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Tribes Paying Outsiders to Audit Their Membership

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OPINION

David Wilkins: Tribes paying outsiders to audit their membership

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There is no greater responsibility for a tribal leader than to be a steward of their nation's citizens/members. Yet in the area of constitutional reform and development, tribal membership, and enrollment policies and practices, many tribal governments have entrusted these most intimate of governmental responsibilities to outside organizations like CSN, Inc. (Constructing Stronger Nations)-DCIAmerica, the Harvard Project for American Indian Economic Development/Native Nations Institute, Automated Election Services, the Falmouth Institute, J. Dalton Institute, and others. In the case of membership, some of these for-profit organizations conduct, what I would suggest, are privacy invading enrollment audits.

These outside audits can be time consuming and expensive. For example, the Falmouth Institute, known for its training programs, recently conducted a nearly eight-year long enrollment audit for the Eastern Band of Cherokee Indians at the cost of \$900,000. The review of the nearly 14,000 people on the tribe's roll concluded that more than 10% of the members needed to correct their status and at least 300 listed members appeared to have no direct connection to the 1924 Baker Roll, the tribe's official foundational enrollment document. Ironically, this roll was conceived as the tribe's final roll when seated in preparation for their formal termination by the U.S. Congress, a process the Cherokees were fortunately able to fend off.

Worst of all, the costs of this outside scrutiny are not limited to money and resources; there is also a debilitating toll exacted on the morale and cohesiveness of the community. The years of uncertain membership status eats away at the very fabric of trust and kinship that define a tribal nation. Leaders who abdicate their responsibilities to auditors may even leave elected office and pass the problem on to the next regime. Over time, there is a real danger that these auditors are the only ones with the long term knowledge of the membership situation—a frightening proposition. No sovereign nation should ever be in such a vulnerable position.