuals to organize reservation areas, including the Menominee and Oneida Nations. The DNC efforts focused primarily on reservation areas.

The 2004 American Indian Coordinated Campaign put approximately \$65,000 into the state of Wisconsin's Indian GOTV program. The campaign brought approximately twenty-five DNC field organizers into the state to specifically work on each reservation. In addition to these organizers, the campaign identified and employed a number of GOTV coordinators on each reservation. Many of the individuals working on the reservations had previous experience in campaigns, participated in the Wisconsin American Indian Caucus, and/or had attended a Native Vote political training. The campaign made efforts to pair up experienced organizers with less experienced individuals with the long-term goal of creating a pool of skilled campaign workers for future efforts. Most of the reservation coordinators were aware of the DNC field organizers arrival and purpose and worked well with them in creating walk lists, phone banks and the DNC voter ID card program.

¹⁰³ U.S. Census, 2000.

¹⁰⁴ Gwen Carr, Cayuga, served as the Political Director for American Indians with the Democratic National Committee 1996-1999 and current serves as the founding Chair for the Wisconsin Democratic Party Native American Caucus.

The American Indian Coordinated Campaign pursued multiple avenues to ensure turnout on the reservations. Gwen Carr worked with many of the tribes in obtaining information to create a statewide American Indian voter file. Menominee Nation had all their members on a voter file and utilized it for literature distribution, phone banking, and GOTV activities. The campaign media efforts included earned media in the local urban Indian community newspapers in Milwaukee, an add share program with the DNC for reservation and statewide Indian newspapers, and made available free, non-partisan GOTV ads

for tribal radio stations. Education outreach was extensive and included presentations to young first time and potential voters at on and off reservation schools and the distribution of down ticket Indian literature at gatherings, including pow-wows, rallies and other public events. Finally, GOTV materials were made available for tribal efforts to distribute which included t-shirts, posters, and buttons. As a result of these efforts, the American Indian Coordinated Campaign played a key role in mobilizing Native American voters in the state.

Results

*Statewide Wisconsin Voter Turnout, 2000-2004*¹⁰⁵

Election Year	VAP	Turnout	Turnout as % of VAP
2000	3,994,919	2,598,607	65.06%
2002	3,994,919	1,775,349	44.44%
2004	3,990,696 ¹⁰⁶	2,997,007	75.13%

Throughout the state, overall voter participation for Native Americans/ Alaska Natives residing on reservations increased. On the Bad River Band Of Lake Superior Tribe of Chippewa Indians, voter turnout as a percentage of eligible voters saw an increase from 63.44 percent in 2000 to 89.35 percent in 2004. In this particular ward, Native Americans make up 81 percent of the total VAP. The Red Cliff Band of Lake Superior Chippewa Indians reservation, also located in northern Wisconsin, also saw increases in voter turnout from 2000 to 2004. In the Russell T1 - T2 wards,

Native Americans account for 69 percent of the total VAP. Voter turnout increased in 2004 over previous years. In 2004, 567 individuals cast a ballot compared to 341 in 2000.¹⁰⁷ The Stockbridge-Munsee Indian Nation also saw a voter turnout increase in the Bartleme ward where Native Americans make up 74 percent of the VAP. Voter turnout in this ward increased from 241 voters in the 2000 elections to 290 voters in the 2004 election. Other reservations saw increases in voter turnout in 2004. Please see table for results.

¹⁰⁵ Wisconsin Secretary of State and U.S. Census. Data on total registered voters and voter turnout information for 1996 was not available at time of publication.

¹⁰⁶ U.S. Census, 2003 estimated.

¹⁰⁷ Researchers did not calculate turnout as a percentage of VAP because census data for the precinct was smaller than the number of voters who cast a ballot. Thus, the data is unreliable for this particular analysis.

The Menominee Indian Tribe of Wisconsin is located almost entirely within the county of Menominee in Central Wisconsin, providing a unique opportunity to analyze Native American voter turnout. The U.S. Census Bureau estimates that there is total population of 4,562 within the county of which 85 percent are Native American. The VAP population of Native Americans accounts

for 80 percent of the total VAP, or 2,241 Native Americans. In the 2004 general elections, 1,738 individuals voted, compared to 1,233 voters in the 2000 general elections. This was an increase of 141 percent between these two election cycles.

General Election Voter Turnout 2000, 2004 – Wisconsin Indian Reservations¹⁰⁸

Tribe	Year	AI/AN VAP	Turnout	Turnout as a % % of VAP
Red Cliff ¹⁰⁹	2000	370	341	92.16 %
	2004	370	567	N/A ¹¹⁰
Menominee ¹¹¹	2000	2,241	1,233	55.02%
	2004	2,241	1,738	77.56%
Lac Courte Oreilles ¹¹²	2000	167	115	68.87%
	2004	167	162	97.01%
Ho Chunk ¹¹³	2000	172	114	66.28%
	2004	172	143	83.15%
Bad River ¹¹⁴	2000	629	399	63.44%
	2004	629	562	89.35%
Stockbridge Munsee ¹¹⁵	2000	352	241	68.47%
	2004	352	390	N/A ¹¹⁶

Sum and Substance

To extrapolate from the 2000-2004 election cycle voter increase percentages, the single underlying cause for the increase is not only dollars spent for field per vote in Native communities' but also the increase in consistent message development and delivery each Indian community received throughout the "off cycle" years. While the assumption can be made that voter turnout is higher in Presidential cycles, the upcoming

Mayoral, Legislative and Gubernatorial races in 2005-2006 are as important, if not more so to the Tribes and Indian communities than the Presidential cycle. Field, message, and organizing built on the newly existing infrastructure created in 2004 and training, can achieve equally significant increases in Indian voter turnout in these races if they are applied with as much vigor and funding as the 2004 cycle.

¹⁰⁸ Many municipalities in Wisconsin do not require registration. Individuals can show up at their polling place with proper identification on Election Day and have their names recorded by the election inspectors (poll workers). As a result, the Wisconsin Secretary of State and County Elections offices do not keep data on the total registered voters at the ward level. Thus, turnout as a percentage of registered voters cannot be calculated for the tribes in the state.

¹⁰⁹ Russell – T1 and Russell – T2 which are (on average) 76.48% Native American.

¹¹⁰ Turnout as a percentage of VAP was not calculated for Red Cliff because census data for the precinct was smaller than the number of voters who cast a vote. Thus, the data is unreliable for this particular analysis.

¹¹¹ Menominee T1 – T5 which are (on average) 85.40% Native American.

¹¹² Couderay – T1 and Couderay – T2 wards which are (on average) 57.14% Native American. Other wards in which tribal members vote were excluded due to low-density Native populations at the ward level (this includes Bass Lake T1 – T4 as well as Hayward T1 – T6). Further, County Elections offices do not keep voter turnout information at the ward level which further hinders the analysis.

¹¹³ Komensky – T1 which is 66.88% Native American. Other wards including Brockway T1 – T6 were excluded due to low-density Native populations at the ward level.

¹¹⁴ Sanborn – T1 and Sanborn – T2 which are (on average) 83.57% Native American.

¹¹⁵ Bartelme – T1 which is 74.71% Native American. The Red Springs – T1 ward was excluded in the analysis due to the low-density Native American population (Red Springs – T1 ward is 51.57% Native American).

¹¹⁶ Turnout as a percentage of VAP was not calculated for Stockbridge Munsee because the census data for the precinct was smaller than the number of voters who cast a vote. Thus, the data is unreliable for this particular analysis.

CONCLUSION

A new energy and cultural shift is occurring throughout Indian Country. In Idaho, Coeur D' Alene Tribal Chairman Ernie Stensgar stated his Tribes goal of "nothing less than 100 percent participation." Mille Lacs Band of Ojibwe Chief Executive Melanie Benjamin and Prairie Island Council President Doreen Hagen took the lead on the development and implementation of a coordinated statewide effort in Minnesota. Native participation in non-Native elections is starting to be viewed as important in and of itself: for Democracy and for Native individuals and communities.

Eligible Native voters should be encouraged to participate because their vote just may make the difference in a state or federal races where those who are elected will have tremendous authority over a wide range of issues important to Native people. In localized races, where Native voters comprise a sizeable electoral community, a direct and meaningful impact can certainly be had. But, this must not be the only reason they are encouraged to participate, for there will likely be more elections than not where Native voters themselves will not constitute an electoral majority.

Experiences around the country show that in those cases where Native political interests coincide with other groups, concerted and coordinated effort can create a significant electoral force, even in "up ticket" races.

Those Native Americans living away from their tribal communities constitute a very significant portion of the Native population. To the extent the eligible voters amongst them share political and public policy interests with their communities, the organizing of this group presents possibly the greatest opportunity to leverage the impact of Native voters across Indian Country. This becomes even more critical as more Native American people relocate to urban areas.

The authors and researchers of this report have gathered virtually all available data on Native voting, at least in the states studied. The analysis

presented here will hopefully provide meaningful information for all those who care about increasing Native participation. The fact remains however that critical data holes remain and they can be filled only, and best, by Native communities themselves gathering and keeping such information. With technology advances including the use of PDA's and innovative software already available, the gathering and compiling of this data so that tribal communities themselves can utilize its results is now certainly achievable by most tribal communities.

The authors suggest consideration of a pilot project where a select group of tribes are chosen to create and implement a data gathering process whereby possession of the most accurate information necessary to implement an effective voter operation will be by the tribes. In the 2008 elections, data from the 2000 Census will still be used, creating obvious challenges. Therefore, tribally generated data can give a more accurate assessment of the voting potential of tribal communities.

While not a subject of this report, Native campaign financing is a critically important issue which warrants serious consideration by all those interested in increasing the Native voice in the political process.

Finally this report shows what Native people have always known: Native communities and Native voters are as different as the desert is from the coast and the mountains are from the plains. While labels and simple conclusions are always tempting, they are often wrong. One thing remains clear however, Native Americans are impacted every day by the decisions of local, state and federal policy makers. The importance of helping determine who those people are cannot be overstated. Though there is never a guarantee that any one vote will decide an election, to not vote is to guarantee it won't.

"Nobody will ever deprive the American people of the right to vote except the American people themselves—and the only way they could do this is by not voting." (Franklin D. Roosevelt).