



Indian Country

TODAY THIS WEEK FROM
THE PREMIER E-NEWSLETTER SERVING THE NATIONS, CELEBRATING THE PEOPLE

A Letter from the Publisher

Shekóli. Whether as an activist, poet, performer or philosopher, the multidimensional John Trudell spoke the truth as he saw it. He saw the truth of the way things are, the way they were and the way they could be. His words were often full of caution and warning but also of hope. His message was simple: *Think*. Most important, think like a human being and think for yourself.

When Trudell walked on just over a week ago (or moved on to another dimensional reality, as he preferred to say), there was an outpouring of admiration and mourning for the loss of a great man's presence. There was also much to celebrate; he had left a lot of people a lot to think about. During a surreal few days before he moved on, a rumor spread on social media that he was already gone. His family reported that he was amused to hear it, and said he felt fortunate to hear all the good things said about him.

He also sent a message. "I appreciate all of your expressions of concern and I appreciate all of your expressions of love," he said. "It has



been like a fire to my heart. Thank you all for that fire. But please don't worry about me."

Trudell also made it known that he did not want a standard obituary and so was pleased to know that the noted critic Alex Jacobs was writing about him for ICTMN. This week's issue of our electronic magazine carries Jacob's elegiac remembrance, which makes a case for Trudell's greatness as a poet and spoken word performer. It is a fitting tribute. "I don't want to tell people how to remember me," Trudell said. "I want people to remember me as they remember me."

Given all that he had done, how could we ever forget?

NA Ki wa,

Ray Halbritter

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The Art of Leonard Peltier

Frank Hopper (Tlingit, Kaagwaantaan clan) finds outrage—and vindication—in the paintings of Leonard Peltier, now imprisoned for almost four decades for the murder of two FBI agents in 1975:

In a maximum-security prison in Coleman, Florida, a 71-year-old Native man sits at an easel. Squinting through reading glasses, he carefully paints pictures of Lakota warriors and elders and scenes from his people's history.

The artist is Leonard Peltier and his paintings are a door to the outside


world, the world of free men, into which his creativity can escape from nearly 40 years of incarceration.

But not if the FBI can help it. A week before Thanksgiving, four of Peltier's paintings were removed from a Washington State exhibition of Native art following complaints from ex-agents. I first heard of this when a friend posted a link to a news story. My friend wrote, "Can we get a rally together to oppose this?" I wrote back saying I'd be happy to help organize.

Seven of us showed up with signs and handouts. No one covered our rally. Lots

of cars passed, but only 12 or 15 honked and waved at us. I was discouraged at first.

Then I thought of Leonard. He wrote to me through his defense committee: "My art helps me escape from this nearly 40 years of torture. It is a relief from the hell hole of prison, and I know I will paint or sketch as long as I'm allowed and/or alive and able to do so."

After 40-plus years of continuous persecution by the FBI, the warrior Leonard Peltier still fights for Native people. Only now he uses a paintbrush instead of a gun. <http://bit.ly/1Nb3gAO> 

A Blueprint For Membership Sovereignty

James Mills, the current president of Creating Stronger Nations, addresses how he helped one First Nation overcome its contentious membership issues:

Since 1986, the Tk'emlups te Secwepemc Band in British Columbia has been working on taking control of their membership. Membership codes had been circulating among the Band for decades. Twice, voters defeated referendums to take control of their membership.

Then came along Tk'emlups Council Woman Colleen Mosterd-Mclean, who


was elected to her Council in 2012. One of her many responsibilities was Band membership, and with that new responsibility came a fierce determination to make things right for her nation.

I met Colleen at the 19th Annual Tribal Enrollment Conference in Las Vegas in 2013. Within a year she and I were working together to help draft a new code that would meet the concerns of their members and put her Band on the fast track to membership sovereignty.

In January 2015 I visited with Colleen to work with her and the administrative staff to determine what was crucial for them to include in the code. In two subsequent visits, we conducted three

Focus Forums with the membership so they could include what was necessary to give them the comfort and safety they required.

On November 14, I was present at the referendum election to help answer any questions the membership had about the new code. The referendum to take control of their membership, and to take a giant step towards what we often take for granted here in the United States—self-determination—was voted on favorably by a 5-1 ratio.

It was an overwhelming victory for both sovereignty and for the people of Tk'emlups te Secwepemc. <http://bit.ly/1R8dtBP> 

A Poet Activist's Final Journey

The death of the Dakota poet John Trudell (see story, p. 8) has inspired many reflections from ICTMN contributors, among them Steve Newcomb (Shawnee, Lenape):

John Trudell (Dakota) was a hero of mine. A remarkable wordsmith of the colonizer's language, philosopher, and a poet of the resistance, he saw through the false nature of the predator's reality structure. "It's like there is this predator energy on this planet," he said, "and this predator energy feeds on the es-


sence of the spirit."

As a teenager I used to read John's speeches. I recall wanting to be able to speak and write as lucidly as he did. His cogent statement, "If you're not angry, you're not paying attention," is truer today than it was back when he first said that bit of wisdom. Anger at domination and injustice when channeled properly can be a great catalyst, providing energy toward reform.

But, in my view, this has to be transmuted into a spiritual energy, through prayer and ceremony, so that it does not become destructive and self-incinerating. John knew we could not allow

our outrage to result in us repeating the cycles of destructiveness and trauma. It's about working toward healing.

John is now on his Spirit Journey across the Milky Way, leaving behind an amazing legacy of creativity and resistance. He will be missed, as we carry on in spiritual struggle against the domination system, on behalf of our nations, Mother Earth, and All Living Things.

As he put it, "No matter what they ever do to us, we must always act for the love of our people and the earth. We must not react out of hatred against those who have no sense." <http://bit.ly/1NOIQuI> 

Ottawa Takes Action On Murdered And Missing Women BY CARA MCKENNA

The Canadian government will begin its long-sought-for inquiry into missing and murdered indigenous women and girls by meeting with victims' family members, government ministers announced on December 8. Officials will continue their efforts by consulting with experts, aboriginal organizations and lower levels of government to design and focus the inquiry before its full launch next year.

Indigenous Affairs Minister Carolyn Bennett said the consultations will determine the scope and parameters of the inquiry, as well as possible commissioners and the role of families and ceremony in the process. She also said ministers would start meeting with victims' family members as soon as possible.

"Over the coming weeks our aim is to hear from as many people as possible," Bennett said. "We will get this right for the spirits and memories of those we have lost."

"No inquiry, as we know, can undo what happened, nor can it restore what we've lost," said Justice Minister Wilson-Raybould. "But it can help us find ways forward because we know, as a country, we can and must do better."

The inquiry will provide closure for families while showing "that racism is alive and well in Canada," said Anishinabek Nation Grand Council Chief Patrick. "Solutions need to be brought forward and we believe that public education and education in schools is one of the answers to this problem."

The inquiry is "a long time coming," said Assembly of First Nations National Chief Perry Bellegarde. "We have always said the families and individuals impacted by violence against women [should] be central to immediate action and a national inquiry." <http://bit.ly/1RAlAOy> ☘

Jewell Discusses Native Artifact Repatriation At Paris Conference

In addition to pointing up Native angles on climate change and resilience at the 21st Conference of Parties (COP21) in Paris, Secretary of the Interior Sally Jewell recently discussed the issue of repatriation of tribal sacred objects with French authorities.

Auction houses in Paris have lately gained notoriety for selling sacred objects despite objections from tribal representatives. But in a meeting with French Minister of Justice Christiane Taubira on December 2, Jewell expressed official concern over the practice, in the hope of building a working relationship to repatriate the objects to tribes.

"Jewell and Taubira discussed their shared commitment to helping tribes repatriate their sacred cultural objects that, under tribal customary law, are owned by the tribe as a whole and cannot be legally sold by individuals," the Interior Department reported. "The Secretary and Minister agreed to explore pathways that might provide greater protections for U.S. tribes seeking to repatriate their cultural property."

Jewell also met with President Catherine Chadelat of the Conseil des Ventes Volontaires, France's auctioneering association and regulator. At the meeting, Jewell requested greater transparency on behalf of tribes—specifically, knowing the origins of objects being sold by French auction houses prior to any sales.

"At the request of tribes, the U.S. Department of the Interior has worked closely with the Department of State, including the U.S. Embassy in Paris, to engage French authorities and raise public awareness," the Interior Department said. <http://bit.ly/1lr0Jtq> ☘



U.S. Department of the Interior
Land Buy-Back Program for Tribal Nations

LAND CONSOLIDATION EFFORTS UNDERWAY

The Land Buy-Back Program for Tribal Nations, created to implement part of the **Cobell Settlement**, is offering fair market value to landowners for voluntarily restoring fractional land interests to tribes, which helps ensure that Indian lands **stay in trust**.

- Many landowners have already been paid.
- The Program has successfully concluded transactions worth more than \$500 million, restoring the equivalent of more than 975,000 acres of land to tribal governments.
- All sales are voluntary, but landowners will only have 45 days to accept.

Landowners are encouraged to contact the U.S. Department of the Interior to learn about eligibility and to ensure that their contact information is up to date.

Please call the Trust Beneficiary Call Center Today:

1-888-678-6836

More information is available from your local Fiduciary Trust Officer, or on the web: www.doi.gov/buybackprogram

Indigenous Studies Now Required at Two Canadian Universities BY RICK KEARNS

Indigenous studies will soon be listed as degree requirements at two Canadian universities. Last month, the University of Winnipeg and Lakehead University announced that students must pass a three-credit course in indigenous history or culture to graduate. The requirement will start in September.


The required courses include a variety of offerings on indigenous history or culture, contemporary indigenous issues, local indigenous languages, indigenous ways of knowing, and research methodologies.

"All the aboriginal/indigenous students that I spoke to about this initiative were very thrilled and excited," said Saide-Phoenix Lavoie (Ojibway), co-president of the University of Winnipeg Aboriginal Student Council. "Most aboriginal students fall victim to stereotypes, covert and overt racism, misunderstandings and misconceptions of history, and their views are at times undermined by a lot of the student body and community in general."

"There is a great deal of injustice in the history of Canada," said Dr. Jacqueline T. Romanow (Métis), an associate professor in Winnipeg's Department of Indigenous Studies. "The Truth and

Reconciliation Commission has identified cultural genocide to be a fact of Canadian history."

She added, "How many Canadians know this? Understand what happened and what this really means? If we are ever to have meaningful reconciliation between Indigenous Peoples and the rest of Canada, there must be a full recognition of the truth."

In related news, last month the Students' Union of the University of Saskatchewan formally requested that indigenous content be taught in every degree program. University officials have said that they are open to the request. <http://bit.ly/1M1b97P> 

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The same can be said for individuals. Robin Post has been a secretary that stood in April—a difficult, cold-bearing experience that followed her travels for three years on and around the Spirit Lake Reservation. Remarkably, Post Bear emerged as a stronger, more determined person and a vocal advocate for abused women and children. She speaks to this Week From Indian Country Today in Health & Wellness in a heartfelt and inspiring profile.

NA 47 web



Bill To Make Bison The National Mammal Passes Senate Unanimously

The bison, once on the verge of extinction, is now one step closer to joining the bald eagle as a symbol of the country's natural heritage. The Senate has unanimously passed the National Bison Legacy Act, which would designate the iconic animal as the national mammal of the United States.

"The bison, like the bald eagle, has for many years been a symbol of America for its strength, endurance and dignity, reflecting the pioneer spirit of America," said Sen. John Hoeven (R-North Dakota) on December 4. Invoking the bison's importance to tribes, Hoeven said, "It makes sense for this noble animal to serve as our national mammal. The National Bison Legacy Act recognizes the important cultural and economic role the bison has played in our history, in North Dakota and across our nation."

The movement to elevate the bison to the national mammal has been gaining momentum since June 2014, when the act was introduced and sponsored by several senators. The House version, H.R.2908, is pending.

"Bison have roamed the North Dakota prairie for thousands of years, and they continue to remain intertwined in our state's heritage and traditions," said Heidi Heitkamp (D-North Dakota), one of the bill's sponsors. "As a symbol of strength and resilience, bison also continue to play an important role in Native American culture, and have had a great impact on our American history and heritage. It's fitting that the bison be recognized as the national mammal of the United States as we continue to take pride in its impact to our culture." <http://bit.ly/1NbV4hq> 📱

Indigenous Rights Boosted In Climate Change Talks BY MARIA CLARA VALENCIA

It was a small typographical alteration. But in terms of expressing the impact of climate change on Indigenous Peoples, it was a major improvement.

At the latest United Nations Climate Change Conference (COP21) in Paris earlier this month, the rights of the indigenous were included without brackets in the conference's nonbinding preamble. The words had been part of the document on previous occasions.

But the exclusion of the brackets marked the first time in 21 years since the first meeting of the Conference of the Parties to the U.N. Framework Convention on Climate Change that no participating countries registered official objections to the text.

The text speaks of the "importance of promoting, protecting and respecting all human rights, the right to development, the right to health, and the rights of Indigenous Peoples, migrants, children, persons with disabilities and people in vulnerable climate situations as well as promoting gender equality and the empowerment of women, while taking into account the needs of local communities, intergenerational equity concerns, and the integrity of ecosystems and of Mother Earth, when taking action to address climate change."

"It is a big step," Andrea Carmen (Yaqui Indian Nation of Arizona), executive director of the International Indian Treaty Council, told ICTMN. "But this is not over."

Indigenous Peoples were visibly represented at COP21, delivering declarations and calls for action that addressed such issues as land titling, respect and restoration of ancestral territoriality and climate finance.

Communities also demanded to be profiled as innovators, partners and essential stakeholders in the Paris agreement. <http://bit.ly/1U2yZa1> 📱

Addressing Assembly Of First Nations, Trudeau Makes History

BY CARA MCKENNA

Newly elected Canadian Prime Minister Justin Trudeau made history on December 8 by addressing the Assembly of First Nations Special Chiefs Assembly—the first sitting leader to do so.

"It is time for a renewed, nation-to-nation relationship with First Nations Peoples," Trudeau said before about 1,300 people. "One that understands that the constitutionally guaranteed rights of First Nations in Canada are not an inconvenience but rather a sacred obligation. One that is based on recognition of rights, respect, coopera-

tion and partnership. One that is guided by the spirit and intent of the original treaty relationship; one that respects inherent rights, treaties and jurisdictions; and one that respects the decisions of our courts."

Trudeau's address reiterated five points that were part of his campaign around a renewed nation-to-nation relationship. Drawing much approbation was his announcement that he would launch a national inquiry into the causes of the ongoing tragedy of more than 1,200 cases of murdered and missing indigenous women (see related story, p. 3).

Along with launching the inquiry, Trudeau said his government will make

"significant investments" in First Nations education, review all legislation imposed on First Nations by Stephen Harper's Conservative government, lift a two percent cap on funding for First Nations programs, and fully implement the recommendations from the Truth and Reconciliation Commission.

"There are many other actions we will take," he said, "from partnering with First Nations as we review and monitor major resource development projects, to providing significant new funding to help promote, preserve and protect indigenous languages and cultures, to working together on essential infrastructure projects from water to roads." <http://bit.ly/1NGFUEI> 📱

Supreme Court Hears Dollar General Case

A question of tribal jurisdiction gets its day BY SUZETTE BREWER

Bottom Line: *Years in the making, a potentially landmark Native lawsuit went before nine justices last week. The outcome is far from certain.*

As hundreds of Native people protested on the front steps of the Supreme Court, oral arguments were heard in *Dollar General v. Mississippi Band of Choctaw Indians* (MBCI), arguably one of the most important Indian law cases to go before the high court in half a century.

The company is asking the court to annul all civil jurisdiction over non-Indians on Indian lands. The request has drawn outrage from tribes across the nation who spent decades and billions building their judicial systems and legal codes to address the jurisdictional “black holes” on Indian lands.

Native women’s groups, including the National Indian Women’s Resource Center, have especially protested the case. They have argued that removing all jurisdiction over non-Indians will give perpetrators and corporate bad actors an exemption for the crimes they commit on Indian lands.

The case began on the Choctaw Indian Reservation in Mississippi in 2003 when a 13-year-old boy alleged that the store’s non-Indian manager, Dale Townsend, sexually assaulted him. After the U.S. Attorney’s office in Jackson declined to press charges, the boy’s parents sued the manager and the company in tribal court for \$2.5 million in actual and punitive damages.

Dollar General had previously signed a lease agreement with the tribe whereby it consented to tribal jurisdiction from any claims arising from its lease.

Both Townsend and Dollar General moved to dismiss the case based on lack of jurisdiction. This was denied by the tribe’s lower court, the MBCI Su-

preme Court and the 5th Circuit Court of Appeals in New Orleans.

In June, however, the high court granted a hearing in the case to determine whether non-Indians can be held civilly liable on Indian lands.

Arguing on behalf of Dollar General, Thomas Goldstein told the justices that a “neutral forum” would not be available or fair to non-Indians in tribal courts because they would be on Indian land—which, by definition, he said, is not an environment of their peers.

In addition, Goldstein posited that tort law is so all-encompassing that absent broad Congressional consent, it would be nearly impossible for tribal courts to fairly adjudicate civil claims. And even if Congress did grant consent, said Goldstein, “It would be unconstitutional.”

Immediately, Associate Justice Ruth Bader Ginsburg challenged Goldstein by asking about his distinction as to whether tribes had legislative—but not judicial—authority to adjudicate civil claims, indicating the “ping pong” effect between Congress and the courts that Indian tribes have been forced to contend with in the last 250 years.

Associate Justice Sonia Sotomayor questioned Goldstein’s premise that tribal court could be neutral forums. “You’re just assuming that the judges are not neutral,” she said.

Her colleague Stephen Breyer, who has visited several tribal courts systems during his time on the Supreme Court, suggested that tribal court systems deserve respect.

“What’s wrong with the tribal courts?” he asked Goldstein. “In state courts you can remove from the state court and you have the choice to adjudicate in federal court if you don’t feel you’ve been treated fairly.”

Goldstein reiterated that the Supreme Court is the “law of the land.” He indicated that tribes had other means to seek remedy to jurisdiction through the language of their contracts with outside corporations in regard to consenting to tribal forum.

Neal Katyal, attorney for the Mississippi Choctaw, noted that Dollar General had set up shop on tribal lands, signed a lease with the tribe, done business with them and agreed to hire underage interns through the tribe’s Youth Opportunity Program.

By doing so, he said, the company had created a significant consensual relationship with the tribe—and that the legal precedents that address this nexus are the “unbroken rule of this court.”

A visibly angry Associate Justice Anthony Kennedy responded that an “explicit consensual relationship” in regard to tort claims had not been reached in this case. He then called the nation’s Indian tribes non-constitutional entities, “whether Mississippi or the federal government doesn’t care!” (Mississippi and the Solicitor General had both sided with the tribe in this case.)

When Goldstein returned to the podium for his final remarks, he reiterated three issues regarding tribal courts. These included improper forum, neutral courts and the “administrability” of civil jurisdiction.

“You just want to cherry-pick what sovereignty means,” responded Sotomayor. “We don’t dictate to other sovereigns.”

Dollar General is the twelfth case involving Indian tribes that has gone before the Supreme Court since John Roberts became Chief Justice in 2005. The tribes have won only two of those cases. A decision is expected early next year. <http://bit.ly/1XVTqet> 📱

The State Of Tribal Justice

A Senate hearing offers a report card

Bottom Line: *Five years after the Tribal Law and Order Act was passed, progress has been made—and challenges remain.*

“How have the justice systems in Indian country improved?” asked Sen. John Barrasso (R-Wyoming), chairman of the Senate Committee on Indian Affairs, on December 2.

The answer from Tracy Toulou, director of the Office of Tribal Justice at the Justice Department, was both upbeat and qualified. Toulou was testifying at an Indian Affairs oversight hearing titled “Tribal Law and Order Act (TLOA)—Five Years Later.”

When it was signed into law in 2010, TLOA directed the federal government “to provide tribal governments with the tools they need to better protect their communities, to live up to our treaty and trust obligations and to be more accountable for our efforts to enhance public safety in Indian country,” said Toulou at the hearing.

The Act, undertaken at the initiative of then-Attorney General Eric Holder, emphasizes decreasing violence against Native American and Alaska Native women, hiring more law enforcement officials for Native American lands, providing additional tools to address Native public safety needs and—significantly—enhancing tribal authority to prosecute and punish criminals.

In her testimony, Toulou emphasized the tribal role in these several goals.

“The [Justice Department] views tribes as partners in ensuring public safety in Indian country and is committed to maximizing tribal control over tribal affairs,” she said. “It is our belief, informed by experience, that challenges faced by tribes are generally best met by tribal solutions.

“In support of this commitment and the government-to-government nature of our relationships with tribes, the department has worked to fulfill its responsibilities under TLOA in a way that

will ultimately empower tribes to operate with more autonomy.”

It is important that tribes have access to law enforcement databases, Toulou testified. However, tribes have hit roadblocks, she noted, because they are too often caught up in red tape. Therefore, Toulou said, Justice has established two programs to improve access.

The first is the Justice Telecommunications System program. Launched in 2010, it provides participating tribes with access to the National Crime Information Center (NCIC). Twenty-three tribes currently use the program.

The [Justice Department] views tribes as partners in ensuring public safety in Indian country.

The Justice Department’s second major initiative in this arena is the Tribal Access Program for National Crime Information (TAP), a more comprehensive access program that was announced in August. It is designed to provide tribes with increased access to the Justice Department’s Criminal Justice Information Services Division.

The TAP program is currently being used by 10 tribal participants who are providing feedback on the training, technical assistance, equipment and maintenance of the program. “Early feedback has been very positive and it is our intention to eventually make

this program available to any interested tribe,” Toulou said.

Toulou further stated that the Justice Department has increased its efforts to support tribal governments that are exercising expanded sentencing authority while working to improve high-quality training opportunities. The department believes training is “a necessary element to bolstering tribal autonomy,” she said.

To that end, in 2010 the Executive Office of U.S. Attorneys launched the National Indian Country Training Initiative to assist in ensuring that training and support are available to those who need it to prosecute crimes in Indian country.

The FBI is also working on a training course that will include instruction in forensic evidence collection and preparatory instruction on investigations common in Indian country, such as domestic violence, child abuse, violent crimes, human trafficking and drug trafficking. The course will be held four times a year with 24 students in each session and will jointly be taught by the FBI and Bureau of Indian Affairs “mentors.”

Toulou told the committee that Justice’s efforts to cross-deputize tribal law enforcement officials constitute its most meaningful display of its commitment to a government-to-government relationship.

“Our work to enhance public safety has been, and continues to be, shaped by our commitment to empower tribal governments; to improve coordination and collaboration at the federal, tribal, state and local levels; and to be appropriately accountable for the work we do,” Toulou said.

Others who testified at the hearing were Larry Roberts, principal deputy assistant secretary for Indian Affairs at the Interior Department; Mirtha Beadle, director of the Office of Tribal Affairs and Policy at the Department of Health and Human Services; and Hon. Glen Gobin, chairman of the Tulalip Tribes of Washington. <http://bit.ly/1YRZ1zm> 📱

The Legacy Of John Trudell

From activism to artistry, a unique and powerful journey BY ALEX JACOBS



The life of the late poet/activist John Trudell (Lakota) was one of passion and persuasion.

Bottom Line: *'Extremely eloquent, therefore extremely dangerous,' the Santee Dakota advocate and sheer creative force John Trudell lived many lives in his 69 years.*

John Trudell, the Santee Dakota activist, artist, actor, and poet who dedicated himself to indigenous human rights, land and language issues, and who helped spark a spoken word movement that has continued Native American oral traditions, walked on December 8 at the age of 69. The cause was cancer.

Born on February 15, 1946 in Omaha, Trudell spent his early years living on the Santee Reservation in northern Nebraska. His mother died when he was 6. From ages 9-12, the new rock 'n' roll music resonated with him. High school, he said, was not good for him, and so he enlisted in the Navy from 1963 until 1967. He married Fenicia "Lou" Ordóñez in 1968 in California and briefly attended college, thinking he would go into radio and broadcasting.

But for Trudell and Native Americans

everywhere, everything changed on November 20, 1969, when Native American students and organizers—Trudell among them—occupied Alcatraz Island. That group became "Indians of All Tribes"; they issued the manifesto "We Hold the Rock" and eventually the book *Alcatraz is Not an Island*.

The Alcatraz Occupation became an incubator for the nascent Native American rights movement, including the American Indian Movement (AIM). The legal basis for this occupation was the

Treaty of Fort Laramie of 1868, which said that any abandoned federal property would revert to the Indian Nations. This treaty's legality would inspire many more actions across Indian country.

Trudell always maintained that all these political actions were not just moral, ethical issues but legal issues as well, according to Native treaty rights and federal trust responsibilities.

Trudell used his broadcasting experience on the airwaves of "Radio Free Alcatraz." His marriage would end during this period as he became a leading Native spokesman, attracting national attention. The negotiations over Alcatraz, the proposed Indian Center and the occupation itself fell apart in 1971.

But many names of Native activists, organizers, artists, writers and actors from that time would become prominent in ensuing struggles, movement and documentation. In 1973, Trudell became the national spokesperson for AIM. It was a position he held until 1979.

Trudell did not think that Natives should call their music and poetry "political or protest," as those were labels that had been designated by those in control. Rather, he categorized this material as cultural realities and artistic statements: "We are speaking our truth, bringing our energy. Music is its own energy, it's good and positive in strengthening our communities."

The FBI agreed. As quoted in the 2005 documentary *Trudell*, an FBI memo noted, "He is extremely eloquent, therefore extremely dangerous." The bureau compiled a 17,000-page dossier on him, one of the longest in its history. As Trudell said in the documentary *Incident at Oglala*, "All I did was talk, and they cracked down hard just for that."

A pivotal and cataclysmic moment in Trudell's life occurred in February 1979. That was when his wife Tina, their children Ricarda Star, Sunshine Karma and Eli Changing Sun, their unborn son Josiah Hawk and Tina's mother Leah Hicks-Manning died in a suspicious fire in their parents' house at the Duck Valley Reservation, Nevada.

Trudell's family was known to have local enemies in law enforcement. But arson could not be proved even after a

private investigator whom Trudell had hired said that the official version of events was practically impossible.

In the period that followed, some dubbed Trudell an ex-activist. But that was a label he criticized. He would go on to influence a generation of activists and ordinary people. Many artists now use the phrase "Art Saved Me," which somewhat applied to Trudell, because after the fire he found himself compelled to write poetry. He said the phrase simply came to him, as if Tina were talking to him and he was just "following the lines."

"I didn't even know what reality was," he said. "Then these lines came into my head and something said, 'Don't stop writing.' I started to write my lines. They're called poems, but in reality they are lines for me to hold onto, my hanging-on lines. It was real to me, it was a parting gift from Tina."

He issued the chapbook *Living in Reality* in 1982. That same year, he began recording his poetry to traditional Native music by talking his friend Quiltman into backing him on drum and vocals. In 1983, he released his debut album *Tribal Voice* on his own Peace Company label. His relationship with Jackson Browne led him to other supporters like Kris Kristofferson, Bonnie Raitt, Indigo Girls, John Fogerty, Willie Nelson, and Bob Dylan.

In 1986, the legendary Kiowa guitarist Jesse Ed Davis said to him, "I can turn your poems into songs." They recorded three albums during this time. Bob Dylan called AKA *Graffiti Man*, released in 1986, the best album of the year. It was followed by both *But This Isn't El Salvador* and *Heart Jump Bouquet* in 1987.

Trudell's spoken word and music catalog is formidable. The title track of *Fables and Other Realities* (1991) jumps at the listener from the speaker and screen, thanks to Trudell's urgent, rhythmic delivery—a style he would use in future songs and videos. The album kicked off a good collaboration period with Mark Shark and other musicians.

Trudell embarked on another pivotal period when he started up his Bad Dog touring band in 1999. He always said he wanted to bring Bad Dog everywhere with him from then on, but most times people were happy just to hear him speak.

1999 brought international attention, too, with *Stickman: Poems, Lyrics, Talks* edited by Paola Iglioni. Further success came in 2001 with *Bone Days*, which was produced by actress Angelina Jolie. Trudell and Bad Dog would release *Madness And The Moremes*, a double album in 2007, and *Crazier Than Hell* in 2010. *JT—DNA (Descendant Now Ancestor)*, 2001, is all spoken word—no music—and represents his more popular speeches and themes.


Trudell's movie career also created a new generation of fans with feature films like *Thunderheart*, a 1992 Hollywood thriller by director Michael Apted. Apted swung a documentary film into the deal—*Incident at Oglala*, produced/narrated by Robert Redford.

He was also in the seminal 1998 Native-made film, *Smoke Signals*, written by Sherman Alexie and directed by Chris Eyre. His great line in the film is "It's a good day to be indigenous." He was even in the Steven Seagal thriller *On Deadly Ground*.

In constant demand as a speaker, presenter or commentator, he preferred to post speeches and videos on his website, Facebook or YouTube. His lengthy illness became generally known, and one may assume he was involved in medical marijuana therapy, given videos for songs like *Wildseed*, *Grassfire* and various Bad Dog concerts and interviews.

Trudell is survived by several children who, as he said, are "spread around the country so they will always be safe." His daughters Sage, Song and Star are featured in the 2005 documentary and his daughter Tara and her sisters were at Alcatraz. His youngest boy, Cetan, lives in San Francisco. He was very private about his family life and had managers screen all of his business and social media. His last big media success was the book *Lines From a Mined Mind: The Words of John Trudell*, a collection of 25 years of poetry, lyrics and essays from Fulcrum Publishing, 2008.

Trudell shared pain, courage, insight and wisdom. He felt he could mix thoughts, poetry, music and human energy to create power. Some felt him a prophet like Bob Marley.

But he also said he was a happy soldier in Elvis Presley's army. <http://bit.ly/1YYIoC6> 

Goodbye, Kevin Washburn

BIA leader will return to teaching after a memorable tenure BY TANYA H. LEE



Kevin Washburn is stepping down as Assistant Secretary-Indian Affairs after more than three years.

Bottom Line: During his three years as Assistant Secretary-Indian Affairs, Kevin Washburn tackled a bevy of Native concerns. Preparing to resume his private life, he shares his thoughts on his record:

Kevin K. Washburn, who has served as head of the Bureau of Indian Affairs (BIA) since September 2012, will step down in January.

"The [federal] commitment to Indian country has never been higher in my life-

time," Washburn said in a broad-ranging, exclusive interview with ICTMN. "President Obama's leadership has dramatically expanded tribal sovereignty and it's been an honor to be here during that time."

The tenure of Washburn, an enrolled member of the Chickasaw Nation in Oklahoma, as Assistant Secretary-Indian Affairs in the Interior Department has been the longest since Ada Deer left the position in 1997.

Washburn will be moving to join his

family in Albuquerque, where he plans to teach and write at the University of New Mexico School of Law. Principal Deputy Assistant Secretary Lawrence "Larry" Roberts will lead the Indian Affairs Bureau for the remainder of the Obama administration.

Washburn put forth many changes that are likely to have long-lasting effects in Indian country. Chief among them, perhaps, is a greater commitment on the part of the federal government to tribal

self-governance and support for economic development on tribal lands.

"For years, the federal government has been generally supportive of the idea of tribal self-determination and tribal self-governance," Washburn told ICTMN. "What that means is that we contract with the tribes to meet the federal trust responsibility rather than having it provided by federal employees.

"But we've never given proper resources to that. One of the great things that we've changed is that we now are fully funding these tribal contracts, and going forward we've asked Congress for mandatory funding [for the contracts]. That means much greater support for tribal self-determination and tribal self-governance."

Another "big-ticket item," said Washburn, is economic development.

"One of the great obstacles to economic development in Indian country is the fact that states could tax activities on Indian reservations in some circumstances," he said. "We have gone through our regulations, our leasing regulations, our right-of-way regulations.

"And we're even starting to apply the HEARTH [Helping Expedite and Advance Responsible Tribal Home Ownership] Act in a way that preempts state taxation so the tribal tax opportunities are not crowded out and tribes will have a much greater tax base."

During Washburn's time in office there was much reconsideration of the Indian Child Welfare Act (ICWA), highlighted by the *Adoptive Couple v. Baby Girl* ("Baby Veronica") case that went before the Supreme Court.

"The most important part of the Indian community is our children, and we've got to keep them," Washburn said. "The ICWA has not lived up to its promise, so we've been looking at ways to improve that. We updated guidelines that needed to be updated and we're looking at the rules for implementing the law."

Washburn noted that the BIA had been heavily involved in the discussions and negotiations for the reauthorization of the Elementary and Secondary Education Act (Every Student Succeeds Act of 2015), which President Obama signed into law last week.

"So much of the time, when these bills go through Congress, no one thinks about the tribal angle. We have been very engaged in that. One of the things we wanted to make sure was that it's no worse for tribes than the previous regime. We saw earlier drafts of the bill where they'd just sort of forgotten about the very good things that were in the old bill for tribes, such as flexibility. So we've worked to make sure this bill is protective of that.

"We know that Indian communities are not going to be supportive of their schools if those schools are lacking tribal language and tribal culture, so we need to have the ability to infuse those schools with language and cultures to draw the community to those schools to support them. In the final version of the bill, those things are considered and the tribes have the flexibility they need to do those things."

Change, however, has not necessarily come easily.

"We dramatically improved the department's ability to acknowledge tribes, but we'll have to see if that takes hold. Congress is denying it," Washburn said. "Some conservative members of Congress are opposed to tribal sovereignty and to taking land into trust and opposed to the recognition of tribes, so we're seeing a backlash against some of our accomplishments, but that's to be expected when you achieve [so much] for Indian country."

The backlash in Congress concerns Washburn.

"There have been some people [who are] really opposed to the department taking land into trust for tribes. The Obama administration has taken more than 300,000 acres into trust and is on the precipice of 400,000 acres soon. Some very conservative members of Congress are mad about that. So some of our challenges going forward are political. We've got a lot more good to do."

That unfulfilled list is extensive. It includes safekeeping the updated federal acknowledgment process, continuing to transform the Bureau of Indian Affairs, finalizing right-of-way regulations, and meeting the departmental goal of restoring 500,000 acres of tribal homelands.

Another priority is further updating ICWA regulations so that they work better for Indian children and families and upholding trust and treaty obligations with self-determination and self-governance at the core of every decision.

Washburn is also disturbed by the Dollar General case now before the Supreme Court because it threatens tribal sovereignty.

"After seeing the oral arguments transcript, it's troubling. Indian country always feels it's two steps forward and one step back and I think they feel very, very strongly about the [advances made by the] Obama administration," he said. "But the courts are more of a challenge for tribes. On balance, tribes do well at the policy-making areas of the federal government and less so in the courts."


Nonetheless, Washburn feels that Indian country is far better off now than it was when Barack Obama became president.

"When President Obama took office there was not a single tribe that had felony jurisdiction over its own people," Washburn said. "That was corrected in the Tribal Law and Order Act of 2010. When he took office there was not a single tribe in the country that had jurisdiction over non-Indians. That was addressed in the VAWA [Violence Against Women Act] reauthorization of 2013."

Washburn also touched on the success that this administration has had in eliminating litigation between the tribes and the federal government.

"We've settled a lot of past cases—the Cobell case and dozens of other lawsuits. You can't be litigating against people and trying to serve them at the same time and the Obama administration realized that. We've since settled 83 different cases claiming breaches of trust. We have resolved the contract support cost litigation, the Ramah litigation and a lot of other past disputes."

The relationship between the tribes and the federal government, Washburn believes, has changed fundamentally in the last several years.

"The tribes now believe to a great degree that they can trust the federal government and certainly the Obama administration." <http://bit.ly/1SRg153> 

This building is being constructed through the Multifamily Preservation Loan Program (MPLP) of the New York City Department of Housing Preservation and Development.



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Unit Size	Monthly Rent*	Units Available		Household Size**	Annual Household Earning***
Studio	\$788	9	→	1 person	\$28,389 - \$36,300
1 bedroom	\$847	10	→	1 person	\$30,446 - \$36,300
				2 people	\$30,446 - \$41,460
2 bedroom	\$836	2	→	2 people	\$30,103 - \$34,550
				3 people	\$30,103 - \$38,850
				4 people	\$30,103 - \$43,150
2 bedroom	\$1,025	2	→	2 people	\$36,583 - \$41,460
				3 people	\$36,583 - \$46,620
				4 people	\$36,583 - \$51,780
3 bedroom	\$1,182	5	→	3 people	\$42,412 - \$46,620
				4 people	\$42,412 - \$51,780
				5 people	\$42,412 - \$55,980
				6 people	\$42,412 - \$60,120
4 bedroom	\$1,323	1	→	4 people	\$47,280 - \$51,780
				5 people	\$47,280 - \$55,980
				6 people	\$47,280 - \$60,120
				7 people	\$47,280 - \$64,260
				8 people	\$47,280 - \$68,400

* Rent includes gas for cooking.

** Household size includes everyone who will live with you, including parents and children. Subject to occupancy criteria.

*** Household earnings includes salary, hourly wages, tips, Social Security, child support, and other income for household members. Income guidelines subject to change.

How Do You Apply?

Apply online or through mail. To apply online, please go to: www.nyc.gov/housingconnect. To request an application by mail, send a self-addressed envelope to: **Kings Villas c/o 260 Powers Street Brooklyn, NY 11211**. Only send one application per development. Do not submit duplicate applications. Do not apply online and also send in a paper application. Applicants who submit more than one application may be disqualified.

When is the Deadline?

Applications must be postmarked or submitted online no later than **February 4, 2016**. Late applications will not be considered.

What Happens After You Submit an Application?

After the deadline, applications are selected for review through a lottery process. If yours is selected and you appear to qualify, you will be invited to an interview to continue the process of determining your eligibility. Interviews are usually scheduled from 2 to 10 months after the application deadline. You will be asked to bring documents that verify your household size, identity of members of your household, and your household income.

Español

Para recibir una traducción de este anuncio y la aplicación en español, envíe un sobre con su dirección y sello a **Kings Villas c/o 260 Powers Street Brooklyn, NY 11211**. En la parte posterior del sobre, escribir en inglés la palabra "SPANISH". Las solicitudes llenas deben enviarse por correo a más tardar el 4 de febrero 2016

简体中文

若要获取此广告和申请表的中文翻译, 请将回邮信封发送到: **Kings Villas c/o 260 Powers Street Brooklyn, NY 11211**. 请在信封的背面书写英文单词 "CHINESE". 填写好的申请表必须在2016年2月4日。

한국어

이 광고문과 신청서에 대한 한국어 번역본을 받아보시려면 반송용 봉투를 **Kings Villas c/o 260 Powers Street Brooklyn, NY 11211**. (으)로 보내주시시오. 봉투 뒷면에 "KOREAN" 이라고 영어로 적어주시시오. 작성된 신청서에는 늦어도 2016년 2월 4일, 까지의 날짜 소인이 찍혀 있어야 합니다.

Kreyol Ayisyen

Pou resevwa yon tradiksyon reklam sa a ak aplikasyon an nan lang, voye anvòp ki gen adrès pou retounen li a nan **Kings Villas c/o 260 Powers Street Brooklyn, NY 11211**. Dèye anvòp la, ekri mo, "HAITIAN CREOLE" nan lang Anglè. Ou dwe tenbre aplikasyon ou ranpli yo anvan dat fevriye 4, 2016

Русский

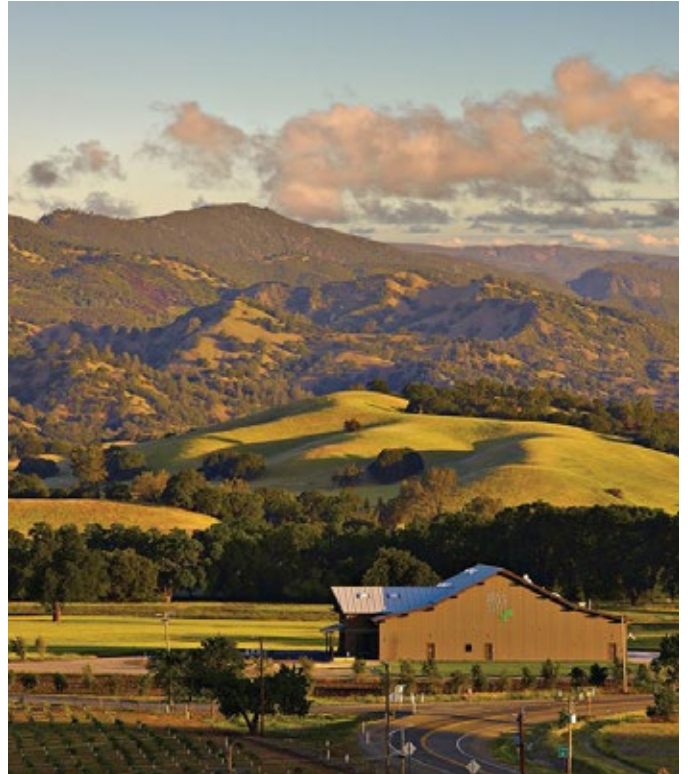
Для получения данного объявления и заявления на русском языке отправьте конверт с обратным адресом по адресу: **Kings Villas c/o 260 Powers Street Brooklyn, NY 11211**. На задней стороне конверта напишите слово "RUSSIAN" на английском языке. Заполненные заявления должны быть отправлены по почте не позднее 4 января 2016



Mayor Bill de Blasio
HPD Commissioner Vicki Been
www.nyc.gov/housingconnect



Former Colorado senator Ben Nighthorse Campbell is stepping up efforts to build the Native American Veterans Memorial in Washington, D.C.



Since 2011 the Yocha Dehe Wintun Nation has done a brisk trade in wine, olive oil and other items at its California estate.



Assembly of First Nations National Chief Perry Bellegarde met with Canadian Prime Minister Justin Trudeau at the AFN Special Chiefs Assembly.



Deborah Parker, a past Tulalip Tribes council member, was one of many Indigenous participants at the U.N. Conference on Climate Change in Paris.

Ross Towers

a 112 unit building including units designated for the mobility impaired located at 200 Lafayette Avenue Suffern, NY 10901 is reopening its waiting list for rental to elderly 62 years of age and over with limited income of \$34,600 for 1 person and \$39,550 for 2 persons.

Qualifications will be based on Section 8 Federal guidelines.

Interested persons may obtain an application by calling 845-357-9507 ext. 105, Monday thru Friday

9AM—1PM or

By writing to
Ron Bynoe, General Manager
Ross Towers—Rockland Home for the Aged
P.O. Box 148
Suffern, NY 10901

If you have a disability and need assistance with the application process, Please call Ron Bynoe at 845-357-9507 ext. 112.

Completed applications should be sent by regular mail and must be received no later than January 15th 2016.



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UPCOMING EVENTS

**INDIAN EDUCATION ADVISORY
COUNCIL (IEAC) MEETING
DECEMBER 16**

Following a prayer and welcome, and a review of subcommittee activities, there will be a presentation and review of the Native American Student Achievement Advisory Council (NASAAC) final report and the governor of South Dakota's budget recommendations. A discussion and action plan IEAC recommendations derived from the NASAAC Report will ensue.

Location: Native American United Methodist Church, Anaheim, CA

**TRIBAL CONSULTATION: JOHNSON
O'MALLEY PROGRAM DECEMBER 17**

This consultation session will obtain oral and written comments on issues concerning the Johnson-O'Malley program. The program was formed as a nonprofit educational organization in part to maintain formal liaisons with tribal, state and federal governmental agencies and other educational organizations, including the National Congress of American Indians and the National Indian Education Association. A consultation booklet will be distributed to all federally recognized Indian Tribes, Bureau Regional and Agency Offices and Bureau-funded schools. **Location:** South Interior Building, Washington, D.C.

36TH ANNUAL TONI HAWK

**MEMORIAL CHRISTMAS
POWOW DECEMBER 19**

Features will include a gourd dance, cakewalk and Santa Claus. All drums and dancers are welcome.

Location: Native American United Methodist Church, Anaheim, CA

**THUNDERBIRD AMERICAN
INDIAN DANCERS POTLUCK
DINNER DECEMBER 19**

Dedicated to preserving the culture and traditions of American Indian People, the legendary dancers continue to demonstrate their unique brand of performance after more than four decades.

Location: La MaMa Theater, New York, NY

LETTERS TO THE EDITOR

Re "The Next Generation of Zealous, Intolerant Crusaders" by Mike Myers (Nov. 30):

Mr. Myers offers a positive, hopeful alternative—that we can create a better future based on cultural congruency. It is a lot to think about. It is very true, as he writes, that "We do not come from ways-of-life that are violent and hateful. We come from legacies of excellence

and genius that developed amazing civilizations."

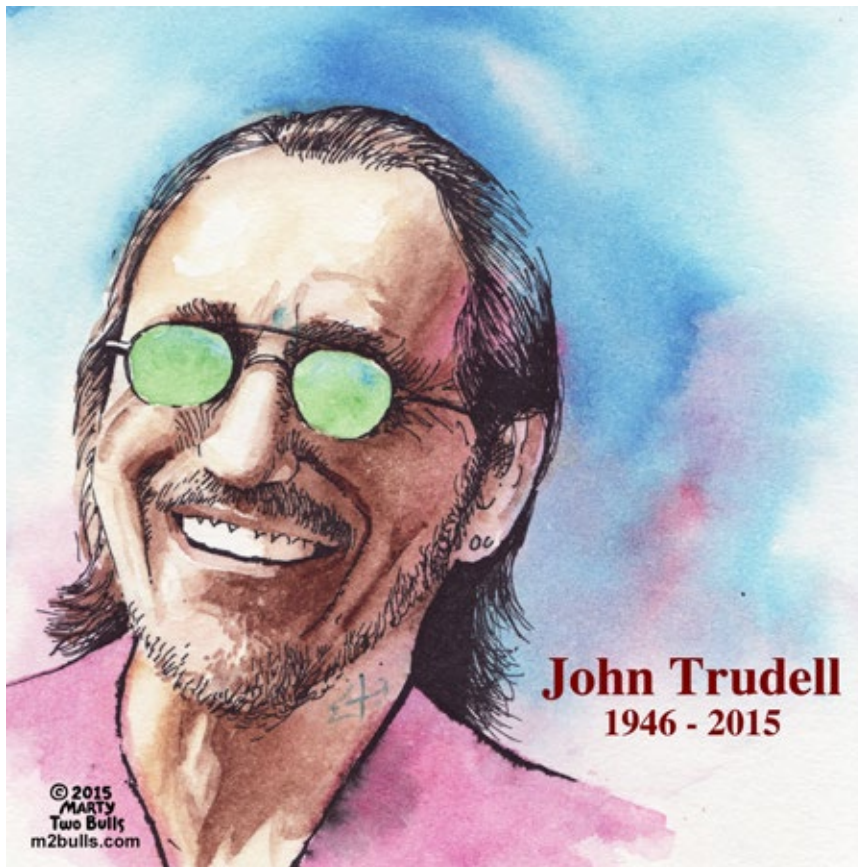
—Christina Lofink
San Jose, California

I quote Mr. Myers thusly: "To me, culturally appropriate is about putting feathers on someone else's thing and pretending that this is now somehow Indigenous. Striving for cultural con-

gruency requires deep thinking, understanding and innovation that draws upon the worldview, generations of cultural development, values and beliefs of our particular way-of-life to be the center of whatever we are doing."

That is mindfully written and central to living in the right relationship.

—Sammy Snake
Saint Charles, Missouri



TOP NEWS ALERTS

From IndianCountryTodayMediaNetwork.com

COCA-COLA APOLOGIZES FOR VIDEO

The Coca-Cola Company has apologized for a new Christmas video that depicts young, jubilant white people distributing Cokes to a community of sullen, indigenous peoples in Mexico. Activists called the video racist and said it "reproduced and reinforced stereotypes" of indigenous peoples, the Guardian reported. "Our intention was never to be insensitive to or underestimate any indigenous group," Coca-Cola said in a statement. "We have now removed the video and apologize to anyone who may have been offended."

TALKING STICK RESORT IS HONORED

Talking Stick Resort in Scottsdale, Arizona, owned by the Salt River

Pima-Maricopa Indian Community, has been recognized as a bronze winner for "Best Place to Work-Large Company" in the Best in Biz Awards 2015, the only independent business awards program judged by press and industry analysts. "We are honored and truly grateful," said Talking Stick Resort public relations director Ramon Martinez. "We take pride in creating a supportive and encouraging work environment across all of our departments."

TRIBAL OFFICER ACQUITTED

A former Oglala Sioux Tribe police officer accused of excessive force after repeatedly using a Taser on an intoxicated man in 2014 was found not guilty by a federal jury in Rapid City, South Dakota last week. Rebecca Sotherland "faced three charges in

U.S. District Court: deprivation of constitutional rights by the use of unreasonable force by a police officer; assault with a dangerous weapon; and obstruction of a federal investigation by filing a false report of the incident," reported the *Rapid City Journal*. Sotherland was fired after the incident.

NEW SEMINOLE GAMING COMPACT

A new 20-year compact between the Seminoles and the state of Florida now gives the tribe the exclusive right to operate blackjack at its seven casinos and add craps and roulette to gaming tables. The compact includes a guarantee that the tribe will generate \$3 billion in added revenue for the state over seven years. Gov. Rick Scott called the arrangement

"the foundation of a stable and predictable gaming environment." The Florida legislature, as well as the Interior Department, must still ratify the agreement.

ARRESTS IN DOWNWIND CASE

Two men have been arrested and charged with second-degree murder in connection to the disappearance of Rose Downwind, the granddaughter of American Indian Movement co-founder Dennis Banks. The two men are Downwind's ex-boyfriend, Marchello Anthony Cimmarusti, 40, and his friend Brandon Joseph Rossbach, 31. Word of the arrests came as news broke that a body had been found in a shallow grave in Bemidji, Minnesota. Downwind, 31, a mother of five, was last seen on October 21.



The Senate has unanimously designated the bison as the country's national mammal.

THE BIG PICTURE