

Testimony of Janet Davis, Chairman of the Pyramid Lake Paiute Tribe
October 27, 2021
United States Senate Committee on Indian Affairs
Oversight Hearing on "Voting Matters in Native Communities"

Nu Janet Davis mee nanea'a. Nu cui ui dicutta.

Voting restrictions and discriminatory laws discourage potential voters from wanting to vote. Historically, tribes and voters have been blocked from voting. The natives were the last class of people to get the right to vote. Old people know what the battles were to earn that right. They are our biggest voting group on the reservation. Young people don't know the battles. It's been a challenge to get them educated on the importance to voting.

Native voters face limitations to polling locations; most are located off reservation and usually great distances from reservations. The poll workers are usually non-native and sometimes not very welcoming. County clerks do not reach out to tribes to employ poll workers; we as tribal people need to get out native people interested and get them to apply.

There is a great need for voting rights protections to provide for equal access to voting. Our tribe, along with the Walker River Paiute Tribe filed a federal lawsuit in 2016 requesting that we have polling location on our reservation as well as early voting on our reservation.

If there were federal voting rights protections that allowed for equal voting rights, it would be so much easier for ALL to vote. Here in Nevada voters are allowed to vote via of mail or at the polling location. The State legislature also passed legislation that will allow for all reservations to request a voting location on their reservations; we are still working to educate tribes on what that will take. In last year's general election, a number of tribes did have drop boxes located on tribal lands. What we're finding out is that county clerks are not familiar with the laws or their responsibilities to assist tribes.

What I see is that Tribes need legal assistance in dealing with voting rights. Each tribe should not have to threaten a law suit for equal voting rights. We were lucky to have Four Directions assist our tribes with the 2016 lawsuit. It also took time to gather information from our voters and compile statistics. This takes time and money that tribes don't have. With states passing laws to limit and hinder voting by natives there is a great need for Congressional action.

The state legislatures are seeing the strength in the native vote, which they haven't seen before. Native grassroots groups are banning together and are becoming voting blocks. Our reservation people are voters and that's mainly due to us having our own polling location on our reservation and all of our native people are poll workers. We now have a good working relationship with our county clerk.

True representation for Native Voters and communities means that tribal voters find it easy to register to vote and have easy access to a voting location. It means that native people are working the polls and are welcoming to native voters.

What would the protections in the Native American Voting Rights Act of 2021 mean to us as Native voters?

It would mean that:

- (1) the Federal Government is meeting its trust responsibility to protect and promote Native-Americans' exercise of their constitutionally guaranteed right to vote, including the right to register to vote and the ability to access all mechanisms for voting;
- (2) to establish Tribal administrative review procedures for a specific subset of State actions that have been used to restrict access to the polls on Indian lands;
- (3) to expand voter registration under the National Voter Registration Act of 1993 to cover Federal facilities;
- (4) to afford equal treatment to forms of identification unique to Indian Tribes and their members;
- (5) to ensure American Indians and Alaska Natives experiencing homelessness, housing insecurity, or lacking residential mail pickup and delivery can pool resources to pick up and return ballots;
- (6) to clarify the obligations of States and political subdivisions regarding the provision of translated voting materials for American Indians and Alaska Natives under section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503);
- (7) to provide Tribal leaders with a direct pathway to request Federal election observers and to allow public access to the reports of those election observers;
- (8) to study the prevalence of nontraditional or nonexistent mailing addresses in Native communities and identify solutions to voter access that arise from the lack of an address; and
- (9) to direct the Department of Justice to consult on an annual basis with Indian Tribes on issues related to voting.

This is an act that needs to be passed before the next election. Tribes also need funding to help enforce the initiatives set forth in this act.

In Nevada we are working to be proactive in making sure that all of our people have fair and easy access to the polls. We want our people working the polls, on and off reservation.

There are so many opportunities that we have once we vote. Our voices become stronger when working to pass state legislation. We are proud to say that we worked to pass AB262 a tuition waiver bill that allows our Native Nevadan students to attend state colleges and universities tuition free. We also become more involved at all levels of state government as voters are listened to.