

**Testimony of Chairman Leonard Forsman  
Suquamish Tribe  
Before the U.S. House of Representatives  
Committee on House Administration  
Subcommittee on Elections  
February 11, 2020**

**Introduction & Background**

Good morning Chairwoman Fudge, Ranking Member Davis, and Honorable Members of the Subcommittee on Elections. My name is Leonard Forsman and I serve as the Chairman of the Suquamish Tribe. Thank you for the opportunity to testify about the Suquamish Tribe's views on access to voting. My testimony today will focus on the many barriers tribal citizens face in their attempts to exercise their right to vote and how the State of Washington provided solutions to remove these barriers.

The Suquamish name comes from the traditional Lushootseed phrase for "people of the clear salt water." The Tribe is a signatory to the 1855 Treaty of Point Elliot. In exchange for ceding most of its aboriginal homeland, the Suquamish Tribe reserved the Port Madison Indian Reservation on the Kitsap Peninsula, as well as fishing, hunting, and gathering rights. The Tribe has roughly 950 enrolled citizens, half of whom reside on our Reservation, which is located west of Seattle, WA, across the Puget Sound. The Reservation encompasses approximately 7,600 acres, including 12 miles of Puget Sound shoreline.

**Voting Barriers on the Port Madison Indian Reservation**

In the State of Washington, individuals have many options on how to register to vote. An applicant may register in-person on Election Day. The applicant may also register by mail or online eight days prior to Election Day. Washington is also a vote by mail state. Voters also have the option to vote in-person on the day of elections. Prior to Election Day, ballots are mailed to all registered voters. Voters may return their ballots via mail or by dropping the ballot off at a designated ballot box location. Voters bear the burden of paying postage to mail in their ballot.

Prior to the passage of the Washington State's Native American Voting Rights Act, tribal citizens faced many obstacles in exercising their right to vote. Most of these obstacles are common across Indian Country. The first barrier was the ability to use tribal identification cards when registering to vote. Tribal citizens that did not have state issued licenses had a harder time registering to vote online. Many tribal citizens primary identification is their tribal identification cards. These individuals often do not have state issued driver's licenses. In addition, some tribal issued identification cards do not include the tribal citizen's residential address or a signature.

The second barrier for tribal citizens was that many tribal members do not have a typical residential address to use when registering to vote. Many Suquamish homes have addresses that do not correlate with the State's address system. This creates issues for these tribal citizens in ensuring that they are registered to vote in the right precinct. In addition, tribal citizens rely heavily on P.O. boxes. The use of P.O. Boxes is strictly prohibited in establishing residence for voter registration.

A third barrier was the options for returning ballots. Too often, designated ballot box locations were off reservation and operated with limited hours. This created a hardship for many tribal citizens that do not have means of transportation. Tribal citizens were deterred by having to pay the postage of the ballot.

### **The Washington State Native American Voting Rights Act**

On March 14, 2019, the State of Washington enacted the Native American Voting Rights Act (“NAVRA”). The bill addresses many of the issues that tribal citizens face when trying to vote. First, a tribe may now request that the county auditor establish at least one ballot box at a location on the tribe’s reservation. More importantly, the tribe can choose the location and there is no cost to the tribe.

Secondly, the bill allows tribal citizens residing on a reservation to use nontraditional residential addresses for voter registration. Tribal citizens may also use the location the tribally designated ballot box location as their residential and mailing address if the tribal citizen lives in the same precinct. If the tribal citizen lives in a different precinct, the tribal citizen may still use the tribally designated ballot location as their mailing address.

Third, the Washington NAVRA allows tribal citizens to use tribal identification cards to register to vote. The tribal identification card does not need a residential address on the card. However, if the identification card does not have the tribal citizen’s signature, the Secretary of State must be able to obtain a copy of the individual’s signature from the tribe issuing the identification card.

Finally, a tribe may request that any state facility located on the tribe’s reservation provide voter registration services. The bill also provides enforcement mechanisms that allow a tribal government, an individual, or the State Attorney General to sue a county auditor for failure to establish a tribally requested ballot box location. The Secretary of State may be sued for failure to allow a tribal citizen to use a nonresidential address while attempting to register to vote. The Governor may also be sued for failure to designate voter registration services in a state facility on the reservation.

### **Current Impacts of Washington State’s Native American Voting Rights Act**

With the passage of the Washington NAVRA, tribes in Washington are now partners with the State. The Suquamish Tribe is now able to have direct involvement with the State in planning and ensuring that our people do not face obstacles while exercising their right to vote. The Tribe is now avidly preparing for this year’s 2020 Elections.

The Tribe is in the process of designating a ballot box location on our reservation. Suquamish tribal citizens will now have a known central location to deliver their ballots. This is also important for our homeless tribal members and for those that may not have a stable residence. These individuals will now have the ability to designate the tribally designated ballot box location as their residential and mailing address.

In addition, the Tribe will be working with the State to provide voter registration services on our reservation. The Tribe will also continue to work with the State to bring awareness to our tribal citizens of all the new laws impacting the ability to register to vote and the process of voting. The Tribe will also ensure that county officials and staff are appropriately applying these new laws and not turning away tribal citizens from the right to vote.

### **National Congress of American Indians' Efforts**

In addition to my role as Chairman of the Suquamish Tribe, I am also a member of the Executive Board for the National Congress of American Indians ("NCAI"). NCAI established the nonpartisan Native Vote initiative that provides staff coordinators to offer vital voting information throughout Indian Country. The primary focus of Native Vote is to ensure all Native citizens participate civically in their communities. Native Vote administers a number of key programming including Get-Out-the-Vote and registration efforts, election and voter protection awareness and advocacy, and voter and candidate education.

NCAI has passed several resolutions addressing voting rights in Indian Country. NCAI strongly encourages Congress to pass legislations, such as H.R.1694 - Native American Voting Rights Act of 2019, that removes voting barriers for all of Indian Country. Specifically, NCAI supports the establishment of a Native American Voting Rights Task Force to focus on boosting Native voter registration, education, and election participation. NCAI also supports provisions that ensure equal treatment for tribal identification.

### **Conclusion**

Even with the passage of the Washington NAVRA, issues still persist for tribal citizens across Indian Country. I urge this Committee to consider the measures taken by the State of Washington and NCAI as Congress moves forward in addressing voting rights issues. Tribes will continue to fight to tear down these barriers and obstacles to vote.

Thank you for the opportunity to testify before the Subcommittee. I am available to answer any questions that the Subcommittee may have regarding my testimony.