



# Indian Country

THIS WEEK FROM

## TODAY

THE PREMIER E-NEWSLETTER SERVING THE NATIONS, CELEBRATING THE PEOPLE

### *A Letter from the Publisher*

*Shekóli.* When Commander John Herrington, one of the most accomplished Natives in recent memory, was sent by NASA in 2002 to the International Space Station, he carried some unusual cargo for an astronaut: a black-lacquered river cane flute and an eagle feather. To the song of the stars, he added the healing vibrations of music, long revered in the indigenous world for its powers to connect people with all the positive energy and creations of the universe.

"I played 'Amazing Grace' on board the ISS while my crewmate, Don Pettit, used a vacuum cleaner hose to simulate an aboriginal didgeridoo, which he actually brought on board; he just had not unpacked it yet," Herrington tells ICTMN in this week's newsletter. It's an amazing, treasured memory for him as his ship orbited the earth to the strains of his flute.

Since his space flight, Herrington has added to his résumé, and this past fall he earned his Ph.D. in education from the University of Idaho. His dissertation focused on the success and motivation in science, technology, engineering and math (STEM) fields of Indian students—specifically, Native scholars who participated in NASA's summer program. Herrington studied pre-



and post-course test results and canvassed the students three years later to better understand their experience and their goals for the future. His profile of the typical Indian STEM student defied mainstream nerd stereotypes. After delving deeply, Herrington concluded that Natives became enthusiastic in a hands-on, non-competitive learning experience. "They like to work in groups, they like to build stuff and they like to personalize their work," he says.

Endorsing culturally attuned education programs has long been a consistent theme in ICTMN's universe. The best values shared by Native students are worthy of nurturing throughout their school years, not to be stamped out in a blizzard of tests and cultural stress. We know the best way in which these young people like to learn; we must do our jobs and convince others to sing the same song.

NA Ki wa,

Ray Halbritter

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### The Native Vote in Rapid City

*Rapid City, South Dakota, is a vortex of conflicts, from charges of lethal police force to child custody hearings. **Brandon Ecoffey** (Oglala Sioux) points up how the current mayoral race is spotlighting Native problems:*

Two men are running for mayor in Rapid City. The platform of one would incorporate minority populations into city government. The platform of the other would fit in with that of the Ferguson, Missouri police department.

Current mayor Sam Kooiker is the former. He has embraced the Native com-

munity by taking a strong stance against racial discrimination. During his time in office he has made a number of political gestures toward the Native community. These include the establishment of a polling place smack dab in the middle of the most densely populated Native American neighborhood in the city, and the creation of a civil rights commission that has the legal authority to enforce the city's antidiscrimination laws. Kooiker has also consistently tapped Native people to fill empty seats on city boards.

Conversely, during challenger Steve Allender's tenure as an administrator in the Rapid City Police Department, the

number of Native officers has declined to the low single digits, despite serving a population that is nearly 30 percent Native. Former police officer Glen Yellow Robe says he recorded Allender making racist jokes on the job. But when Allender found out about the recording, he erased it in a fit of rage. Shortly after the incident Yellow Robe was let go from the force. In statements made in a lawsuit against the RCPD, Allender is quoted as saying that one of his favorite jokes is, "Black is beautiful, brown is grand, but white's the color of the big boss man."

The choice is simple. <http://bit.ly/1FomUTX> ☞

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### Native Hair and Religious Freedom

*Trial rights attorney **Tara Houska** (Crouchiching First Nation) takes exception to the notion that the wearing of long Native hair is not protected by the First Amendment:*

Last week, I received a call from a family whose school administrators were mandating that a Diné child cut his hair in compliance with the dress code. Despite several meetings and email exchanges, the school remained resolute that long hair is not a religious belief worthy of recognition. And even if it

was, they asserted that the law does not protect the child's belief.

Fortunately, the Supreme Court does not take that approach. On January 3, 2015, in *Holt v. Hobbs*, the high court unanimously found that a Muslim prisoner's religious beliefs tied to the wearing of a beard outweighed the prison's interest in authority, hygiene, concealment, etc. Just prior to the ruling, the 11th Circuit had ruled against a Native American prisoner wishing to keep his hair long. In light of *Holt v. Hobbs*, the Supreme Court vacated the 11th Circuit decision and remanded the case.

For the Diné family, their son's hair

would be tightly wrapped into a figure-eight bun called a *tsiiyéél*. School administrators claimed the hairstyle would be a "distraction" for the other students and outside visitors. One wonders if a yarmulke worn by a Jewish child would be ruled a distraction.

We continue to fight against appropriation of our culture, theft of our land, children, and resources. We fight against poverty, against destruction of sacred sites, for sovereignty, for clean water, for the very lives of our people. We should not have to fight for the hair on our heads. <http://bit.ly/1GgS5WZ> ☞

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### A Note To Politicians: We Are Key Players

*Our public servants, says **Mary Ann Andreas**, tribal council vice chair of the Morongo Band of Mission Indians, should better appreciate the major presence of Natives in our everyday national life:*

Last month, Rep. Loretta Sanchez (D-California) caricatured an Indian war call. Presidential candidate Mike Huckabee recently compared American Indians to the "bad guys" in a "50s western." I once heard a U.S. senator introduce tribal guests as "my Indians."

What's important here is not a casual remark or the need to be politically correct. That's far too superficial. Everybody

has said something in the moment that upon later reflection they wished they could take back.

Rather, the stereotypes and slurs that sometimes echo through the rough and tumble of contemporary American culture simply reveal that politicians, like most people, rarely have a genuine understanding of tribal governments and Native issues.

The total American Indian/Alaska Native landmass—100 million acres—right now would make Indian Country the fourth largest state in the United States. There are 19 tribal nations that are each larger than Rhode Island and 12 tribal nations that are larger than Delaware.

The tribal governments that make up

this network don't just deal with the Bureau of Indian Affairs. They work regularly with the departments of Justice, Defense, Health & Human Services, Agriculture, Commerce, Energy, Interior, the Army Corps of Engineers, the Environmental Protection Agency, Housing & Urban Development and Homeland Security. They work daily with city councils, state legislatures and members of Congress. Tribes are serious, active participants in the American political, legislative and policymaking process. Anyone who seeks or holds public office in the United States today needs to be more informed about this country's first Americans—their history, policies and issues.

<http://bit.ly/1BQ0711> ☞

## Baffin Bay Seismic Testing on Hold Pending Inuit Court Outcome

A consortium that had wanted to map the Baffin Bay and Davis Strait ocean beds for oil and gas reserves, using a disruptive sonar technique beginning on July 1, has deferred on doing so for this year. Their decision brings temporary relief to the Inuit plaintiffs who are suing them.

The process involves shooting compacted air to the ocean floor through sonic cannons generating sound waves that help map oil and gas reserves under the seabed. But the sounds, which are 100,000 times louder than a jet engine, can deafen—and thus kill—marine mammals. One scientist has described the procedure as like “dynamite going off in your neighborhood every ten to twelve seconds for weeks or months on end.”

Significantly, the testing can interfere with narwhal migration and compromise Inuit subsistence hunting rights. Now that hunt can continue this season unimpeded.

“It brought a sigh of relief to me and it means we can spend the summer still narwhal hunting without any migration problems with the whales,” Jerry Natanine, the mayor of the Baffin Island hamlet of Clyde River, told the *Nunatsiaq News*. “It means a lot to me because it means a lot to the people. Justice is on our side. We’re going to win this case.”

The Inuit had appealed a 2014 decision by Canada’s National Energy Board to let the testing proceed, even in the face of potential harm to marine life. The companies in question—Geophysical Company ASA, Petroleum GeoServices and Multi Klient Invest—did not give reasons for their postponement. <http://bit.ly/1GfTHAn> 📱

## No Child Left Behind Waiver Makes Miccosukee Tribe History

BY TANYA H. LEE

The Miccosukee Indian Tribe of Florida made history on June 1 when the Interior and Education departments officially granted the Miccosukee Indian School a waiver from the federal government’s No Child Left Behind (NCLB) requirements. While such waivers have been provided to several states, the Miccosukee Indian School is the first tribally controlled education system to receive one.

The waiver permits the tribe to set its own definition of Adequate Yearly Progress standards and to determine what tests it will use to measure children’s academic achievements—instead of being bound by the federal requirements and assessments as specified in the 2001 NCLB act.

To receive the waiver, the tribe has committed to maintaining high standards in language, math, and science achievement; to integrating language and cultural instruction that will help students be successful in academics; and to cutting in half the achievement gap between American Indian/Alaska Native (AI/AN) students and white students over the next six years.

Although the (AI/AN) graduation rate increased four points—from 65 percent to 69 percent—between 2011 and 2013 (compared to 81 percent nationally), the achievement gap has remained intransigent. In the most recent National Assessment of Educational Progress, the gap in mathematics scores for fourth grade between white and AI/AN students was 23 points in 2013—lower than in 2000, but higher than in 2003. For fourth grade reading, the gap was 27 points in 2013, five points more than in 2000.

Interior Secretary Sally Jewell emphasized that the Miccosukee education program is no less rigorous than what is required by federal law. “[The] assessments they have chosen raise the standards above what the state of Florida would require,” she said. <http://bit.ly/1G14IjL> 📱

## ‘Sweat Lodge Discrimination’ Claim Against Nez Perce Shot Down BY ALYSA LANDRY

An independent investigation of the Nez Perce Tribal Police Department in north central Idaho has found no merit for a former officer’s allegations of religious discrimination.

The six-week investigation, completed in April, was triggered by former officer Lowicha Lake Falls-Rock’s claims that he was fired for attending sweat lodges and other traditional ceremonies. Falls-Rock, a member of California’s Pit River Tribe, was hired as a police officer in August 2014 and termi-

nated at the end of the year.

Falls-Rock said he was hired because of his involvement in the Native American Church and later fired for the same beliefs. He called his firing a “religious rights infringement,” and claimed his field-training officer gave him an ultimatum: if he did not stop going to sweat ceremonies, he would lose his job. When he told a supervisor about the conversation, he said, he was abruptly fired.

The Nez Perce Tribe hired an independent investigator from the Kallispel Tribal Police Department. But after interviewing 16 people, including law enforcement officers, tribal

leaders and community members, Sgt. Andrew Garry found no evidence of religious discrimination.

“In fact, the evidence showed the Nez Perce Tribal Police Department holds the religious and ceremonial beliefs of the tribe it serves in high regard, providing every opportunity for its officers to practice their religions,” Garry wrote in his report. He also found that the department acted in good faith when it terminated Falls-Rock.

“If anything,” Garry told ICTMN, “I was pretty impressed with the amount of respect in the department and the level of cultural sensitivity.” <http://bit.ly/1MqhEE2> 📱

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# ‘A Period Of Cultural Genocide’

*The devastation of First Nations is laid bare* BY MARY ANNETTE PEMBER

**Bottom Line:** *Canada's Truth and Reconciliation Commission has delivered its searing report on the residential schools era—and signaled a path to possible closure.*

The words that residential school survivors and their loved ones had long awaited were finally spoken.

“Canada clearly participated in a period of cultural genocide,” said Justice Murray Sinclair (Ojibwe), who chaired Canada’s Truth and Reconciliation Commission (TRC) and presented its official findings about the country’s residential schools program on June 2.

The packed Delta Ottawa hotel ballroom audience erupted into cheers and applause as people rose to their feet when Sinclair presented the panel’s findings. “It has come full circle,” said Eugene Cardinal of the Cree Nation and an Indian residential school survivor.

The mostly aboriginal crowd heartily approved the TRC’s summary version of a multi-volume report. Six years in the making, the report documents widespread physical and sexual abuses at government- and church-run residential schools from 1883 until 1998.

“This has been a difficult, inspiring and very painful journey for all of us,” Sinclair said. “The residential school experience is clearly one of the darkest, most troubling chapters in our collective history—the period from Confederation until the decision to close residential schools was taken in this country in 1969.”

Emotion ran high in the audience, swinging from shouts of jubilation to cries of anguish as some broke down in tears. Report findings tied trauma from residential school abuses with generational problems currently plaguing indigenous people such as addiction,

poverty, suicide, high rates of incarceration and health disparities.

“We heard of the impact of over 100 years of mistreatment,” Sinclair said. “We heard from families and loved ones connected to survivors for whom the effects had been deeply damaging and still felt today.” He spoke of the legacy of residential schools that left indigenous children culturally, emotionally, physically and spiritually adrift.

“We heard about survivors who as children were unable to answer the simple questions of, ‘Who am I?’ ‘Where did I come from?’ ‘Where am I going?’ ‘Why am I here?’ The answers to these fundamental questions guide us in life and fulfill our sense of self.”

He described Canada’s efforts to extinguish indigenous culture, language and peoples as the very essence of colonialism. Even today, he said, these issues persist. Therefore, the report incorporates 94 recommendations for change. They include:

- Improving government child welfare practices to counter the separation of indigenous children from their families;
- Incorporating indigenous history and residential school experience into school curricula;
- Funding health care programs to address health disparities between Indigenous Peoples and the mainstream population;
- Adopting the United Nations Declaration on the Rights of Indigenous Peoples into law;
- Developing a royal process of reconciliation issued by the Crown.

The three commissioners who headed the report met privately with Prime Minister Harper later in the day. However, Harper would not commit to any of the TRC’s list of recommendations,

CBC News reported. Indeed, there was a whiff of cynicism under the crowd’s shouted praise for all that the Residential Settlement Agreement entailed.


“During the presentations, I heard a woman describing the government and church leaders’ promises and apologies as lies,” said Cree Nation member Isabel Otter, a residential school survivor.

Survivors interviewed by ICTMN mostly focused on the opportunity for personal growth and healing that the Residential Settlement Agreement and TRC activities provided. Two sisters from the Lac Seul Band of Ojibway shrugged in response to questions about what the future holds for government promises to improve indigenous relations.

“I buried my anger for 20 years; I blocked it out,” said one sister, who requested anonymity. “But listening to others talk about their experience helped me make a new start and get over my bad feelings.”

The other sister bemoaned the continued legacy of racism among her fellow white Anglican Church members. “These good Christian people complain to me about Indians getting money for doing nothing and drinking and not working,” she said, and added, laughing, “My husband responded by asking them how come white people pollute the water and land.”

Commissioner Chief Wilton Littlechild, also a survivor, spoke emotionally about the power of spirituality, resilience and forgiveness.

“Our spirits cannot be broken,” he said. “That has been the reoccurring message I’ve heard during this work. We must take the essential step of returning to our spirituality in order to heal. That first step starts with me. I must make myself right with the Creator.” <http://bit.ly/1SXSbws> 

# The Starry Trek Of Commander Herrington

*For this Chickasaw explorer, the voyage has never ended*

BY TERRI HANSEN



*Cmdr. John Herrington floats with a sacred eagle feather (at left) while in orbit in 2002.*

**Bottom Line:** John Herrington made Native history when he rocketed into orbit more than a decade ago. Back on Earth, he remains committed to pushing the frontiers of space and knowledge.

Before boarding the space shuttle *Endeavour* to rendezvous with the International Space Station (ISS) in 2002, Cmdr. John Herrington had an engineer at the Kennedy Space Center smudge him with sweetgrass and sage outside of the astronaut crew quarters.

It was an appropriate gesture for the first enrolled member of a Native American tribe to fly in space. And when he went into orbit, Herrington (Chickasaw Nation) brought two treasured objects with him: an eagle feather and a flute.

"I played 'Amazing Grace' on board the ISS while my crewmate, Don Pettit, used a vacuum cleaner hose to simulate an aboriginal didgeridoo, which he actually brought onboard; he just had not unpacked it yet," Herrington told ICTMN. "The Native American flute I flew on my mission, a

black-lacquered river cane flute, was made by a Cherokee friend, Jim Gilliland."

Herrington still remembers the thrill of creating those sounds aboard the ISS as he orbited the Earth over and over again. He also remembers the team that put him there.

"I was honored to have the opportunity to fly in space, but I realize there were thousands of people who made it possible: technicians, engineers, scientists, medical personnel, and administrators," he said. "Our ability to fly in space and explore is

JOHN HERRINGTON

due to the collective efforts of a multitude of talented people, many of them trained in the STEM [science, technology, engineering and math] fields.”

Herrington retired from NASA in 2005 but he has been keeping busy: Last year he earned his Ph.D. in education from the University of Idaho. His dissertation research focused on the motivation and engagement of Native students in the STEM fields who had attended a NASA summer program.

Native American and Alaskan Natives earned just 0.6 percent of master's degrees in science and engineering in 2009, according to the National Science Foundation. It's a dismal statistic that highlights Herrington's motivation to study different approaches to engage Native students in STEM education.

“I wanted to look at the results of tests they took before and after that summer program,” Herrington said. “I did a case study three years later where I actually interviewed those students to really find out the factors that motivated and engaged them in NASA math and science based on that summer program. I analyzed the pre- and post-tests they took, and I had the students tell me the stories of their experience.

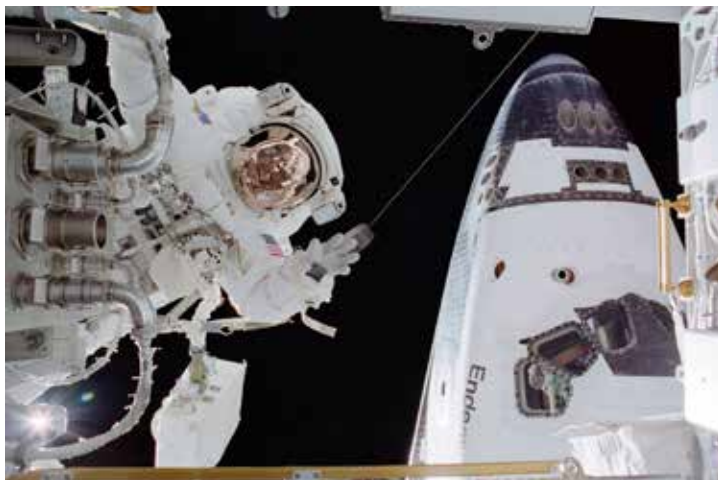
“It was interesting because it supports the literature that I've read . . . My research indicated that Native students become engaged and motivated through hands-on experiential, non-competitive, collaborative learning. They like to work in groups, they like to build stuff, they like to personalize their work and see the practicality in what they're learning related to the theory.”

In that regard, not all of Herrington's research was conducted in libraries and classrooms. He worked on a surveying crew to get a sense of mathematics in action.

“I was hanging off a cliff in Colorado, and these guys would shoot a beam of infrared light to a prism I held in my

hand,” he recalled. “Since light travels at a constant velocity, you can determine the distance—if you know how long it took the light to travel from one point to another. If you know the angle of that beam of light, you can determine the horizontal and vertical distance, using trigonometry. They used surveying machines that could calculate these things. For the first time in my life I actually saw the practicality of mathematics in work, and it was fun!”

Over the next few years, Herrington said, he would like to extend his research,



*“We can't possibly be alone in the universe,” Herrington realized while poised at the edge of the International Space Station.*

investigating the factors that stimulate and engage Native American students in STEM fields as they proceed to college and various professions.

“There is a wonderful story to be told about how successful Native American STEM students and professionals have been able to accomplish the difficult work that a STEM profession entails,” Herrington said. “The next generation of students needs to be aware of the factors that made their predecessors successful in the areas of science, technology, engineering and math.”

Elementary and high school students, Herrington added, benefit from a hands-on approach to learning. “This applies to non-Native communities, too. Summer camps and science museums seem to accomplish this, and I wonder how we can incorporate these same learning and teaching techniques in the schools. It's going to take everyone working together to

make an impact. The thing is, it will be fun and enjoyable.”

Part of that entails highlighting the accomplishments of traditional knowledge in this regard, which long predate the STEM disciplines.

“I think we should show students examples of the wonderful feats of engineering our ancestors were able to accomplish over the past centuries, using basic tools and understanding their environment,” Herrington told ICTMN. “Without the use of western mathematics or engineering,

our ancestors were capable of building and inhabiting cities that exhibited tremendous engineering and scientific skill.”

Though he may be earth-bound these days, Herrington still thinks of what may lie “out there.”

“There are billions of galaxies in the universe, with each galaxy containing hundreds of billions of stars, and we have observed planets orbiting some of our closest stars,” he said. “So the odds are incredibly high that there are planets just the right distance from a star, and have a chemical

composition in their atmosphere, that could possibly sustain some form of life.”

By the time Herrington retired from NASA, he had logged more than 330 hours in space. During one of those hours, he had a realization that will remain “forever etched” in his memory. It occurred when he was poised on the end of the space station and found himself looking out across the Earth's horizon.

“There I was, 220 miles above the Earth and looking past it into the vastness of the universe,” he said. “I realized there was absolutely nothing between me and whatever else might exist out in the cosmos. The dual sensation of being alone—I was in my spacesuit tethered to a handrail on the ISS—yet not solitary, was extraordinary.

“It was a moment I will never forget, and it has fundamentally changed my belief that we can't possibly be alone in the universe.” <http://bit.ly/1SZ0eTz> 🌌



# Two Tribes Quit Maine Legislature

*A declaration of independence* BY GALE COUREY TOENSING



*Following the walkout, drummers and singers celebrated the parting of the ways.*

**Bottom Line:** *Growing tensions between Maine Natives and the authorities in Augusta came to a head when two tribes rejected any ongoing association among them. The rift is deep; resolution would be problematic.*

The Penobscot Indian Nation and the Passamaquoddy Tribe effectively declared their independence from Maine by withdrawing their representatives from the Pinetree State's legislature on May 26. Their action left the government in Augusta without Indian representation for the first time in almost 200 years.

Wayne Mitchell and Matthew Dana II, the Penobscot and Passamaquoddy representatives, respectively, said in a statement that the tribes could no longer participate in a system that fails to recognize them as distinct tribal nations and instead maintains a paternalistic attitude that views the tribes as wards.

"Our hope is that one day the state will recognize us for who we are and value the

tribes as sovereign partners and engage in a relationship of mutual respect," they said. "Until then, we simply must decide our own future."

Mitchell also said, "The Maine tribes have reached a very critical juncture in our history. As sovereign nations, we must find a better path forward, one that respects our inherent tribal authority and allows for our people to prosper in all areas of their life, and most importantly, one in keeping with our cultural identity and values as Wabanaki people."

About 60 legislators followed Mitchell and Dana out of the State House to join approximately 200 tribal supporters in a rally where drummers, singers and dancers celebrated the tribal-state parting of the ways. Penobscot Chief Kirk Francis and Passamaquoddy Chief Fred Moose Moore addressed the crowd.

"We have gone to great lengths to demonstrate good faith and cooperation, only to be lied to," said Moore, who is chief of

the Passamaquoddy reservation at Sipayik. "To our people today we tell you this: We declare our independence. From here on out, we are a self-governing [nation], focused on a self-determining path," Francis said. "We have gotten on our knees for the last time."

Maine is the only state in the country with tribal representatives; they can do everything that regular members do except vote on pending legislation. The tribal presence began in 1823, when the first Penobscot envoy attended; the Passamaquoddy Tribe sent its first representative to Augusta in 1842.

The Houlton Band of Maliseet Indians will continue to send its delegate to the legislature. The Aroostook Band of Micmacs, by contrast, does not have a legislative representative.

Tribal-state relationships in Maine have become increasingly contentious in recent years. The tribal representatives specifically cited Maine Gov. Paul LePage and Attorney General Janet Mills as central figures in the conflict.

"Just last month, the governor of Maine issued an executive order stating that the tribes, their people, lands and resources are subjects of the state," they said. "We continually find ourselves having to defend basic indigenous rights, such as the right to fish within our territories for our own sustenance."

"Further," they added, "with the support of the attorney general, the governor has declared his intent to veto important legislation affecting the lives of Native people, specifically the implementation of the Violence Against Women Act and the recommendations of the historic truth and reconciliation commission."

But tribal dissatisfaction with the Maine government predates the current admin-



istration—in large part because of issues resulting from the 1980 passage of the Maine Indian Claims Settlement Act (MICA).

The act was the first, largest, most complex and probably the most contentious of the settlement acts conducted among East Coast tribal nations. It entailed negotiations with the federal government that lasted more than four years. In the end, the tribal nations gave up their claim to around two-thirds of Maine, more than 12 million acres. The tribes settled for several hundreds of thousands of acres and approximately \$81 million.

The Settlement Act was supposed to acknowledge the tribal nations' sovereignty and authority over their internal matters on their lands, create a new relationship with the state, and continue an established trust relationship with the federal government.

But in the years since the act passed, the state legislature—backed by state courts—has interpreted the document in a way that erodes tribal sovereignty and blocks tribal efforts at self-determination and economic development.

By 2008, tribal-state relations became so frayed that the Penobscot Indian Nation severed all ties with the state. This they did after then-governor John Baldacci worked during the last hours of the legislative session to block bills that would have benefited tribal nations and had been passed by both chambers.

However, the tribe's representative continued to attend legislative sessions, and after some time had passed, a rapprochement was reached.

Donna Loring, who was the Penobscot Nation's legislative representative when that rupture occurred, welcomed the two nations' recall of their representatives. She hopes it will constitute a final break with the state.

"I don't think people realize the historic importance of what happened today," Loring told ICTMN. "I think of it as an abusive marriage. We're tired of being

abused. We're outta here. We're getting divorced."

Top Democrats urged Mitchell and Dana to reclaim their seats. "The Passamaquoddy and Penobscot people will always have a place in the Maine House," said House Speaker Mark Eves. "I am personally committed to working with them and those they represent to ensure their voices are heard in the House chamber. I hope they will reclaim their seats."

"The Maine House of Representatives is a better place with the tribal represen-

cause of its support of the Penobscots' sustenance fishing rights and jurisdiction over the water quality of the water that flows into their territory. The federal government and some members of Congress have joined the suit on behalf of the Nation.

Finally, the Passamaquoddy Tribe is engaged in a battle with the state government over the tribe's right to fish for eelers, which are baby American eels that have fetched as much as \$2,000 a pound on the world market.

The intertribal United South and Eastern Tribes (USET), a non-profit advocacy organization, supports the Maine tribes, which are among its 26 tribal nation members.

"USET believes strongly that every bill enacted for the benefit of tribal nations generally should apply equally to all federally recognized Indian tribes," said President Brian Patterson. "USET stands in support of the Penobscot and Passamaquoddy as they take the necessary steps to determine their own future and do what is best for their respective citizenry."

The tribes have a lot of "nation building" work ahead of them, Kirk Francis told ICTMN.

"We know some of the decisions we're going to make in the coming months are going to receive pushback [from the state]," Francis said. "We know it's not going to be easy, so we have to be very systematic in our approach and focus on being what we say we are—independent, self-determining sovereign nations. We cannot control what the state is going to do or how it's going to react."

Going forward, the tribes intend to ask Congress to review the Settlement Act. Indeed, Francis emphasized the tribes' trust relationship with the federal government in general.

"That's the only place we can really count on at any level for the protections that we need or we'd be totally alienated from our territory and exterminated from our cultural practices like fishing," he said. <http://bit.ly/1RGc5UR>



*When Mitchell and Dana left the chamber, some 60 legislators followed.*

tatives," said House Majority Leader Jeff McCabe. "All of Maine benefits when their voices, their dedication and their passionate advocacy are part of the legislature. The Penobscot and Passamaquoddy representatives have rightful spots in the House and will be warmly welcomed whenever they choose to return."

There are other factors that have driven the rift between the contentious tribal-state relationship. Several reports, the latest of which was published last year by the Maine Indian Tribal-State Commission, have cited a deep-seated and enduring anti-Indian racism among government officials.

In addition, the state and the Penobscot are facing off over a lawsuit that the tribe filed against the state over hunting and fishing rights in the Penobscot River. Moreover, the state has sued the Environmental Protection Agency be-

# Native Health Advisor Resigns

*Abrupt departure from a specially created post* BY ROB CAPRICCIOSO

**Bottom Line:** *Yvette Roubideaux tried to move from being director of the Indian Health Service to being a federal advisor for Native health. The transition didn't work out.*

Four months ago, the Department of Health and Human Services (HHS) created a special, top-tier position for Dr. Yvette Roubideaux to advise the agency's secretary, Sylvia Burwell, on Indian health and other Native-related matters.

Last week, without explanation, Roubideaux (Rosebud Sioux) announced she was stepping down from that position.

The sudden resignation set off a wave of speculation about her motivation. But it appears that the move resulted at least in part from the aftershock of Roubideaux having been pushed out as Director of the Indian Health Service (IHS) in February.

Roubideaux was forced out as IHS Director as the result of language in the 2009 Appropriations Act, which required her to move on because Congress had not reconfirmed her position. Senators of both parties, especially Lisa Murkowski (R-Alaska), Jon Tester (D-Montana), Maria Cantwell (D-Washington) and Mark Begich (D-Alaska) had made it clear that many tribal leaders were concerned about her ability to be a strong advocate on pressing tribal concerns.

When HHS leaders created a new advisory position for Roubideaux this year, they framed it as being more important than her previous role—or at least as important. “[I]t is not a demotion at all,” HHS spokesman Mark Weber told ICTMN in February. “In fact, it provides Dr. Roubideaux a broader portfolio of initiatives.”

But by all indications, the advisory

role apparently was not as attractive to her as her old job. Weber declined to speculate about the reasons for the departure.

“It was a personal decision for Dr. Roubideaux [to leave],” he said. “She does not have an announcement to make at this time about the opportunity ahead of her.”

Over the last few months, it became increasingly clear from leading members of Congress that they were dissatisfied with Roubideaux's performance. At a February Senate budget hearing, Murkowski told Roubideaux that she was disappointed in what she regarded as the director's poor leadership. She specifically cited the Obama administration's reluctance in 2012-13 to pay tribes back for contract supports costs, as required by multiple Supreme Court rulings.

Murkowski also highlighted a continuing lack of support from the administration for the idea of advanced funding for IHS; Alaska-specific Indian health issues that she said the administration had failed to address; the lack of an administrative fix to the definition of “Indian” in the Affordable Care Act; and staffing package problems.

“Tribes have been frustrated,” said Murkowski, who chairs the Senate Committee on Energy and Natural Resources. “Should the White House be considering whether to send your name forward for (re)-nomination, I’m going to push back. I’m going to suggest that they consider new leadership because we just haven’t seen the results and the partnership that we have been looking for.”

Sen. Begich, who was voted out of office last year, told ICTMN that it is “no secret that Director Roubideaux and I did not always agree.”


“I made it clear that I did not think the administration's overall understanding of key tribal issues was adequate,” Begich said. “That is why I ultimately held up her nomination.”

Some Indian affairs experts were puzzled by Roubideaux's decision to move on. “I was surprised,” said Geoffrey Strommer, a lawyer with the firm of Hobbs Straus, who focuses on Indian affairs and health issues. “I thought that she was settling into her new role as special advisor to the secretary, and I was hopeful that from that new position she could become an advocate for Indian health programs throughout the HHS.”

Others had the opposite reaction. “I am not surprised,” said Lloyd Miller, an Indian affairs lawyer with the firm of Sonosky Chambers, who has led successful legal battles against the administration to have contract support cost paid back to tribes.

“Dr. Roubideaux never enjoyed the confidence of key members of Congress,” Miller said. “She tended to dodge committee questions and not to readily accept responsibility for problems within her agency. She imposed unprecedented restrictions on agency communications with Indian country and tribes, as well as with Congress, and agency morale suffered as a result. She was slow to engage meaningfully about how to tackle the thousands of contract support cost claims she faced after the 2012 Supreme Court decision in *Salazar v. Ramah*.”

But despite Roubideaux's difficulties with Congress, Miller said, she was “an excellent advocate for Indian health within the administration, and she led the agency during a period of unmatched appropriations increases. Those increases are her greatest legacy.”

<http://bit.ly/1dP4uF6> 



Canadian Prime Minister Stephen Harper and residential schools survivor Evelyn Commanda-Dewache embrace after the release of the report of the Indian Residential Schools Truth and Reconciliation Commission.



Inuit residents are relieved that seismic testing in Baffin Bay—which can deafen and kill marine life—has been temporarily suspended.



Brian Patterson (Oneida), a former president of the United South and Eastern Tribes, has joined the board of directors of the Native Arts and Cultures Foundation.



Former IHS Director Yvette Roubideaux (Rosebud Sioux) abruptly left a top Health and Human Services position created for her.



## Realty Director

The Association of Village Council Presidents, a non profit organization in Bethel, AK is currently recruiting for a Realty Director.



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**SUMMARY:** The Realty Program Director, under the direction of the Vice President of Community Services, is responsible and accountable for the AVCP Realty/Trust Programs which include: Transactions Services, Probate and Estate Services, Rights Protection and Native Allotments. Advises Senior Management on trust and real estate services matters.

Contact AVCP's Human Resources Department at 800-478-3521 for an application, to submit your resume or more information. Review our job description at [www.avcp.org](http://www.avcp.org)

Per Public Law 93-638 (Indian Self Determination & Education Assistance Act) qualified Alaskan Natives/ American Indians are given preference but candidates from all backgrounds are welcome to apply.

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# Headlines from the Web

## TRIBE, SHERIFF DISAGREE ON MARIJUANA PROJECT

<http://bit.ly/1dQP7vZ>

## YAKAMAS SEEK OPERATING LICENSES FROM NONTRIBAL ENTITIES

<http://bit.ly/1M5F3tu>

## MONACAN CHIEF RECEIVES TERMINAL CANCER PROGNOSIS

<http://bit.ly/1Q97oph>

## WASHINGTON STATE TRIBE'S WHALE HUNTING REQUEST TRIGGERS NEW BACKLASH

<http://reut.rs/1QaGgWZ>

## ONEIDA TRIBE APPROVES SAME-SEX MARRIAGE

<http://bit.ly/1FG8Ve0>

## TRIBE OPENING NEW CASINO SAYS A COMPETITOR IS TOO CLOSE FOR COMFORT

<http://nyti.ms/1Fx2Y1h>

## Upcoming Events

### INDIAN COUNTRY ONLINE CONFERENCE JUNE 10-11

With the emphasis on Internet gaming, the conference will broach various online strategies. Skill-based social games, customer-oriented approaches, demographics, marketing, state gaming politics, and the role of hand-held devices will be broached, as will differences between Internet gaming and the casino experience. Sponsored by the Spectrum Gaming Group.

**Location:** Pala Casino Spa Resort, Pala, California

### NATIVE AMERICAN ECONOMIC DEVELOPMENT, DIVERSIFICATION & ENERGY PROJECTS CONFERENCE JUNE 14-16

Through a series of panels, roundtable discussions and speakers, attendees at the ninth annual conference will hear from top experts focusing on economic diversification, with a view toward expanding tribal economic ventures, reducing risk and ensuring the future of tribal commu-

nities. Participants will gain clarity on the behavior needed to leverage leadership; engage in interactive simulation to offer strategic perspective; and build relationships, broaden networks and learn best practices from tribal leaders. Selected forums are "Tribal Renewable Energy Success Stories," "Production and Utilization of Biodiesel in Tribal Lands," "The Benefits of Building Your Own Tribal Utility Company" and "The Next Big Thing: Marijuana."

**Location:** Disney Grand Floridian Resort & Spa, Lake Buena Vista, Florida

### RESERVATION ECONOMIC SUMMIT JUNE 15-18

Sponsored by the National Center for American Indian Enterprise Development, the summit is designed to provide Native American businesses and entrepreneurs with the tools needed to achieve success. Access will be available to respected tribal leaders, members of Congress, representatives of federal agencies, local elected officials and top executives. "How to Be Heard on Capitol Hill," "Tribal Carbon Credits," "Sovereign-to-Sovereign Partnerships and Foreign Trade," "Tribal Initiatives in Energy Resource and Workforce Development," and "Leasing Indian Lands for Energy and

Economic Development: More Action Needed?" will be among the offerings.

**Location:** Omni Shoreham Hotel, Washington, D.C.

### SOCIETY OF AMERICAN INDIAN GOVERNMENT EMPLOYEES NATIONAL TRAINING PROGRAM JUNE 15-18

Plenary sessions, workshops and speeches by nationally known figures will highlight "Growing Native Leaders: Enhancing Our Seven Generations," the 12th annual entry in the program. The proceedings will range from a student youth track agenda to a veterans affairs forum. Featured guests and speakers will include Deb Walchuk of the Natural Resources Conservation Service of the Department of Agriculture; Jay Spaan of the Government Accountability Office; and Kevin Washburn, Assistant Secretary-Indian Affairs of the Department of the Interior. Among the subject areas for discussion will be career planning, Social Security benefits, tribal consultation and federal Indian law, LGBT awareness in the workplace, and the Violence against Women Act.

**Location:** Treasure Island Hotel & Casino, Welch, Minnesota

## LETTERS TO THE EDITOR

Re "Circle the Wagons!" by Donna Loring, which uses the cliché of the headline to symbolize the rejection of legislation that would benefit Natives (May 27):

This is a great article that captures the true "essence" of America.

—Andre Leonard

Re the resignation of Air Force Maj.

Gen. Michael A. Keltz, who said that a fellow serviceman appeared to be "drunker than 10,000 Indians" (May 6):

I am constantly amazed by the stupid comments continually made by supposedly intelligent white men. I guess idiocy has no age limits.

—Billy Redman

Charlotte, North Carolina

It is a shame that people don't get promoted to high positions because of their knowledge, compassion and empathy. It never fails to amaze me how educated individuals can open their mouth only to stick their foot in it. What a great way for Maj. Gen. Keltz to end his career.

—Michael Madrid

Las Cruces, New Mexico



## TOP NEWS ALERTS

From IndianCountryTodayMediaNetwork.com

### TEX HALL JOINS MARIJUANA COMPANY

Tex Hall, former chairman of the Three Affiliated Tribes, has joined Native American Organics LLC, a company that will help tribes enter the medical marijuana industry by setting up legal cultivation and distribution systems. Native interest in medical marijuana commerce has increased since the Justice Department effectively extended legalization rights to tribal governments in December. "There is no doubt in my mind that tribes have a competitive advantage when it comes to cannabis production, processing and sale," Hall said.

### HIGH COURT APPROACHED ON THORPE REBURIAL

The surviving sons of legendary Sac and Fox athlete Jim Thorpe

have asked the Supreme Court to permit the interment of his remains in the Oklahoma tribal land of his birth. The remains of Thorpe, a 1912 Olympic gold medalist, have been contested ever since he was interred in a roadside mausoleum in his namesake northeastern Pennsylvania town. "The Supreme Court cannot only help our family finally have closure," said William Thorpe, "but it can help prevent continuing discrimination against Native Americans across the country."

### EAGLE FEATHER IS GIVEN BACK

Within days of receiving an eagle feather presented to him in tribute by the Blackfeet Nation, Mayor Michael Winters of Great Falls, Montana, returned it to avoid violating federal law.

Winters received the feather at a Memorial Day Ceremony at which 12 Blackfeet warriors' names were added to the Montana Veterans Memorial. But Winters returned the gift because it is illegal for non-Native Americans to possess, distribute or sell eagle parts. "It's certainly disappointing, because it is such an honor for a non-Native," he told the *Great Falls Tribune*.

### STILLAGUAMISH AND POLICE REACH ACCORD

The Stillaguamish Indian Tribe and officials of Snohomish County in Washington have agreed that tribal police officers may be accorded the same authority as other police officers in the state—including the power to arrest non-tribal members. "The agreement allows Stillaguamish police officers to handle all calls

for service on tribal lands, no matter who commits the crime," said Stillaguamish Police Chief Joe Orford. The Stillaguamish police force serves a population of more than 3,000.

### MISS INDIAN FARMINGTON PAGEANT GOES COED

After nine years as an all-female event, the Miss Indian Farmington pageant in New Mexico will allow males to compete. From now on, the competition will be known as the Farmington American Indian Ambassador Pageant. By accepting men, said Farmington Indian Center Division Manager Myra Newman, the pageant will now be in line with similar events. "I'm kind of excited," said current Miss Indian Farmington Shenoa Jones, "what the male side and female side can bring." This year's pageant takes place on June 12.



# UPCOMING POW WOWS

## **COUSHATTA POW WOW**

6/12/15—6/13/15

The Pavilion at Coushatta Casino Resort  
777 Coushatta Drive  
Kinder, LA  
337-584-1545 or 337-584-1603  
karvie@coushattatribela.org;  
cwilliams@coushattatribela.org  
CoushattaPowWow.com

## **15TH ANNUAL TABLE MOUNTAIN RANCHERIA POW WOW**

6/12/15—6/14/15

Table Mountain Pow Wow Grounds  
8184 Table Mountain Road  
Friant, CA  
559-822-2890 or 559-284-4701

## **25TH ANNUAL FORT ANCIENT CELEBRATION**

6/13/15—6/14/15

6123 Street Route 350  
Oregonia, OH  
800-283-8904  
jbloesser@fortancient.org  
FortAncient.org

## **20TH ANNUAL ABORIGINAL GATHERING**

6/13/15—6/14/15

Peace River AIC  
Agricultural Grounds  
T8S 1H8 Peace River, Alberta, Canada  
United States Minor Outlying Islands  
PeaceRiverAIC.com

## **UNIVERSITY OF CALGARY GRADUATION BANQUET POW WOW**

6/13/15

University of Calgary - Red and White  
Club  
1833 Crowchild Trail Northwest  
T2N 1N4 Calgary, Alberta, Canada  
United States Minor Outlying Islands

## **19TH ANNUAL INTERTRIBAL SAN LUIS REY BAND OF MISSION INDIANS POW WOW**

6/13/15—6/14/15

San Luis Rey Mission Grounds  
4050 Mission Avenue  
Oceanside, CA  
760-727-0595 or 760-724-8505  
Email  
charlotte@slrmissionindians.org or  
cjmojado@slrmissionindians.org  
SLMissionIndians.org

## **WOLLOMONUPPOAG INDIAN COUNCIL ANNUAL POW WOW**

6/13/15—6/14/15

La Salette Shrine Fairgrounds  
Route 118  
Attleboro, MA

## **SHAWNEE TRIBE INTERTRIBAL CHILDREN'S POW WOW**

6/13/15

Ottawa Pow Wow Grounds  
11400 613 Road  
Miami, OK  
918-542-7232  
shawneechild@shawnee-tribe.com  
Shawnee-Tribe.com

## **NANTICOKE LENNI-LENAPE INDIAN POW WOW**

6/13/15—6/14/15

Salem County Fairgrounds  
Pilesgroves, NJ  
856-651-7335  
tvywolf23@hotmail.com

## **DANCERS OF THE PLAINS**

6/13/15—6/14/15

Archway Grounds  
Kearney, NE

## **30TH ANNUAL OCCANEECHI BAND OF SAPONI NATION GOOD MEDICINE POW WOW**

6/13/15—6/14/15

4902 Daily Store Road  
Burlington, NC  
336-421-1317  
obsntribe@gmail.com  
OBSN.org

## **12TH ANNUAL NATIONAL CENTER FOR GREAT LAKES**

### **NATIVE AMERICAN CULTURE**

Gathering of Great Lakes Nations

6/13/15—6/14/15

Tri-State Antique Gas Engine  
Association Grounds  
1010 Morton Street  
Portland, IN  
765-426-3022

kay.neumayr@ncglnac.com  
NCGLNAC.org

## **WHIRLING THUNDER MEMORIAL POW WOW**

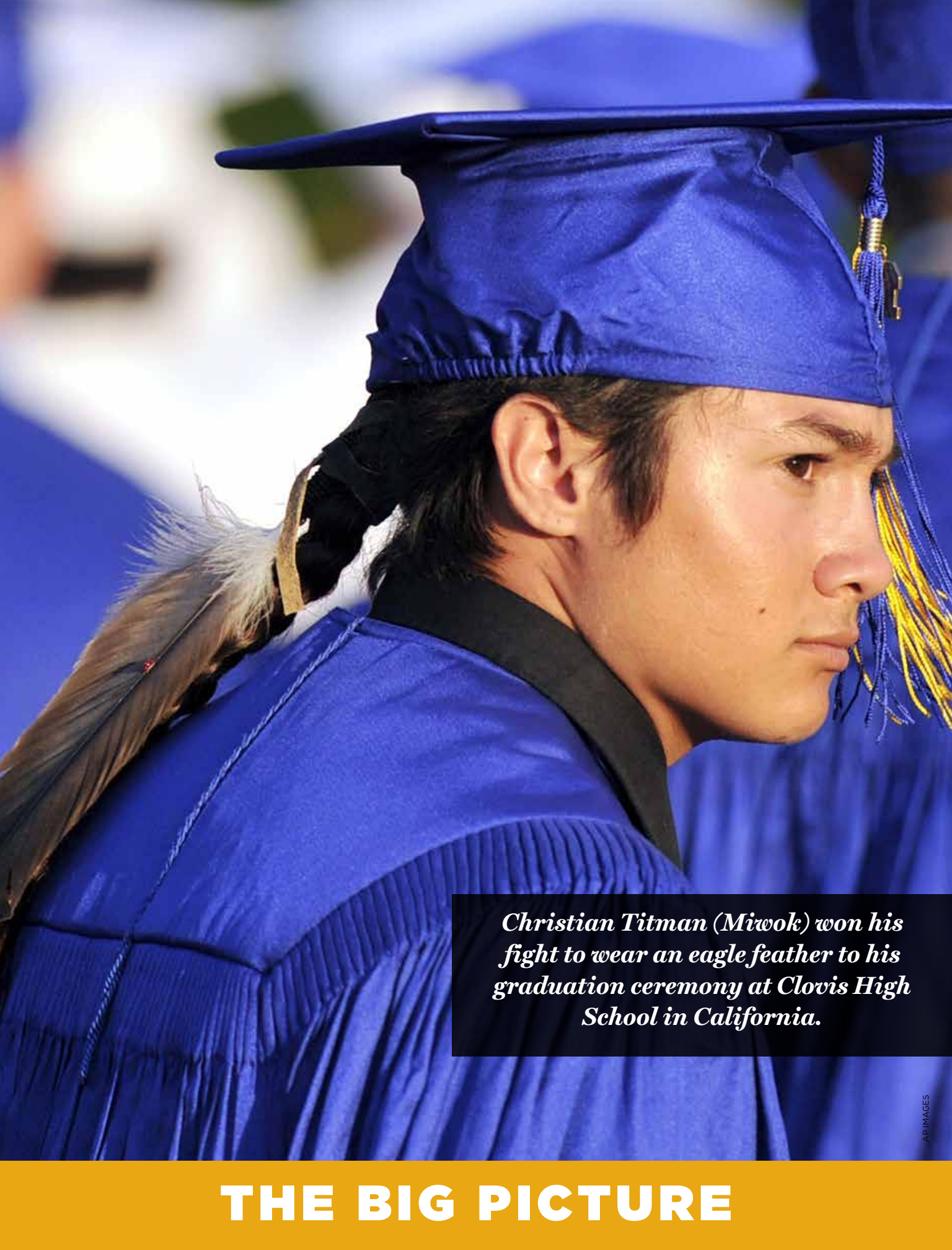
6/13/15—6/14/15

Raitt Homestead Farm Museum  
Eliot, ME  
603-495-2700  
info@thelittlebull.com

## **DRUMS ALONG THE HUDSON NATIVE AMERICAN FESTIVAL AND MULTICULTURAL CELEBRATION**

6/14/15

Inwood Hill Park  
218th Street and Indian Road  
New York, NY  
212-627-1076, ext 10  
dah@lotusmusicanddance.org  
DrumsAlongTheHudson.org



*Christian Titman (Miwok) won his fight to wear an eagle feather to his graduation ceremony at Clovis High School in California.*

AP IMAGES

**THE BIG PICTURE**