

# 2<sup>nd</sup> Annual All Roads Lead to Chaco Canyon:

## *Creating Business and Trade Partnerships with Tribes*

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Day 1: Wednesday, March 13, 2019

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Location: The Veranda, Koasati (Follow the Signs)

Time	Topic
5:45-6:00	<i>Welcome and Opening Remarks</i>
6:00-8:00	<i>Indian Law Crash Course Dinner</i> <i>CLE Credits: 2 ethics</i>

Description: Professor Adam Crepelle and attorney Joseph Austin will provide a basic overview of federal Indian law—its origin and history. Topics that will be discussed are the recognition of tribal sovereignty, the political status of tribes, jurisdiction, and plenary power. This crash course will mainly focus on how federal Indian law principles, cases, and congressional legislation have impeded economic development in Indian Country and steered outside entrepreneurs and investors away from doing business on reservations.

### Biographies of the Conference Founders and Organizers:



**Joseph Austin** (*CEO of Olea, Solórzano & Austin and Attorney at Law*)—Mr. Austin is a member of the Navajo Nation. He has a Bachelor of Science (B.S.) in business administration and management from the University of Arizona, Eller College of Management. He received a law degree (J.D.) along with a certificate in Indigenous Peoples Law & Policy from the University of Arizona, James E. Rogers College of Law and a Master of Laws (LL.M.) degree in International Economic Law & Policy from the same institution. Mr. Austin is licensed to practice in state and tribal court; his areas of practice are in federal Indian law and tribal law. He specializes in nation building, customary law, business, economic development, and international trade. Currently, Mr. Austin is pursuing his doctoral degree (S.J.D.) in the field of law and continuing the work he did in the Master of Laws program—the engagement of international trade among Native Nations. His passion for helping Native Nations achieve self-determination and uprooting the systematic abuses perpetuated by federal Indian law has earned him the moniker, the “Wolf of Indian Country.”



**Adam Crepelle** (*Professor of Law at Southern University Law Center and Justice of the Pascua Yaqui Court of Appeals*)—Mr. Crepelle is an enrolled citizen of the United Houma Nation and has served on the tribe’s election committee, diabetes coalition, and tribal security and community services committee. He is a former vice president of the California Indian Law Association and is a co-founder of the American Indian Chamber of Commerce of Louisiana. He has authored several articles on topics including tribal federal recognition, violence against American Indian women, and American Indian economic development. Adam is also an award winning film producer. His film, *Indian Santa*, screened at numerous venues including the Smithsonian Institution’s National Museum of the American Indian. He is currently a professor of law at Southern University Law Center and also serves as a justice for the Pascua Yaqui Court of Appeals.

Location: The Veranda, Koasati (Follow the Signs)

<b>Time</b>	<b>Topic</b>	<b>Speaker</b>
8:00-9:00	<i>Breakfast, Opening Remarks, and Prayer</i>	Tribal Elder & Ch. Sickey
9:00-9:55	<i>Nation Building</i>  Description: Dr. Raymond Austin, Justice Emeritus of the Navajo Nation Supreme Court, will use his experience working in Indian Country to discuss what Native Nations should be considering in building/rebuilding their nations politically, judicially, and economically.	Dr. Raymond Austin
10:00-10:55	<i>Creating Private Sector Economies</i>  Description: Professor Robert J. Miller will give insight on the laws and policies that Native Nations should be adopting to create private sectors and what private businesses should look for when seeking to do business in Indian country.	Professor Robert Miller
11:00-12:00	<i>Panel Discussion 1: Economic Development in Indian Country</i>  Panelists: Raymond Austin, Robert Miller, Bailey Walker  Focus: Panelists will discuss generally what Native Nations can do in terms of law and policy to promote economic development.	
12:00-1:00	<i>Lunch</i>	
1:00-2:30	<i>Panel Discussion 2: Removing Barriers to Entrepreneurship in Indian Country</i>  Panelists: Miriam Jorgensen, Patrice Kunesh, Dr. Donald Andrews (Dean of the SU College of Business)  Focus: Panelists will examine the obstacles that Native entrepreneurs face in setting up businesses and discuss ways to remove those impediments.	
2:35-3:30	<i>Business Transactions and Enforcing Agreements in Indian Country</i>  Description: Professor Marc Roark will explore the issues that arise when enforcing agreements/contracts in Indian Country and actions that tribes can take to increase investor confidence.	Professor Marc Roark
3:35-5:00	<i>Panel Discussion 3: Doing Business in Indian Country</i>  Panelists: Marc Roark, Troy Wayman  Focus: Panelists will discuss generally how to do business in Indian Country.	

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Day 3: Friday, March 15, 2019

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Location: The Veranda, Koasati (Follow the Signs)

<b>Time</b>	<b>Topic</b>	<b>Speaker</b>
8:00-9:00	<i>Breakfast</i>	
9:00-9:55	<i>Historic Tribal Trading and Economic Practices</i>  Description: Professor Terry Anderson will explore Native economic practices prior to European contact and dispel the myth that Natives were nothing more than hunter-gatherers.	Professor Terry Anderson
10:00-10:55	<i>Tribal-State Economic Development Partnerships</i>  Description: Dean Stacy Leeds will discuss how states and tribes can collaborate to form mutually beneficial partnerships.	Dean Stacey Leeds
11:00-12:00	<i>Panel Discussion 1: How Tribal Economic Development Benefits States</i> <i>CLE Credit: 1 professionalism</i> Panelists: Annetta Abbott, Jim Patterson, Jeremy Zahn, Dr. Ghrimay Ghebreyesus (Department Chair of SU Accounting, Finance, and Economics)  Focus: Panelists will discuss how tribal economies impact states and the ways tribes and states can work together.	
12:00-1:00	<i>Lunch</i>	
1:00-1:50	<i>Native Nations and International Trade</i>  Description: Joseph Austin, Esq. will discuss how Native Nations can become participants in international markets and the world economy.	Joseph Austin, Esq.
2:00-3:30	<i>Panel Discussion 2: Inter-tribal Trade and International Trade</i>  Panelists: Rebecca Naragon, Joseph Austin, Colby Duren, Ashagre Yigletu (SU MBA Director)  Focus: Panelists will discuss the obstacles and opportunities in forming intertribal trade relationships.	
3:30	<i>Closing Remarks and Prayer</i>	Coushatta Elder

**CONFERENCE MATERIALS WILL BE AVAILABLE ON THE CONFERENCE WEBSITE: <https://www.team-osa.com/all-roads-lead-to-chaco-canyon>**

### Conference Organizers & Partners:

This conference was founded and is being organized by Adam Crepelle (Professor of Law at SULC and Justice of the Pascua Yaqui Court of Appeals) and Joseph Austin (Attorney and CEO of Olea, Solórzano & Austin), both have extensive knowledge and experience in Indian law and tribal economic development. This year, their conference is being hosted and sponsored by the Coshatta Tribe of Louisiana and the Southern University Law Center. Because of the conference's unique subject matter and innovative topics, it has been endorsed, supported, and sponsored by entities such as the World Trade Center of New Orleans, Federal Reserve Bank of Minneapolis, and Oklahoma Indian Chamber of Commerce.

### Description of the Conference:

The 2<sup>nd</sup> Annual "All Roads Lead to Chaco Conference" is centered on creating business opportunities and trade partnerships in Indian Country. Despite the large land masses of Indian reservations and the accompanying incentives such as the HUB Zone program, private entrepreneurs are often hesitant to invest in and engage in business dealings with Native Nations. This conference will help business people understand the legal framework surrounding Native Nations and show them how to navigate the intricacies of doing business on reservations. Further, it will suggest strategies that tribal leaders can use to make their nations more attractive for private businesses, and it will bring forth a new method of economic development: international trade. Join the discussion on March 13-15, 2019 at the Coshatta Casino Resort, located on Coshatta land in Kinder, Louisiana, to see how even in this modern economic era, *All Roads Still Lead to Chaco Canyon*.

Since the creation of the United States, the federal government has sought control over Native trade, land, and resources. Consequently, many Native Nations have high poverty rates, high unemployment rates, minimal political and economic development, and no entrepreneurial endeavors. A lot of conferences focus on how to protect Native Nations, recycling the same conversation and topics that have been heard for decades. This conference shifts the conversation from protection of Native Nations to empowerment by showing them how they can use their sovereignty to create business opportunities, establish business friendly environments, and become participants in the global economy. Moreover, this conference explores uncharted territory—international trade. The following topics are on the agenda:

- Nation Building
- Historic Tribal Trade and Economic Practices
- Creating Private Sector Economies on Reservations
- Removing Barriers to Entrepreneurship in Indian Country
- Inter-Tribal Trade
- Tribal-State Business Partnerships
- Business Transactions and Enforcing Contracts in Indian Country
- Native Nations Engaging in International Trade

### Speakers & Panelists:

- Raymond D. Austin (Justice Emeritus of the Navajo Nation Supreme Court)
- Robert Miller (Professor at ASU College of Law & Chief Justice of Grand Ronde Tribe)
- Adam Crepelle (Professor of Law SULC & Justice of the Pascua Yaqui Court of Appeals)
- Joseph Austin (Attorney & CEO of OSA)
- Stacy Leeds (Dean Emeritus of the University of Arkansas School of Law)
- Bailey Walker (President of the Oklahoma Indian Chamber of Commerce)
- Annetta Abbott (Past President of the Oklahoma Indian Chamber of Commerce)
- Marc Roark (Visiting Professor of Law SULC)
- Rebecca Naragon (Economic Development Director at USET)
- Patrice Kunesh (Federal Reserve Bank of Minneapolis)
- Terry Anderson (Senior Fellow, Hoover Institution at Stanford University)

- Colby Duran (Director of Indigenous Food and Agriculture Initiative)
- Jeremy Zahn (Council Member of the Tunica-Biloxi Tribe of Louisiana)
- Troy Wayman (President and CEO of One Acadiana)
- Jim Patterson (Vice President, Louisiana Association of Business and Industry)

Speaker Biographies:

**Dr. Raymond D. Austin**, Navajo (*Justice Emeritus of the Navajo Nation Supreme Court & Professor at NAU*)—Dr. Austin, author of *Navajo Courts and Navajo Common Law*, served 16 years on the Navajo Nation Supreme Court. During his time on the bench, Dr. Austin and his colleagues formalized the use of Navajo common law in judicial decision making and established the peacemaking program—the Navajo method of dispute resolution. Their efforts resulted in the Navajo Nation becoming world renowned among indigenous peoples and nations around the world. Over the years, Dr. Austin has taught at law schools such as Stanford, Harvard, Arizona State University, and even law schools around the world. He continues his work with indigenous peoples, teaching law, governance, and nation building. Currently, he is a professor of applied indigenous studies at Northern Arizona University where he works closely with Native leaders and Native students.

**Robert Miller**, Eastern Shawnee (*Professor at ASU College of Law & Chief Justice of Grand Ronde Tribe*)—Professor Miller is one of the most renowned law professors in the United States in the areas of federal Indian law, international law, economic development in Indian Country, and Native American natural resources. Currently, he teaches at the Arizona State University, Sandra Day O'Connor College of Law. He has published numerous articles and books on economic development in Indian Country. He is the Chief Justice of the Court of Appeals for the Grand Ronde Tribe and sits as a judge for other tribes. He is also the faculty director of the Rosette LLP American Indian Economic Development Program at ASU.

**Stacy L. Leeds**, Cherokee (*Vice Chancellor for Economic Development, Dean Emeritus, and Professor of Law at the University of Arkansas*)—As Vice Chancellor, Stacy Leeds provides leadership for campus-wide engagement, collaboration, and outreach to citizens, businesses, governmental and nonprofit entities in Arkansas and beyond. She works closely with UA's ten colleges, schools and divisions to amplify the university's economic and social impact. From 2011-2018, Leeds served as the twelfth dean of the University of Arkansas School of Law and is the only Native woman to have served as a law school dean in the United States. Currently, she teaches Indian law and a legal clinic. She is a recipient of the American Bar Association's Spirit of Excellence Award, an elected member of the American Law Institute, and a Fellow of the American Bar Foundation. She is a former Alphonse Fletcher, Sr. Fellow affiliated with the W.E.B. DuBois Institute at Harvard University and a former Sequoyah Fellow at Northeastern State University. She has served as justice for the Cherokee Nation Supreme Court and held many judge positions, both trial and appellate.

**Bailey Walker**, Chickasaw (*President of the Oklahoma Indian Chamber of Commerce*)—Mr. Walker earned an entrepreneurship degree from East Central University in 2012 and is an AASBC Accredited/Certified Master Business Consultant. Currently, he serves as the President for the Oklahoma Indian Chamber of Commerce and the Director of Tribal Relations for Tribal Diagnostics, LLC. In previous years, he worked as the coordinator for the Chickasaw Nation Preferred Vendor Program Coordinator and held various positions within the Indian Chamber of Commerce including Advisory Board Member, State Board Member, and Vice President. Mr. Walker's advocacy for minority owned businesses increased networking opportunities in the Indian Chamber of Commerce. He assisted in the creation of the SW Chapter, SE Chapter, & Poteau Chapter. In 2016, Mr. Walker helped build a program called Leadership Native Oklahoma, which empowers Native business leaders. Mr. Walker was raised traditionally with Chickasaw customs from an encouraging mother and grandparents.

**Annetta Abbott**, Choctaw (*Former President of the Oklahoma Indian Chamber of Commerce*)—Annetta Abbott has over 25 years of experience in marketing and event coordination. She has a degree in Public Relations/Journalism from Oklahoma State University and has served as the President and Executive Director of the American Indian Chamber of Commerce of Oklahoma (AICCO). Throughout the years in AICCO, she worked as the coordinator of the Gathering Business Summit and Leadership Native Oklahoma. Abbott also served as the Executive Director for the Jim Thorpe Native American Games which brought in over 1700 Native American athletes to participate in 10 sports. She worked with the Nike N7 staff to help coordinate their sports summit at the Nike World Headquarters in Oregon which helps to promote the benefits of sports and fitness with Native American students. Currently, she serves on the National Advisory Council for the Carlisle Indian School Project which is a

national non-profit organization that built a heritage center and permanent memorial to the Native American students who attended Carlisle Boarding School in Pennsylvania.

**Rebecca Naragon**, Poarch Band of Creek Indians (*Director of Economic Development for the United South and Eastern Tribes, Inc.*)—Rebecca Naragon is currently responsible for planning, directing and coordinating economic development programs for the United South and Eastern Tribes, Inc. (USET). In addition, she is responsible for developing the foundation work for the USET Community Development Financial Institution (USET CDFI). Prior to joining USET, Naragon served in the Office of Indian Energy and Economic Development for the Assistant Secretary of Indian Affairs at the Department of the Interior. She worked on projects involving international trade, tribal governance, and entrepreneurship technical assistance. Naragon received a Masters in Public Administration from the University of Central Florida for Political Science and American University. She was a member of the 2010/2011 class of the Ambassador Leadership Program from the organization called Americans for Indian Opportunity (AIO).

**Marc Roark**, Choctaw (*Visiting Professor SULC*)—Professor Roark teaches Property, Commercial Law, Law and Literature, Law and Society, and Law and Religion. Before joining the faculty at Savannah Law School, Professor Roark held appointments at the University of Missouri, the University of Tulsa, and the University of La Verne. He is a well-known property scholar and has appeared nationally in interviews by NPR and MSNBC News. His articles include *Homelessness at the Cathedral* (Missouri Law Review) and *Payment Systems, Consumer Tragedy, and Ineffective Remedies* (St. John's Law Review). Mr. Roark is working on a book project titled *unPopular Property*, describing the intersection of property and identity in outlier cultures. Currently, he is a visiting professor at Southern University Law Center.

**Patrice Kunesh**, Standing Rock Lakota (*Co-Director, Center for Indian Country Development at the Federal Reserve Bank of Minneapolis*)—Patrice Kunesh served as a deputy under the Secretary of Rural Development for the U.S. Department of Agriculture. As a deputy, she oversaw Operations & Management and the Office of Civil Rights and worked with the USDA's state directors. Kunesh also served as the deputy solicitor for Indian affairs in the U.S. Department of the Interior. Before that, she was a faculty member at the University of South Dakota School of Law and the director of the university's Institute of American Indian Studies. She began her legal career at the Native American Rights Fund where she litigated cases involving tribal sovereignty and natural resources. In 1995, she was in-house counsel to the Mashantucket Pequot Tribe of Connecticut. Kunesh received a Master of Public Administration from the Harvard Kennedy School of Government and a law degree from the University of Colorado School of Law.

**Dr. Terry L. Anderson** (*Senior Fellow, Hoover Institution at Stanford University*)—Dr. Terry Anderson is currently the John and Jean De Nault Senior Fellow at Stanford University's Hoover Institution. He is the past president of the Property and Environment Research Center in Bozeman, MT, and a Professor Emeritus at Montana State University where he won many teaching awards during his 25 year career. Dr. Anderson is one of the founders of "free market environmentalism," the idea of using markets and property rights to solve environmental problems. In 2015, he published the third edition of his co-authored book by that title. He is also the author or editor of 39 books, including most recently, *Unlocking the Wealth of Indian Nations*, which explores the institutional underpinnings of American Indian reservation economies. Dr. Anderson received his B.S. degree from the University of Montana in 1968 and his M.A. and Ph.D. degrees in economics from the University of Washington in 1972. He resides in Montana with his wife where he is an avid outdoorsman.

**Colby Duren**, Chickasaw (*Policy Director and Staff Attorney for the Indigenous Food and Agriculture Initiative at the University of Arkansas School of Law*)—Colby Duren has nearly 10 years of experience in federal Indian law and policy, with a specific focus on food, agriculture, and natural resources issues. Prior to joining the Indigenous Food and Agriculture Initiative, Mr. Duren served as a Staff Attorney and Legislative Counsel for the National Congress of American Indians (NCAI) in Washington, DC, advocating on behalf of Native Nations. Previously, he was a Legal Assistant for the Native American Rights Fund (NARF) Washington, DC office, and a Paralegal and Legislative Assistant at a Washington, DC law firm specializing in food and agriculture. Mr. Duren holds a law degree from the American University Washington College of Law and a Bachelor of Arts from Vassar College in Poughkeepsie, NY. He is licensed to practice in Maryland, the District of Columbia, the U.S. District Court for the District of Columbia, and the Supreme Court of the United States. In 2016, Mr. Duren was nominated by the Native American Bar Association of Washington, DC for its Significant Contribution in Indian Law Award for his work on environmental issues in Indian Country.

**Jeremy Zahn**, Tunica-Biloxi (*Council Member of the Tunica-Biloxi Tribe*)—Raised in Houston, Texas and on the Tunica-Biloxi reservation, Zahn is the second son of Julie Zahn and the grandson of Tunica-Biloxi elder Willie Mae Jackson. He attended Northwest Indian College where he studied Tribal Governance. Zahn is a member of the Tunica-Biloxi Constitution Committee and the Tunica-Biloxi Tribal Council. His areas of interest include advancing indigenous human rights, tribal law, and constitutional reform for modern-day Tunica-Biloxi families.

**Troy Wayman**, American (*President and CEO of One Acadiana*)—Troy Wayman serves as president and CEO of One Acadiana (1A), the leading economic development agency for the nine-parish Acadiana region located in South Louisiana. With more than 950 investors, members, and partners, One Acadiana serves as the voice of the regional business community, cultivates diversified economic development, and builds upon 1A's nationally recognized success in implementing programs that spur economic growth and competitiveness. With more than 20 years of experience, and as a Certified Economic Developer (CEd), Mr. Wayman has earned a reputation as a dynamic and trusted professional. Before joining 1A, he served as the vice president of economic development for the Mobile Area Chamber of Commerce, the business development director for JESCO Construction, and the tourism sales manager and director of economic development for the Montgomery Area Chamber of Commerce. As a civic leader, Mr. Wayman served as a founding board member of the Montgomery chapter of the First Tee, the president of the Economic Development Association of Alabama (EDAA), and the chairman of the Southwest Alabama Workforce Development Council (SAWDC). Mr. Wayman also served on the boards of Goodwill Easter Seals and the Warrior Tombigbee Waterway Association while in Alabama. He is a graduate of Faulkner University in Montgomery, Alabama and the Economic Development Institute through the department of continuing education at the University of Oklahoma. Mr. Wayman and his wife, Beatriz, are proud parents to daughter, Sophia and son, Ethan.

**Jim Patterson**, American (*Vice President of Louisiana Association of Business and Industry*)—Jim Patterson is vice president of governmental relations, as well as taxation and finance council director and employee relations council director for the Louisiana Association of Business and Industry, commonly known as LABI. LABI is Louisiana's state manufacturer's association and chamber of commerce. As the director of LABI's taxation and finance council, Mr. Patterson will be very active during this year's "fiscal-only" session defending Louisiana businesses against tax increases. As employee relations council director, he is responsible for workforce development and labor/management issues, including workers and unemployment compensation matters. As vice president of governmental relations, a position he has held for fifteen years, Mr. Patterson is charged with overseeing the day-to-day legislative activities of LABI's lobbying team.

### **Schedule Overview:**

**Wednesday, March 13**—join us for dinner at the Coushatta Casino Resort, 5:45 pm - 8:00 pm, as Adam Crepelle and Joseph Austin provide interested conference participants with a crash course on federal Indian law

**Thursday, March 14**—join us at the Coushatta Casino Resort, 8:00 am - 5:00 pm, as indigenous leaders and experts talk about the history of Native economies, how Native Nations can create business friendly environments, and things to keep in mind when doing business on reservations; breakfast and lunch will be provided

**Friday, March 15**—join us at Coushatta Casino Resort, 8:00 am - 3:30 pm; speakers and panelists will discuss how to create trade partnerships with states and become participants in the global economy; breakfast and lunch will be provided

### **SPECIAL THANKS!!!**

Many long nights and early mornings went into the planning and organization of this conference. We hope it will continue on for years to come, as these ideas plant the seeds for a much-needed, new form of economic development in Indian Country. This year the road leads to Chaco Canyon, next year maybe Cahokia, then Etzanao, and eventually the World Trade Organization. We would like to thank the following individuals, organizations, and groups who helped put this conference together:

**Chancellor John Pierre**, Southern University Law Center

**Ernest Sickey**, Former Chairman of Coushatta

**David Sickey**, Chairman of Coushatta

**The Coushatta Tribe of Louisiana**

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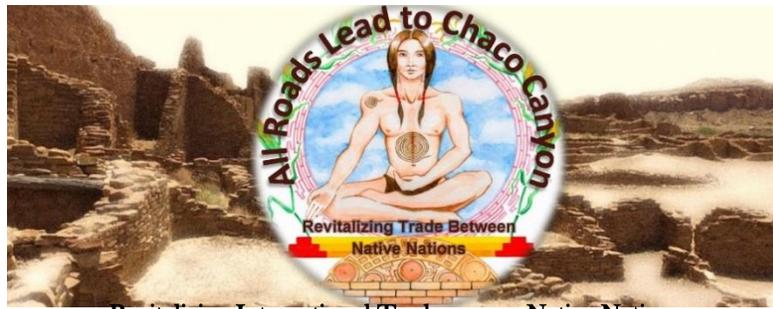
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### Revitalizing International Trade among Native Nations

By Joseph Austin and Adam Crepelle

International trade and international relations are not new concepts to the indigenous peoples of the world. Native Nations in the western hemisphere once had expansive trade networks that extended from Canada to South America. Evidence can be found in the historic trade hubs like Paquime, Cahokia, Etzana, and Chaco Canyon. However, European contact disrupted these traditional trade networks.

Since its founding, the United States has made it a priority to control Native economies. Consequently, much of Indian Country suffers from a dearth of economic opportunities resulting in high poverty and staggering unemployment rates, which leads to social problems like substance abuse and high violent crime rates.

Native Nations have sought solutions to their economic malaise for decades. Gaming and federal programs are often the proposed answer. Despite the tremendous financial benefits that gaming has brought some Native Nations, many Native leaders think gaming is on the decline. Moreover, federal support is unreliable—particularly under the current administration—because it can be cut on a political whim. The lending industry is the current hot topic in Native economic development, but regulatory uncertainty makes the industry’s future precarious. Accordingly, gaming, lending, and federal programs are shaky foundations to build a Native Nation upon. A new method of economic development is desperately needed in Indian Country, a method that will provide Native Nations with greater control over their future.

Some Native Nations have found it in international trade. For example, the Coushatta Tribe of Louisiana has a trade deal with Israel, and the Morongo Band of Mission Indians has a trade deal with South Korea. There is also an effort underway to include indigenous trade in the North American Free Trade Agreement. International trade is a path Native Nations can take to shuck their “domestic-dependent nation” status and join the global economy.

Making international trade deals is an exercise of Native sovereignty and the future of economic development for indigenous peoples worldwide. It is a proven path to wealth, essential to the growth of a nation, and an indigenous tradition.

Join indigenous leaders and experts in various fields as they gather in Tucson, Arizona on March 23<sup>rd</sup> and 24<sup>th</sup> to answer one question: How can indigenous peoples use the global trade model to revitalize trade networks domestically and internationally? Learn how even in this modern economic era, *All Roads Lead to Chaco Canyon*.

*\*Above article was published in the March 2018 issue of the Tribal Business Journal. Available at: <https://go.epublish4me.com/ebook/html/10096406#page/50>*

## **From Tribes to Nations: Revitalizing International Trade among Native Nations**

By Joseph Austin and Adam Crepelle

When asked for solutions to the issues plaguing Indian Country, Raymond D. Austin, Justice Emeritus of the Navajo Nation Supreme Court, recounts the time when he met with the U.S. Senate Committee on Indian Affairs in the early 1990s. At the time, the late senator from Hawaii, Daniel Inouye, served as the committee's chairman. During the meeting, Senator Inouye told Native leaders, "If you want to be respected and treated like nations, then act like nations."

Native Nations would do well to remember the words of Senator Inouye and ask themselves what being a nation means. Being a nation means having a land base, citizenry, government, and an economy—the elements of nationhood. Moving forward and surviving as a nation requires maintaining each element. Native Nations struggle to do this, particularly in regards to their economy.

Maintaining and growing an economy is difficult for Native Nations because they lack a critical element: international trade. Look at the history of any nation and it becomes evident that trade is a necessary component of a nation's economy. Nations, regardless of location, government, and people, engage in international trade as a means of economic development. This is not an academic theory but an economic principle that applies to all nations including the indigenous nations of the world.

In fact, studies by anthropologists and archeologists show that the Native Nations in the western hemisphere understood the value of international trade long before any European set foot in the Americas. They developed infrastructure for complex business transactions. Hundreds of books and articles have been written about Native trade goods being found over 1,000 miles from their source. Closer examination verified that those items moved from their origin to their destination via one of the many Native trade routes that extended across the North and South American continents.

Moreover, the Native Nations of the Americas developed laws to facilitate international trade. There were systems of currency, measurement, and credit. Yet, those trade networks and systems were disrupted during European contact. Centuries of genocide, war, assimilation, and colonization left the Native Nations in a state of devastation and ruin. However, the elements of nationhood still remained.

If Native Nations are indeed nations, then they must act accordingly. This means re-instilling a vital part of their economy: international trade. International trade, as shown above, is not a new concept. It is simply an exercise of a nation's sovereignty.

*\*Above article to be published in the April 2018 issue of the Tribal Business Journal*



*Adam Crepelle is general counsel of A&E Touch and a tribal law and policy consultant.  
He is an enrolled citizen of the United Houma Nation.*



*Joseph Austin, Esq. is an Indian law attorney and the CEO of Olea, Solórzano Austin, LLC.  
He is an enrolled member of the Navajo Nation.*

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