



# Indian Country

THIS WEEK FROM

## TODAY

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### *A Letter from the Publisher*



*Shekóli.* Another winter sky, sun and moon are upon us, ushering in a new period of rest and reflection. The nature of the endless and stately cycle of the seasons puts the lie to the idea of one year coming to a stop and another beginning. Still, the calendar is about to turn a page and so marks a good time to remember all that has gone before in This Week From Indian Country Today's annual Year in Review issue.

The highlights are many. Activist leader Billy Frank was acknowledged at the highest levels of the U.S. government when he was honored posthumously with the Presidential Medal of Freedom. The Iroquois Nationals lacrosse team won a silver medal in international competition, and made even greater strides in international diplomacy by hosting the indoor championships. In contrast, the Washington football team sank even lower. Young Native activists won a landmark trademark lawsuit against the team, and its racist nickname was

banned in California's public schools thanks to legislation introduced by Native students.

Then there are the significant stories behind other names and headlines. Such as Dollar General. Junipero Serra. Shakopee Funds Seeds of Health. Canadian Elections. A \$1 Billion Contract Support Contracts Settlement. The Recognition of the Pamunkey. Land for Mashpee Wampanoag. The First Lady Speaks to Tribal Youth. Kevin Washburn Steps Down. Milestones for Female Leaders: Lynn Valbuena, Jo Ann Kaufman, Denise Juneau and Karen Diver. John Trudell Walks On.

Through good news and bad, the intensity of interest in these stories can only be a good thing. It points to the increasing degree to which Indian country is informed and energized. This spirit, too, can be rendered as a 2015 headline: Native Peoples Are A Force To Be Reckoned With.

NA Ki wa,

Ray Halbritter

### Table of *Contents*



2	COMMENTARY
3	NEWS
5	SUPREME COURT GRANTS HEARING IN TRIBAL JUSTICE CASE
7	THE FAIRBANKS FOUR ARE FREE
9	ORTEGA'S LAST STAND
10	TRIBE MAY HAVE LAST WORD ON NUCLEAR WASTE
12	CLASSIFIEDS
13	WEEK IN PHOTOS
14	HEADLINES, LETTERS, EVENTS
15	YEAR IN PHOTOS
22	FAME AND SHAME AWARDS
25	POLITICS
28	SPORTS
29	NATIVE ENTERTAINMENT
30	YEAR OF INJUSTICE
31	CANADA
32	BUSINESS
35	EDUCATION
36	ENVIRONMENT
37	MEMORIALS
38	BIG PICTURE

## Disenrollment And The Bottom Line

**Anthony Broadman and Jared Miller** argue against the current disenrollment movement on financial grounds:

Disenrollment harms existing businesses. In Washington, a small Nooksack faction has unsuccessfully tried to disenroll a group of members since late 2012. The nearly three years of upheaval has brought the Nooksack government's operations to a screeching halt and impaired all of the tribe's businesses.

Meanwhile, the Picayune Rancheria of Chukchansi Indians, which "has been disenrolling members for decades" for sake of larger Indian gaming revenue per-capita distributions to remaining tribal mem-


bers, is in the same financial purgatory.

Disenrollment seems to attract entrepreneurs of chaos: investors, lawyers and consultants willing to do business with regimes that terminate their own members for profit. Self-styled "enrollment auditors" will examine a tribe's membership records—for a price. The Eastern Band of Cherokee Indians spent \$900,000 for an enrollment audit and in turn put over 300 members on the disenrollment chopping block.

The Alturas Rancheria in Northern California has been dogged by business problems related to disenrollment and the adoption of non-Indians offering grandiose development plans. There, non-Indian adoptees first offered a new casino and a cigarette-manufacturing

venture, both of which failed. The same dynamics have befallen the Pinoleville of Pomo Nation.

Finally, ugly disenrollment proceedings can hobble efforts by tribes to invest gaming dollars outside of Indian country. In October, *The Wall Street Journal* noted that tribes looking to diversify gaming revenue by entering the investment market already face many hurdles. What reputable potential business partner would choose the chaos of a dismembering tribe when an alternative option exists?

Tribes looking to cut members should take the long view. What may be increased per capita payments today could be the crippling or bankrupting political chaos of tomorrow. <http://bit.ly/1Z7JdbX> 

## A Last Talk With My Friend 'JT'

*The death of the Dakota poet and activist John Trudell has inspired many reflections, including this one from Suzan Shown Harjo:*


He was JT to his contemporaries—too charismatic for just plain "John"; too Native for such a European name as Trudell, although it's one of the most common last names in the Santee Sioux Tribe in Nebraska.

I got to talk with JT before he made his journey to the other side. He was already on his way and eager to unite with the Ancestors.

He was concerned that people might be sad or confused. Upbeat and energetic, he wanted everyone to celebrate his passage and to know that he was content and had no fear. But, then, JT always was fearless.

When we started our last talk, I heard something new in JT's voice. Often, when people's bodies are giving out, even the most self-assured get very humble very fast. I heard hints of JT slipping over the edge from humility to low self-esteem and wanted to awaken his memories of courageous, dignified moments. Sometimes people need to have a little help remembering their lives.

His disembodied voice sounded strong and healthy over the telephone, in sharp contrast to those startling photos showing his skeletal frame. "It's not like it was with Angie's mom," he said, referring to his partner, Marcheline Bertrand. "That last year—whew—she was on so much medication, because she was in so much pain." He said his doctor said, "It won't be like that with me—there's not that kind of pain and I'll go fast."

He crossed over one week after our talk, which we ended by saying we'd have another soon and knowing we would not. <http://bit.ly/1QMr7t6> 

## In The Land Of Curtis

**Alex Jacobs** (Mohawk) considers the modern complexities of ethnologist Edward S. Curtis mingling fact and fiction to depict the Native experience in his landmark—and now restored—1914 film *In the Land of the Head Hunters*:

There will always be disclaimers attached to Curtis's work to remind people that what they are seeing is not quite exact yet offers truth to be revealed.


*In The Land of the Head Hunters* is an amazing document, though it is not a documentary. The Kwakiutl partnered with Curtis to make a "modern" film

by recreating the settings and cultural lifestyles that the governments wanted abandoned. The film was "Hollywoodized," as we would term it today. The spectacle about head hunting was for effect, supposedly taken from oral tradition. Natives say it was fabricated. The movie's love story is an archetype from any number of ancient cultures.

It can be a hoot of a viewing as you move from awe to bemusement and back again. The film is beautifully tinted and the original music soundtrack has been restored. It is thought to be the oldest original soundtrack for a silent movie and to contain Kwakwaka'wakw

musical elements.

It's a movie to enjoy, or dislike, to debate and argue over. As for debates about its authenticity, consider: Family dance groups stage alter dances so they do not profane the original. Artists have always been setting up and staging tableaux. Tourists will ask to take photographs of people in kilts, saris, robes or traditional wear.

Every film made these days attempts to "authenticate." Otherwise, the producers realize this is impossible and just go for effect. The popcorn has GMO's and the butter is not butter. Is any of it real or true? <http://bit.ly/1YcL6XJ> 

## Ruling Dismisses Challenge To Indian Child Welfare Act

BY SUZETTE BREWER

A federal judge has dismissed a suit challenging both the constitutionality of the Indian Child Welfare Act (ICWA) and new federal guidelines that the Bureau of Indian Affairs implemented last February, citing a lack of subject matter jurisdiction and standing in the case.

The case arose in May when the Alexandria, Virginia-based National Council for Adoption (NCFA) and the Surprise, Arizona-based Building Arizona Families (BAF) sued the federal government, claiming the ICWA “violates the birth parents’ rights to due process under the Fifth Amendment by interfering with their ability to direct the upbringing of their ‘Indian’ children.” The complainants also took issue with the new guidelines, saying that they impose “significant” burdens on state agencies and adoption firms in placing Indian children with ICWA-compliant homes.

But on December 10, U.S. District Judge Gerald Bruce Lee of the Eastern District of Virginia dismissed the suit. He ruled that the plaintiffs lack standing; that the guidelines are not subject to trial because they do not create legal rights and obligations; that they are non-binding; and that the guidelines “do not commandeer” state entities. He also held that the plaintiffs had not demonstrated any authority to support their claims.

“[The dismissal] is a big win,” said Chrissi Nimmo, Senior Assistant Attorney General for the Cherokee Nation. “The court found that the adoption industry plaintiffs failed to put forth a ‘plausible’ claim, and reiterated the longstanding legal precedent that laws based on tribal membership are not race-based and instead apply because of the unique political status of tribal members.”

“We’re pleased,” said Sarah Kastelic, executive director of National Indian Child Welfare Association. “Our Native children will continue to benefit from the hard-fought protections that ICWA affords.” <http://bit.ly/1jYeI8z> 📱

## Global Climate Agreement Bypasses Critical Indigenous Peoples’ Issues

BY TERRI HANSEN

The global Paris agreement struck by 195 countries on December 12 is being heralded as the first climate agreement to commit all countries to cut carbon emissions. But when it comes to key points that the International Indigenous Peoples Forum on Climate Change (IIPFCC) came to negotiate, critics say that it falls short.

Indigenous participants had pressed for inclusion of indigenous rights in the legally binding operative section of the agreement. Although the phrase “rights of Indigenous Peoples” is included in the non-binding preamble, the wording “was far weaker than what we had called for,” Andrea Carmen, executive director of the International Indian Treaty Council, told ICTMN.

Moreover, said Frank Ettawageshik of the National Congress of American Indians, “It is essential that the rights of Indigenous Peoples be recognized, protected and respected within a broad human rights framework. We are keenly disappointed that the parties did not see fit to accommodate this request.”

Another disappointment, Ettawageshik said, concerned the IIPFCC-proposed global average temperature goal of an increase of no more than 1.5° Celsius over pre-industrial temperatures. The Paris Agreement holds the increase to well below 2°C above pre-industrial levels and agrees to pursue efforts to limit the temperature increase to 1.5°C.

The global temperature rise of 0.85°C since 1880 is already having severe consequences for Indigenous Peoples in some parts of the world. With a rise of two degrees, many say, traditional indigenous livelihoods will be severely affected by food shortages, extreme weather, floods and drought.

“Because our lives are inextricably and intimately related to the natural world, every adverse effect on that world acutely affects our lives,” Ettawageshik said. <http://bit.ly/1QI3vgI> 📱

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## New Multi-Agency Effort Tackles Native Drug Overdose Victims

BY SUZETTE BREWER

Collaborating with the Indian Health Service (IHS) and the Bureau of Indian Affairs (BIA), the Office of National Drug Control Policy has undertaken an initiative to train and equip law enforcement in Native communities in using the medication naloxone to counter the effects of prescription opioid or heroin overdoses.

Because many Native communities are remote and may be far from medical facilities, BIA police officers are often the first responders in an overdose situ-


ation. Their ability to administer naloxone promptly can be crucial in treating an overdose victim.

"According to the Centers for Disease Control and Prevention, the rates of overdose death involving prescription opioids among American Indian or Alaska Natives increased almost four-fold from 1999 to 2013," said National Drug Control Policy Director Michael Botticelli last week. "And the rates of drug-related deaths in these communities is twice that of the general population."

Dr. Susan Karol (Tuscarora), Chief Medical Officer for the IHS, said that beginning in 2016, the agency would cover the costs of providing naloxone kits to the more than 90 IHS pharmacies

across the country and make the option available to tribally owned pharmacies as well.

In addition, the IHS will provide naloxone kits, along with training and support, to BIA law enforcement, starting with a pilot program in Oklahoma before pushing the program out nationwide. The kits would also be made available to tribal law enforcement agencies across the country.

An inexpensive opioid antagonist, naloxone was patented in 1961 and approved by the Food and Drug Administration a decade later. Safe and non-toxic, it is also on the World Health Organization's list of essential medicines. <http://bit.ly/1IbLdvM> 



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# Supreme Court Grants Hearing In Tribal Justice Case

*A potentially crucial test case for Native law enforcement* BY SUZETTE BREWER

**Bottom Line:** A Northern Cheyenne member and domestic violence on reservations are at the center of United States v. Bryant.

The Supreme Court has granted a hearing in *United States v. Bryant*, a case involving Indian rights in criminal cases, which will decide whether prior misdemeanor convictions in domestic violence cases made without legal counsel can be used in federal court.

By using tribal court convictions to determine eligibility for "Habitual Offender" status under federal law, *U.S. v. Bryant* could be a crucial test for tribes and law enforcement in prosecuting and preventing the high rates of domestic vio-

lence on Indian lands.

The high court announced its decision to hear the case on December 14.

The defendant, Michael Bryant Jr., is an enrolled member of the Northern Cheyenne Tribe with numerous misdemeanor convictions who had been imprisoned numerous times for domestic assault. Over the last 16 years Bryant had pleaded guilty in tribal court to multiple offenses, for which he had entered plea agreements without a lawyer.

In 2011, he was convicted for assaults on two women. According to court documents, in February of that year, Bryant dragged his live-in girlfriend from bed, pulling her hair, punching and kicking her repeatedly. Three months later, he attacked

another woman by yelling at her and choking her until she nearly lost consciousness, according to the petition for certiorari filed by the Solicitor General's office.

Based on Bryant's seven prior misdemeanor convictions, he was deemed eligible for "Habitual Offender" status and was indicted in federal district court in Montana on two counts of domestic assault. He was subsequently sentenced to 46 months in federal prison on each count.

Though Bryant pleaded guilty to both assaults, he later sought to have his federal indictment dismissed. He argued that using his prior misdemeanor convictions to prove "Habitual Offender" status under the Violence Against Women Act (VAWA) violated his rights under

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the Fifth and Sixth Amendments of the Constitution.

Bryant's request for dismissal was denied by the district court. But in September 2014, the Ninth Circuit Court of Appeals in Portland, Oregon reversed his indictment. It was ruled that his previous tribal court record was "unconstitutionally impermissible" for establishing habitual offender status, thereby setting the stage for this upcoming Supreme Court showdown.

Court watchers say that the case has the potential to cripple the ability of law enforcement to prosecute and prevent domestic violence incidents on Indian reservations, which are the highest in the country, according to the Bureau of Justice Statistics.

"Tribal governments, like all other sovereign governments, know best how to balance the rights of their women to be free from domestic violence with the rights of the accused perpetrators to be treated fairly and afforded due process," said Mary Kathryn Nagle, attorney for the National Indigenous Women's Re-

source Center and partner at Pipestem Law Firm.

"Nothing in the United States Constitution provides the U.S. federal courts with the authority to determine how

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*Tribal  
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the accused.'*

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tribal governments will adjudicate disputes that fall exclusively between tribal


citizens," she added.

To address the high rate of crimes against Indian women—who are battered, raped and stalked in greater numbers than any other group of women in the U.S.—Congress enacted both a Habitual Offender provision and a tribal jurisdiction provision in the Violence Against Women Act in 2013.

These actions constituted a direct response to the outcry from tribal advocates who said that such provisions were necessary because of the domestic violence crisis in Native communities across the nation.

"Because the Ninth Circuit's decision imposes a limitation on the exercise of tribal sovereignty to protect Native women from domestic violence and abuse, the National Indigenous Women's Resource Center will file an amicus brief urging the Supreme Court to overturn the Ninth Circuit's decision and uphold tribal sovereignty," said Nagle.

Oral arguments are expected in January. <http://bit.ly/1NsYVct> 



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*To address the high rate of crimes against Indian women, Congress enacted both a Habitual Offender provision and a tribal jurisdiction provision in the Violence Against Women Act in 2013.*

# The Fairbanks Four Are Free

*After 18 years, a release in time for Christmas* BY RICHARD WALKER

**Bottom Line:** *Their names became synonymous with wrongful imprisonment. Now they are free men—and ongoing symbols of Alaska's racial divide.*

George Frese, Kevin Pease, Marvin Roberts and Eugene Vent—three Alaska Natives and a Native American—went from teenage to middle age behind bars. Convicted for the fatal October 11, 1997 assault of a Fairbanks teenager, John Hartman—and the robbery of another man, Frank Dayton, that same night—they spent 18 years in prison.

Last Thursday the so-called Fairbanks Four became free men, their names cleared of crimes they always said they did not commit. It was a day that many had worked for tirelessly and yet thought might never come.

But it finally did.

In a negotiated agreement approved by Superior Court Judge Paul R. Lyle, the State of Alaska dropped its original indictment after a five-week evidentiary hearing left the state admitting it would likely not win conviction in a retrial.

The hearing examined new evidence in the case, including the confession of a former Fairbanks man serving a double-life sentence in California for drug-related murders committed in 2002. The hearing also reexamined earlier evidence and testimony.

After being processed at the Fairbanks Courthouse, the four proceeded to a jubilant reception at the Chief David Salmon Tribal Hall several blocks away. There, they were overwhelmed by hundreds of cheering and sometimes sobbing supporters, mountains of food and a pounding drum circle. On the stage, they flashed four fingers apiece.

One of the four, Marvin Roberts, had already been paroled to a halfway house

We're free."

"I love you guys so much, everybody that stood there through all the hard times, through all the fights, struggles," Vent said, reported CBS Anchorage affiliate KTVA. "You guys never stopped supporting us. That got us through just the whole thing . . . It's unbelievable, the feeling right now. Man, I didn't expect it to be like this, but I knew it would be awesome."

"All of our prayers have been answered," said Frese. "It's simply amazing. It's crazy. It's like it never even happened, but definitely feel the love. Love all you guys."

But even as the 18-year legal nightmare of the Four ends, questions remain about the integrity of the justice system and the state of racial relations in Alaska.

The Alaska Innocence Project, the Tanana Chiefs Conference and others had contended that the men were vic-

tims of a racially tinged rush to judgment by police and prosecutors who were eager for a conviction for Hartman's death.

By the terms of the agreement, the state dropped its original indictment and cleared the men's records of the crimes. In exchange, the Four dropped their claims of prosecutorial misconduct. They will not sue the state or other agencies involved in their arrests and conviction and



*Marvin Roberts, Eugene Vent, Kevin Pease and George Frese—The Fairbanks Four.*

in June. The first to take the mic, he said, "It's very wonderful to see all of you here," reported the *Fairbanks Daily News-Miner*. "We love all of you for supporting us and our families. I'm gonna let the boys talk. We're home!"

"I feel the love. I really feel the love," said Pease. "I'm still trying to process everything, but I just want to say thank you to everybody. Let's celebrate. We're home.



will not seek compensation for the time they spent in prison.

A statement by the office of state Attorney General Craig Richards said that state's attorneys still contend that the men were "properly and validly investigated, prosecuted and convicted."

The state's seemingly contradictory message—that the state believes the men guilty, but could not win a conviction because of evidence and testimony brought forth in the evidentiary hearing—was not lost on Hartman's older brother, Chris Kelly.

"If they're innocent—if you believe that all of a sudden now—I don't see why you could even justify doing this to them," he

healing process," tweeted Alaska Gov. Bill Walker, "and provides some measure of justice and closure for Eugene, Kevin, George and Marvin."

"I am pleased that the State of Alaska agreed to set aside the convictions," said Sen. Lisa Murkowski (R-Alaska). "I first took up the cause of the Fairbanks Four in 2013, asking the State of Alaska to take a hard look at whether their convictions were just. I concurrently asked the U.S. Department of Justice to examine whether the civil rights of the Fairbanks Four were violated."

Murkowski praised the efforts of the Alaska Innocence Project, the law firm of Dorsey & Whitney, and Brian Patrick

the state's population, according to the U.S. Census Bureau. But more than a third of Alaska's prison inmates are Alaska Natives, according to a report by the University of Alaska Anchorage.

"The justice system in the State of Alaska has only been in existence since 1959," Williams said. "With those outside justice systems coming in, we've gone from being crime-free and our people taking care of themselves—with no killings, no suicides, no domestic violence—to having the highest rate of suicides in our area, and also domestic violence, cancer deaths and accidental deaths.

"Because of the huge number of our in-



*At the Chief David Salmon Tribal Hall on December 17, the packed reception of the newly released prisoners was riotous.*

said during the release hearing. "And if they're guilty, I don't see how you can justify making a deal."

Frese, Pease, Roberts and Vent were convicted based on confessions, later recanted, that were obtained using a controversial police interrogation method, as well as on a witness's testimony that was also recanted. They were also convicted despite the testimony of alibi witnesses and a lack of DNA evidence tying the men to the crimes.

And yet the State of Alaska "fervently and continually contested the men's claim of innocence," the Alaska Innocence Project declared. "The state maintained this position even in the face of a finding by their own cold case investigators that the case against the four men was not supportable. The state's opposition continued through more than a year of discovery, and through five weeks of an evidentiary hearing."

Reaction from numerous tribal and political leaders was positive and supportive.

"I hope this settlement helps begin the

O'Donoghue, the University of Alaska Fairbanks professor whose dogged investigation helped bolster the convicted men's case. Murkowski concluded, "Justice prevails!"

But amid the celebration, some sounded a cautionary note.

"Once this chapter of their lives has come to a close, they will face a new set of challenges as they begin their re-entry into society," Tanana Chiefs Conference President Victor Joseph said on the conference website. "These men have been imprisoned for most of their adult lives."

Others were concerned about what the case represents for the future of racial relations in Alaska.

"Everybody knew something was wrong here," said Mike Williams Sr., chief of the Yup'it Nation. "[The men] should have been home with their families and contributing to society. This case is the tip of the iceberg."

Alaska Natives constitute 14.8 percent of

indigenous people in our jails right now, we have to work hard to make amends, and our justice system—the judges, the prosecutors, everybody—has to take a high-level look at how we communicate, how we do things," Williams added. "We have never been understood. There has always been the Western ways of doing things.

"The federal government, state and tribes have to come together to really understand each other and communicate," he concluded. "And the 229 tribes [in Alaska] have to come together and say 'enough is enough.'"

Brian Patrick O'Donoghue offered an assessment both sober and celebratory. "The deal brings freedom, erases charges and convictions, avoids prosecutorial misconduct . . . [but] carries no compensation," he messaged.

"You have to be here to understand why they took it. Just came from the tribal hall [at 10:10 p.m.] For tonight, all 4 are dancing." <http://bit.ly/1Pe91yr> 🍷



# Ortega's Last Stand

*A poignant music comeback—and also an exit* BY JASON MORGAN EDWARDS

**Bottom Line:** *The chords and words of A. Paul Ortega will go on even if his live performances do not.*

The night of December 4 at the Indian Pueblo Cultural Center in Albuquerque, New Mexico was filled with songs, smiles and stories.

The musician and Mescalero Apache Medicine Man A. Paul Ortega—who in a career of more than 50 years has played with such greats as Floyd Crow Westerman and Sharon Burch—performed before an enthusiastic crowd for over an hour. Known for a Native style conveyed through guitar, yarns and humor, Ortega was accompanied by family band members, Joe Tohonnie, Jr. and the Apache Crown Dancers.

Though Ortega's performance was billed as a public performance, it was more than that; it was an acknowledgment of his mortality. He has not performed publicly since he had a heart attack five years ago. Three and one-half years later, he had a stroke.

Now he is retreating from the stage. His Albuquerque appearance was thus both a return and a farewell.

The December 4 event was an uphill climb, but Ortega was happy to tackle it.

"They thought that this show wouldn't come to be. But, I'm really trying to get back, y'know? During the week, I used to grab a guitar. But, the stroke was the thing that took everything away from me. I had to re-learn how to walk. Right now, I'm walking around with a four-wheeler that's holding me up. It's hard, but you can't quit, y'know?"

"I really looked forward to it. I got all enthused and excited, and I really rehearsed. I got the whole group back together and my whole family was with me. I'm glad, it's been a long time."

This is how Ortega's label, Canyon Records, describes what he does:

"In the early 1960's Mescalero Apache musician A. Paul Ortega created a sound that influenced the early roots of contemporary Native American music as we know

that sounds good. It's something that tells you about history or about what to be . . . We have to live what we say, what we do, and what we think, and what we're about, y'know?"

Though Ortega's work is influenced by Apache teachings and traditions, he didn't start out playing the Native-style music for which he has become known. His transformative moment came in Chicago during the late 1950s, when he was playing bass


for a western band. A stranger clad in Native garb started "jumping around, making fun of Indian music," Ortega recalls.

And then, Ortega says, "He throws a cup of water in the air and gets underneath and he says I am now called Rain in the Face. He's trying to be funny, y'know?"

Ortega was prepared to fight the man. But the next day, he merely confronted him. Their encounter proved pivotal.

"I said, 'You're talking about tradition. You're talking about religion. You're talking about beliefs. And, this is what we live. This is what we're about. It's not something we just talk about.' So, the guy says, 'Show me.'"

"So, for the next five years I worked to get some background for the music I was talking about. That's how my music came to be."

Ortega begins and ends each day with a special prayer and song in his language. "There is a little prayer that says you live well. Live well . . . I live well . . . we all live well . . . I hope that you are well." <http://bit.ly/1QoMge8> 



A. Paul Ortega gave his final performance in Albuquerque on December 4.

it today. This respected medicine man effortlessly fuses his healing traditions with very gentle guitar strumming, the stomp of a bass drum and the mournful cry of a harmonica. His blues-tinged vocals and short narratives draw upon many aspects of Native culture and are in fact a very good introduction to the many traditions of Native people."

And this is how Ortega himself describes what he does:

"I sing Indian songs. I'm a Medicine Man. That's where I get my music. I try to explain to people what it means. It's not just something they sing. It's not just something

# Tribe May Have Last Word On Nuclear Waste

*Lake Huron project is a work in progress* BY KONNIE LEMAY

**Bottom Line:** *The fate of a proposed nuclear waste storage facility, with U.S. and Canadian interests both in play, is not clear. But the Saugeen First Nation will have a major say in it.*

by the Ontario government—may get a decision from Canada's Ministry of the Environment about proceeding with its multimillion-dollar, multi-decade Deep Geological Repository (DGR) project.

"We might not be the best of friends when we push nuclear waste on our brothers' and sisters' territory," he said.

At the moment, however, Saugeen leaders are determining how to gauge



*The Saugeen First Nation may decide whether nuclear waste from the Bruce Power nuclear complex will be buried near Lake Huron.*

Many people are debating whether to dig a deep geological repository for storing nuclear waste half a mile below ground and less than a mile from Lake Huron near Kincardine, Ontario.

Canadian and U.S. environmental groups have weighed in. Some members of Congress have registered protests. In contrast, a number of local municipality councils have voted their support. A federally appointed joint review panel has recommended licensing the project.

Nothing will be known until March 1 at the earliest. That is when Ontario Power Generation—a public company owned

That decision has already been delayed two other times.

But whether the repository is actually constructed could come down to just one voice—that of the Saugeen First Nation.

"Ontario Power Generation had given us their commitment that they will not proceed unless they have community support," Saugeen Chief Vernon Roote told Indian Country Today Media Network. "That's a letter that we have on file."

Roote personally opposes the project. He told the *Saugeen News* last month that he was also concerned about simply moving the facility near other First Nations.

community feeling. The Saugeen have held engagement sessions on the issue; community members may make their feelings clear at public gatherings or may simply put the issue to a vote. Tribal leaders themselves are discussing whether to favor the facility.

"There's a big gap between 'now' and 'then' in terms of communicating with the community," Roote said. "The community needs to be educated before they can understand. I can't say what the community will provide for an answer."

Ontario Power Generation has made clear that it will respect the wishes of the

Saugeen First Nation. “We will not build this facility without their support,” said spokesperson Neal Kelly. “We are on record with that; we’ve been very clear about that. We’re learning about the Saugeen Ojibway Nation; we’re learning about their history, about their way of life.

“And on the flipside, they’re learning about Ontario Power Generation. Hopefully there will be a positive resolution, but we’re very much in the learning phase.”

In brief, Ontario Power is pursuing a permanent storage solution for waste that has been generated in the past 50 years by its three nuclear power operations. These operations include the Bruce Power Plant, where the repository would be located.

“We have a long list of fears, legitimate fears in our community, about these facilities, interaction with our rights, our interests and our way of life,” Randall Kahgee, who was then Saugeen Ojibwe Nation Chief, told Indian Country Today Media Network in 2013.

Kahgee, who is still the lead negotiator on the project, echoed Vernon Roote’s thoughts. “These are early days, and we are starting to build some momentum on the community engagement process,” Kahgee wrote in an email. “The communities will have to have trust and confidence in the process going forward. They will be instrumental in its design. There is an incredible amount of work to be done.”

The DGR would be dug about 2,230 feet into what are considered stable, 450-million-year-old sedimentary shale and limestone layered formations using two shafts. Nearly 100 acres of rock would be removed, and storage containers of waste would be placed into the cavern created to handle about seven million cubic feet of waste.

The site would not hold high-level waste, such as spent reactor fuel, but rather low- and intermediate-level wastes.

Ontario Power has developed a comprehensive website with graphics, videos and documents to explain and support its proposed project. The facility would not be ready to receive waste until the 2020s at the earliest. At that point, it could handle 35 additional years of waste at the current rate and would close permanent-

ly in the 2060s.

Some of the waste would remain in place for “hundreds of thousands of years,” according to Ontario Power.

For now, low- and intermediate-level waste has been stored above ground, sometimes after being incinerated. All the waste is solid, not liquid. “Above 70 percent of the material that will go into the DGR is low-level waste,” Kelly said.

Opponents of the deep underground repository are concerned primarily with its proximity to Lake Huron.

“We live so close to the lake that there’s going to have to be some studies done in regards to the water and the dangers to water,” said Roote. “That’s an example of how much work is needed.”

Extensive testing and assessment of the site should offer reassurance, Kelly said. “The water is very much at the surface, the first few meters. This [repository] is 680 meters deep into the ground; there’s no water down there.”

Kelly emphasized Ontario Power’s due diligence in the matter. The utility developed 12,500 pages of studies as part of its Environmental Assessment, he said, and the research has been reviewed by scientists and geologists around the world.

“The peer reviewers came to the same conclusion as we did,” Kelly said. “You can safely store this material deep in the ground at 680 meters in rock that is 450 million years old. We are looking at a permanent solution. We have been studying this for about 14 years and are nearing the end of an environmental process, the most rigorous form of environmental assessment that you can go through in Canada.”

However, Roote said, the Saugeen Nation might conduct its own studies and suggested that other First Nations should be consulted. The Mohawk Council of Kahnawà:ke, for example, has come out against the proposed DGR. In May, the council supported a Saugeen fight against the proposal.

“We’ve been keeping close watch on this situation, since the failed plan to ship the nuclear waste through the Seaway was announced a few years ago,” Mohawk Council of Kahnawà:ke Environment Portfolio Chief Clinton Phillips said at the time.

“While the Bruce Power plant is hundreds of kilometers from Kahnawà:ke, any potential nuclear contamination problem could nonetheless affect not only us but also the 40 million-plus people who use the Great Lakes/St. Lawrence River for drinking water,” Phillips said.

The interests of the United States itself, Roote added, need to be considered as well.

“Half of that lake borders on the U.S.A.,” he said. “It’s not only the concern on the one-half side of Canada, there’s also the concern on the other half of that as well, by the U.S. side.”

Indeed, several members of Congress have had their concerns. Sen. Mark Kirk (R-Illinois) expressed them in May in a letter to President Obama. Last month, Sen. Debbie Stabenow (D-Michigan) asked the U.S. ambassador to Canada, Bruce Heyman, to arrange a meeting with the Canadian environment minister under the newly elected Canadian government headed by Justin Trudeau.

“They don’t need to do it right next to Lake Huron or any other part of the Great Lakes,” Stabenow said.

For Kahgee, who is representing the Saugeen in negotiations with Ontario Power Generation, the questions go beyond the timeworn issue of NIMBY.

“For the communities this is not just about the deep geological repository but also about the nuclear waste problem within our territory,” he told ICTMN. “We have always insisted that while this problem is not of our own design, we must be part of shaping the solution. Gone are the days when our people, communities and Nation are left on the outside looking in within our own territory.

“These are complex issues that will force us to really ask ourselves what does it mean to be stewards of the land. The opportunity to be able to shape the discourse on these matters is both exciting and frightening at the same time.”

The Saugeen Ojibway Nation’s voice will be heard when the time is right, Roote said.

“It’s something that we have to wait out before the community is ready to decide. When the time is appropriate, when it’s needed to be heard to proceed.” <http://bit.ly/1IQhWGU>

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*Native American Music Awards winner Jimmy Wolf (Mohawk) will perform at Seneca Niagara Resort & Casino in February.*



*The School Library Journal has named Moonshot: The Indigenous Comics Collection as a Best Book of 2015.*



*Jo Ann Kauffman (Nez Perce) is celebrating 25 years of her namesake tribal lobbying firm.*



*As it does every December, the Geminid meteor shower provided a celestial feast for the eyes.*

# Headlines from the Web

## COUNTY, SAMISH INDIAN NATION SIGN COMPENSATION AGREEMENT

<http://bit.ly/228aU6Q>

## SANTEE SIOUX MEMBERS IN TRI-STATE AREA SEEK VOTING RIGHTS

<http://bit.ly/1jYDdm0>

## NAVAJO TEAM ROPERS AT U.S. EVENT CREATING BUZZ ON RESERVATION

<http://wapo.st/1m2OF17>

## 22 ARRESTED IN WARRANT SWEEP OF SPIRIT LAKE INDIAN RESERVATION

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

## AGUA CALIENTE PLANS 350-ROOM HOTEL, CASINO EXPANSION

<http://desert.sn/1NT0yQq>

## TRIBE PLANS TO RETRIEVE REMAINS OF STUDENTS WHO LIVED AT SCHOOL LONG AGO

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

## UPCOMING EVENTS

### IAIA WINTER WRITERS

#### FESTIVAL JANUARY 2-9

Presented by the Institute of American Indian Arts' Low Residency MFA in Creative Writing program, the festival will present nightly readings by noted authors, drawn from the institute's roster of visiting writers and faculty. Among the featured presenters will be Joy Harjo (Muskogee) and Sherman Alexie (Spokane/Coer d'Alene). In addition, IAIA students will participate with showcase readings immediately following the featured readers on January 6 and January 8.

**Location:** Institute of American Indian Arts, Santa Fe, New Mexico

### INDIGENOUS GOVERNANCE

#### PROGRAMS JANUARY 4-23

"January in Tucson" is a three-week ses-

sion of courses that brings together faculty in the field of indigenous governance and indigenous rights to teach and discuss relevant topics with indigenous leaders, practitioners, and community members, as well as students interested in indigenous affairs. Courses include intergovernmental relations, constitutions of indigenous nations, comparative legal systems and their role in nation building, indigenous people's rights under international law, and native economic development.

**Location:** University of Arizona, Tucson, Arizona

### PRE-APPLICATION TRAINING FOR ANA GRANTS JANUARY 6-7

This pre-application training session is designed for participants who wish to take elements of a well-designed project and present them in a format for a

competitive grant application for the Administration for Native Americans (ANA). A special session will also focus on the needs of Pacific Islander Communities. The program is conducted by the Western Region Training and Technical Assistance Center and sponsored by the Department of Health and Human Services, Administration for Children and Families, ANA.

**Location:** DoubleTree by Hilton Sacramento, Sacramento, California

### ADVOCATES FOR INDIAN COUNTRY WORKSHOP JANUARY 8

This community advocacy session, conducted by Tewa Women United, will emphasize advocacy, effective communication and funding.

**Location:** Friends Meeting House, Albuquerque, New Mexico

## LETTERS TO THE EDITOR

Your article about Leonard Peltier painting behind bars (Dec. 6) reminds me of my time as a White House intern in the fall of 2000, working on the White House Comment Line. We received many calls every day asking President Clinton to pardon Peltier.

We also got calls, mostly from former FBI agents, saying that he should not be pardoned. If I remember correctly, the

calls we received were about 60 percent in favor of a pardon.

Alas, President Clinton did not act upon that majority.

—Michael McLoughlin  
San Francisco, CA

Your article about the 25th anniversary of *Dances With Wolves* (Dec. 9) was great.

If you want to do some interesting re-

search, go back to the cinema of the 1950s. When I was a kid, it was common to see a white man playing a Native American. One of the few exceptions was Jay Silverheels, who played the Lone Ranger's sidekick, Tonto. Sadly, the producers had him speak "stunted" English.

We have come a long way.

—John Davies  
Markstay, Ontario



# Photos of the Year

If a picture is worth a thousand words, then these vivid, memorable images of the last twelve months will speak volumes in 2016 and beyond.



Chemehuevi photographer Cara Romero took on a daunting task in late Dec 2014: Shoot 13 of Santa Fe's leading Native artists in a tableau based on Leonardo da Vinci's painting *The Last Supper*. Titled "The Last Indian Market," she pulled it off!



Artist Jaque Fragua rests after completing his mural in Indian Alley, in L.A.'s Skid Row.



Wa He Lut School Dancers perform at unveiling ceremony for Salmon Totem Pole, carved & raised in memory of Billy Frank Jr.



Baptiste Harris, 18, a Northern Cheyenne tribal member, takes a shot during *Lame Deer vs. Northern Cheyenne Tribal High* game.

CARA ROMERO PHOTOGRAPHY; STEPHEN SEIGLER; TOMMY ROBINSON; STEVE ROBINS





*Vandals splattered the murals of Native legends at Seattle's Wilson-Pacific School with white latex paint.*



*Protests are continuing against the construction of a giant \$1.4 billion telescope atop sacred Mauna Kea Mountain in Hawaii.*



*The federal government returned eagle feathers to Lipan Apache leader Robert Soto, seized from him in 2006.*



*Zuni Youth Enrichment is one of the philanthropic beneficiaries of First Nations Development Institute.*



*Sahmie Joshevama (Hopi), a graduate of Arizona State University, is one of many Native subjects of the photographer Ryan Red Corn (Osage).*



RYAN RED CORN (OSAGE)



Workers dredge for gold in illegal mining pit in La Pampa, Madre de Dios, in the Peruvian Amazon.



Members of ASU's first Pueblo Indian doctoral cohort take a group picture during Graduate Commencement, May 11.



ICTMN Editor Vincent Schilling (Akwasasne Mohawk) released a rehabilitated bald eagle in Pungo, Virginia on April 12.

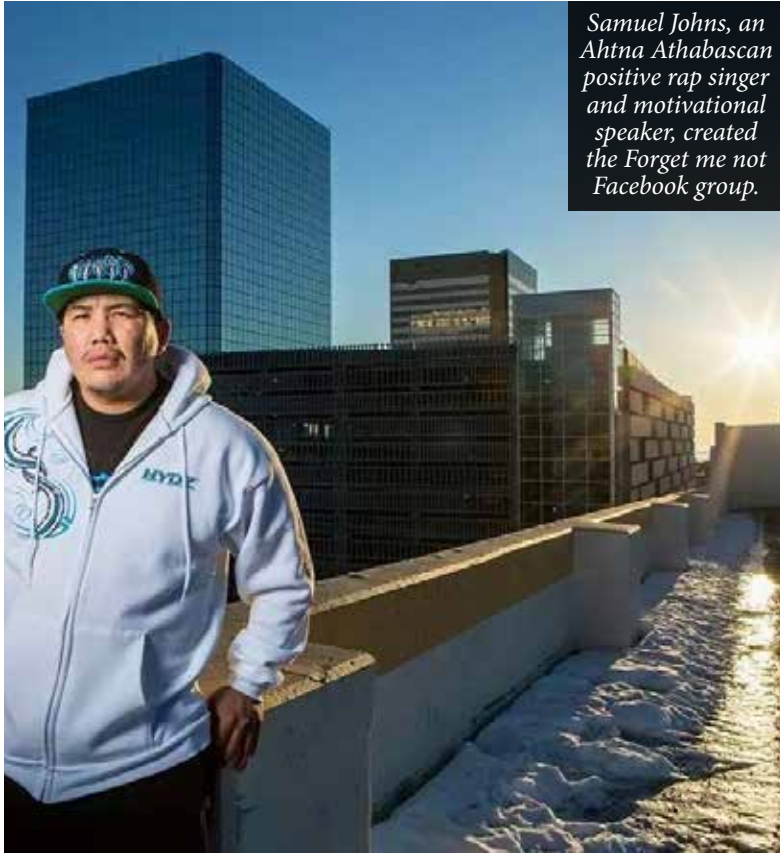


Derek White (Mohawk) became the first Native driver in a NASCAR race, the 5-Hour Energy 301 in Loudon, New Hampshire, on July 19.



Stomp dance coordinator Chris Tame Adams and 3 year-old son Cameron, Poarch Creek tribal members, at the Muscogee-Creek Nation Art Festival.





Samuel Johns, an Ahtna Athabascan positive rap singer and motivational speaker, created the Forget me not Facebook group.



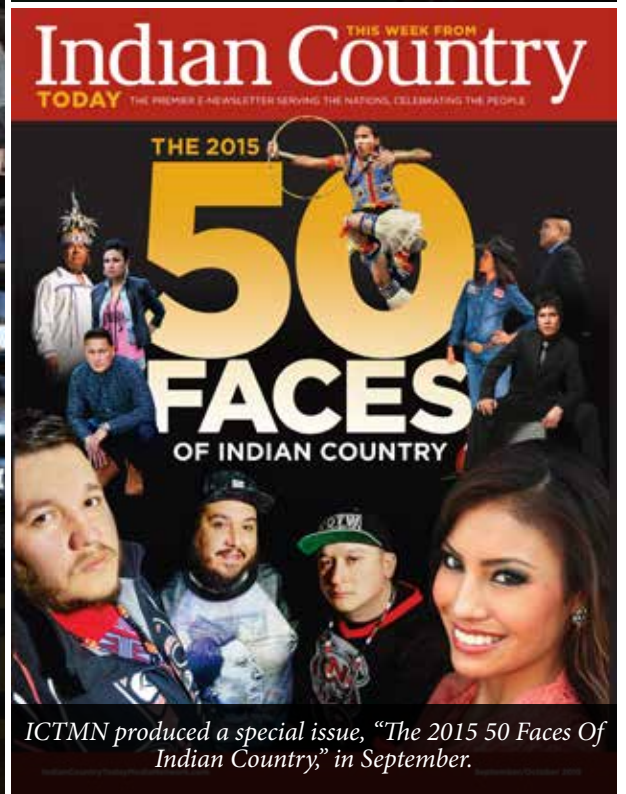
Surviving WWII Navajo Code Talkers celebrated the 70th anniversary of V-J Day in Window Rock, Arizona.



In the first international game played on Onondaga land, the Iroquois Nationals beat Team England 20-6.



Cherokee Bull Rider Ryan Dirteater, 26, finished a solid 10th in the 2015 Professional Bull Riders Built Ford Tough World Finals, held October 21.



ICTMN produced a special issue, "The 2015 50 Faces Of Indian Country," in September.





28-year-old Chickasaw archer Shiloh Butts was crowned International Bowhunters Organization champion in mid-September.

COURTESY CHICKASAW NATION





Pres. Obama joins five native youth on stage at closing of the 7th Annual WH Tribal Nations Conference.



Gyasi Ross (Blackfoot) held forth at Indigenous People's Day in New York on October 12th.



Jeffrey Verge (Port Gamble S'Klallam Tribe) is the cover artist and series consultant for Marvel Comics's re-launch of Red Wolf



This gown by designer Orlando Dugi, Navajo, from his "Desert Heat" Collection, is part of a traveling exhibition of contemporary Native fashion, titled "Native Fashion Now."



U.N. Equator Prize 2015 Award Ceremony at Theatre Mogador on December 7, in Paris, France.

## 2015 HALL OF FAME / MANTLE OF SHAME AWARDS

BY SUZAN SHOWN HARJO



**Iroquois Nationals Lacrosse Team** for winning the silver medal in the 2015 World Indoor Lacrosse Championship Games. Held every four years, this year's top rankings in September are a repeat of the 2011 rankings: Canada took gold, the Iroquois Nationals silver and Team USA won the bronze. The competition involved over a dozen countries, whose lacrosse teams were hosted for the first time by the **Haudenosaunee, Iroquois Confederacy**, at **Onondaga Nation**, which is a few miles from Syracuse, New York. The **Nationals** travel to other countries with **Haudenosaunee** passports. Upon arrival at **Onondaga** this year, the other countries' teams were granted **Haudenosaunee** visas.



England and any other country that has failed to recognize the **Haudenosaunee** passports and papers as legitimate.



**Carol Emarthle-Douglas** (Northern Arapaho & Seminole) and "Culture Burdens" – her basket of 22 women in traditional outfits bearing baskets from their Native cultures, some woven into the basket, some appended to it – which won Best of Show and Best of Class in the 2015 Santa Fe Indian Market, August 21; Best of Diverse Arts winners **Jamie Okuma** and **Sandra Okuma** (Shoshone Bannock & Luiseno), Mother and Daughter, and their two-mannequin fashion installation, "The Haute Couture of the Indigenous Kind: Yesterday and Today," with detailed depictions of the evolution from traditional to contemporary dress and accessories; Best of Moving Arts winner **Kyle Bell** (Thloptlocco) and his "Native Evolution," a documentary film about the portraits of Steven Grounds (Yuchi & Navajo/Seminole/Creek); all other awardees and other artists who were part of this year's Market; **Mateo Romero** (Cochiti Pueblo) painter and other artists, who produced the performance art installation at the Market's opening preview event, featuring faces of missing and murdered Native women sprayed with red and yellow paint from vintage fire extinguishers; and **Dallin Maybee** (Northern Arapaho & Cattaraugus Seneca), Chief Operating Officer of the Market's parent organization, Southwest Association of Indian Arts, whose ledger art won Best of Show in 2007, for the stellar exhibitions, participation and scope of this, the first Market produced under his direction.



**3rd Circuit Court of Appeals** for overturning the federal district court decision in the contest over the remains of Jim Thorpe. The lower court had relied on the 1990 **Native American Repatriation and Graves Protection Act** to rule on the side of the Sac and Fox Nation and the Thorpe sons, who want to bring Jim Thorpe home to Sac and Fox territory – where he said many times he wanted to be buried – from the roadside attraction out-

side of the Borough of **Jim Thorpe**, Pennsylvania, to which his remains were sold by his widow. The appellate court applied the "absurdity doctrine" to the case and substituted its judgment for that of the U.S. Congress – which enacted NAGPRA on unanimous consent voice votes – by ignoring what the House and Senate said they intended and ruling that Congress couldn't possibly have meant what it made law. Ignoring the 25-year history of thousands of repatriations conducted under NAGPRA, the appellate panel did not heed the amicus brief supporting the petition for rehearing and presented by former Senator and Representative Ben Nighthorse Campbell, an original sponsor of the Act and chair of the Senate Committee on Indian Affairs, the panel with oversight responsibilities for NAGPRA's implementation, who told the panel that its interpretation of congressional intent was in error and that Congress intended what it said it intended. And shame on the U.S. Supreme Court for failing to grant certiorari in the Thorpe case and for allowing such an absurd decision to stand.



**Billy Frank Jr.** (Nisqually) (1931-2014), for earning a 2015 Presidential Medal of Freedom with a lifetime of treaty fishing rights advocacy, including myriad arrests for fishing in accordance with the Medicine Creek Treaty and for being the "go to jail guy" of the fishing rights struggle; **Franks Landing Indian Community** and the **Lummi, Makah, Nisqually, Puyallup, Yakama** and other **Native Nations** for bearing the brunt of the fish wars, and for protecting and exercising treaty fishing rights; and to **President Barack Obama** for awarding one of 17 Presidential Medals of Freedom posthumously to Billy Frank Jr., in the November 24 ceremony at the White House: "Billy Frank Jr. was a tireless advocate for Indian treaty rights and environmental stewardship, whose activism paved the way for the Boldt decision, which reaffirmed tribal co-management of salmon resources in the state of Washington...."



**State fish and game officers** and **non-Natives** who have denied Native Peoples the exercise of their treaties in the Pacific Northwest, Columbia River, Great Lakes and elsewhere.



All those who succeeded and paved the way for celebrations of **Indigenous Peoples Day** instead or in addition to **Columbus Day**.



All those who oppose recognition of Native Peoples, and to those who are trying to trade **Native American Heritage Month** (November) for a paltry retail sales day, Black Friday, the day after Thanksgiving Day.





On June 18, a DNA study of the **Ancient One** (aka, **Kennewick Man**) concluded that the 9,000-year old remains are most closely related to Tribes of the Upper Columbia Plateau, bolstering the longstanding request of the **Confederated Tribes of the Colville Reservation, Confederated Tribes of the Umatilla Indian Reservation, Nez Perce Tribe, Wanapum Tribe and Yakama Nation** (Claimant Tribes) that the Ancient One be repatriated under NAGPRA for proper burial in accordance with their strongly held beliefs and customs. The study was conducted by **Dr. Eske Willerslev**, the world-renowned director for Geo-Genetics at the University of Copenhagen in Denmark, whose work is highly respected throughout the scientific world.



Smithsonian archaeologists and others with federal-ly-funded projects, who have led the charge against the Claimant Tribes in court and before Congress, accusing the Tribes of making false claims and being the equivalent of book burners. The DNA study comes on the heels of nearly 20 years of invasive studies of the remains of the Ancient One, including the 2014 publication of a 680-page book edited by Smithsonian forensic anthropologist **Douglas Owsley**, claiming that the **Ancient One** is European, Polynesian or anything but Native American. They convinced federal judges that the Ancient One was not Native and therefore that NAGPRA should not apply. The tribes have turned to Congress to help resolve the matter.



On January 15, 2015, **Ocevpofv (Hickory Ground) Warrior Wayland Gray** was unanimously acquitted of criminal trespass and disorderly conduct charges by a 12-member Alabama jury, which accepted the defense that the 1978 American Indian Religious Freedom Act recognized a right of access to sacred places for ceremonial purposes. Gray and other Muscogee (Creek) Nation citizens, who sought access to Hickory Ground to pay respect to the Muscogee (Creek) Nation and Ocevpofv Ancestors and to conduct a prayer ceremony, were arrested by Poarch Band of Creek Indians Tribal Police and prosecuted by the State of Alabama. Many other Muscogee citizens, including **Ocevpofv Mekko George Thompson**, also were impeded in their efforts to gain access to Hickory Ground, but were not arrested or prosecuted. Hickory Ground was a fenced-off, locked and guarded construction site while Poarch Band's casino and resort hotel were being built on top of Ocevpofv and Muscogee Ancestors and the sacred, ceremonial and historical Hickory Ground, which was the last Muscogee Nation Capitol before forced removal to Indian Territory (now Oklahoma).



Poarch Band for desecrating Hickory Ground and deliberately unearthing Muscogee (Creek) and Ocevpofv Ancestors and separating them from their funerary objects; for denying Ocevpofv and Muscogee citizens access to Hickory Ground for religious freedom purposes; and for accusing **Wayland Gray** of terroristic threats, a charge that did not survive the grand jury; for continu-

ing to misrepresent the facts and to make false claims about Muscogee citizens to Native Nations, the U.S. Congress and others, even after the jury's acquittal.



**First Lady Michelle Obama's** prepared remarks on Native American Youth on April 8 may be the only statement on Native youth or history made by any First Lady. Here is an excerpt from her statement: "Folks in Indian country didn't just wake up one day with addiction problems. Poverty and violence didn't just randomly happen to this community. These issues are the result of a long history of systematic discrimination and abuse.

"Let me offer just a few examples from our past, starting with how, back in 1830, we passed a law removing Native Americans from their homes and forcibly re-locating them to barren lands out west. The Trail of Tears was part of this process. Then we began separating children from their families and sending them to boarding schools designed to strip them of all traces of their culture, language and history. And then our government started issuing what were known as "Civilization Regulations" – regulations that outlawed Indian religions, ceremonies and practices – so we literally made their culture illegal.

"And these are just a few examples.... So given this history, we shouldn't be surprised at the challenges that kids in Indian country are facing today. And we should never forget that we played a role in this. Make no mistake about it – we own this."



Those **U.S. Supreme Court Justices** who made ignorant and racially insensitive comments on tribal jurisdiction, tribal courts and other matters during oral arguments on December 7 in *Dollar General Corporation et al v. Mississippi Band of Choctaw Indians et al*.



**Tribal Courts'** efforts to prepare for cases against non-Native perpetrators of domestic violence against Native victims.



**Presidential hopeful Donald Trump** for excoriating peoples, for religious bigotry and for promoting coarseness in the national dialogue. With his more recent vilification of Mexicans, women, Muslims and other peoples, the media and general public seem to have forgotten that he sharpened his teeth on slurring Native Peoples. He testified in 1993 at a House hearing on gaming that the people of casino rival, the Mashantucket Pequot Tribe in Connecticut, "don't look like Indians to me" and "don't look like Indians to Indians." Shame – on those who follow him, the Trumpets, and mirror his racism, sexism and bigotry.



On October 11, **Gov. Jerry Brown** signed into law an act directing California schools to remove the sports slur Red\*\*ins as images or names from their athletic programs, as of 2017. Also, on November 5, the Oregon-based Adidas announced a private sector initiative to encourage high schools to end their use of so-

called Native team names and images, and offered to pay for the cost of making the change from “potentially harmful” symbols. Calling it a “smart, creative approach,” President Obama said, “I don’t know if Adidas made the same offer to a certain NFL team, here in Washington, but they might want to think about that as well.”



**Owners of the Washington pro football team** denounced both the California law and the Adidas initiative.



**Pro Football, Inc.**, owners of the NFL Washington franchise, became apoplectic in public on July 8, when the Federal District Court for the Eastern District of Virginia rendered its decision for the Native side in *Pro Football, Inc. v. Blackhorse et al*, upholding the 2014 ruling for the Blackhorse plaintiffs by the U.S. Trademark Trial and Appeal Board of the Patent & Trademark Office. Shame on the ACLU for supporting Pro Football’s “commercial free speech.” Pro Football appealed the decision to the 4th Circuit Court of Appeals, where a trial is expected in 2016. In the meantime, it’s worth remarking on the amazing coincidence that the Washington team has not returned to the Super Bowl since Native people first filed suit in 1992 against the franchise’s disparaging name. Even with a so-so record thus far, 7-7, the team is leading in the NFC East, so perhaps this will be its year to change its karma without changing its name.



**Native actors** who walked off the set of **Adam Sandler’s** “The Ridiculous 6,” with charges of racism and sexism.



The Sandler camp shot back with the predictable responses, that the Native actors were too sensitive and that the movie was intended to be satirical. Of course, other Native actors replaced those who walked, as quickly as ocean waves replace grains of sand on the beach – to these acting granules go neither fame, shame or any kind of award – just the noting of tidal movements.



In response to calls on Congress to end the Indian Child Welfare Act of 1978, Co-Chairs of the Congressional Native American Caucus, Reps. **Tom Cole** (R-Okla.) and **Betty McCollum** (D-Minn.), wrote “Taking care of Native children” (The Hill’s Congress Blog, November 25), from which the following is excerpted:

“In recent years and especially in the past months, there has been sensationalized news coverage about the controversial adoptions of Native American children into non-tribal families or their placement into foster care. Given the unfortunate coverage and several heartbreaking cases, it’s important to think back on how we got here....

“Prior to the passage of the Indian Child Welfare Act...it had become apparent that Native American children were systematically being taken from their homes and either put up for adoption or placed in foster care....In a repeat of the forced boarding school era, tribal nations were once again being told that to save their children, they had to be removed from their communities and cultures.

...ICWA...was meant to solve a very real identity problem for Native American children, help loving families stay together and also prevent unnecessary holes in tribal communities. But most importantly, it sought—and still aims—to ensure children live in the environment where they are best cared for and most loved.

“...ICWA provides guidance and requirements for legal separations, including private adoptions and foster care placements. But similar to the Hague convention that regulates international adoptions, ICWA encourages tribal nations to make a reasonable effort to facilitate a tribal adoption first—preferably with a family member.

“...As legislators, we must ensure that ICWA continues to serve the best interests of Native American children and prevent their safety from being jeopardized....We should be careful about the language we use and the laws we put forward, and ultimately, when interpreting or revising ICWA, we should reflect on what is best for Native American children.”



**Pope Francis** canonized Father **Junipero Serra** on September 23 in Washington, D.C., over objections by some Native Peoples, primarily in California, where their Ancestors had been treated cruelly. Others supported sainthood for Serra because of his kindness to their relatives. Pope Francis praised diversity in the Church, but made clear that he meant among the converted souls “Indian” dress is most welcome.



In remembrance of Singer/Songwriter/Musician/Political Activist **John Lennon**, on the occasion of his 75th Birth Year, as one of the most important supporters of Native Peoples’ political actions of his or any time. He supported political actions that foundations or other philanthropists or celebrities would not or could not help, and he made many efforts possible because of his backing. He and **Yoko Ono** not only gave financial donations to many activities that no one else would give to, but they contributed their time and talents, in order to call press and public attention to activities that were going unnoticed and may never have been noticed.



Also to all who created the multi-artist John Lennon 75th Birthday concert at The Theater at Madison Square Garden in New York City, honoring his legendary music, including **Tom Morello’s** and the **Freedom Choir’s** tribute to “Power to the People,” **Willie Nelson’s** heartfelt rendition of “Imagine” and the **Roots’** stunning interpretation of Lennon’s haunting “Mother.”



# Change of the Guard: Natives Making Moves in 2015

*Indian country welcomes number 567, and a tribe gets land into trust—finally*

The political landscape of Indian country saw plenty of movement in 2015. Perhaps no news was bigger than the recent announcement of Kevin K. Washburn, the head of the Bureau of Indian Affairs, that he would resign in January. Washburn is the latest White House official to step down from a Native role this year, following Jodi Gillette and Dr. Yvette Roubideaux. But in their wake, three other Native leaders gained notice in 2015. They are Karen Diver, who is heading to the White House; Debora Juarez, a member of the Seattle City Council; and Denise Juneau, who announced her plans to run for Congress. The following are 12 of the year's biggest Native political stories.

## KEVIN WASHBURN LEAVING BIA IN JANUARY

U.S. Interior Secretary Sally Jewell announced on December 10 that Assistant Secretary-Indian Affairs Kevin K. Washburn will step down in January. In an exclusive interview with ICTMN, Washburn said of his tenure, "The [federal] commitment to Indian country has never been higher in my lifetime. President Obama's leadership has dramatically expanded tribal sovereignty and it's been an honor to be here during that time." An enrolled member of the Chickasaw Nation in Oklahoma, Washburn has served as the Bureau of Indian Affairs head since September 2012. Of the changes made during his tenure that will have the longest-lasting impact in Indian country, Washburn highlighted a greater commitment on the part of the federal government to tribal self-governance, support for economic development on tribal lands and changes to the Indian Child

Welfare Act. 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.



*Cromwell on land into trust: "We have our own universe!"*

## SUPREME COURT HEARS ARGUMENTS IN DOLLAR GENERAL CASE

As hundreds protested on the front steps of the U.S. Supreme Court, oral arguments were heard in *Dollar General v. Mississippi Band of Choctaw Indians* on December 7, 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. This has drawn outrage from tribes across the nation who spent decades and billions building judicial systems and legal codes to address jurisdictional "black holes" on Indian lands. Native women's groups have protested the case, saying that removing all jurisdiction over non-Indians will give perpetrators and corporate bad actors an exemption for crimes they commit on Indian lands.

Dollar General had previously signed a lease agreement with the tribe in which it had agreed to tribal jurisdiction from any claims arising from its lease. A decision in the case is expected early next year.

## DENISE JUNEAU: FIRST AMERICAN INDIAN CONGRESSWOMAN?

In 2008, when she was elected as Montana's Superintendent of Public Instruction, Democrat Denise Juneau became the first American Indian woman ever elected to a statewide office in Montana. A speaker at the Democratic National Convention in 2012, she would like to add first "American Indian Congresswoman" to her résumé. "I want to continue serving the people of Montana," she told ICTMN. "We've had great outcomes in the public education system, and I'm proud Montanans elected me to be in charge of their public education system, also to be a part of the most precious resource we have: our children. I feel like I can take my record and list of accomplishments to a bigger stage and national level."

## DEBORA JUAREZ, BLACKFEET, IS NEW SEATTLE CITY COUNCIL MEMBER

The voting deadline was in an hour, and Debora Juarez was herding her family to head out to her election night event at the Seattle Drum School of Music, ready to accept whatever decision voters had made. She was proud of her campaign, confident she had done everything she could to engage with residents and talk about her plan for the future. "[But] I don't take anything for granted," she said. An hour later, she learned her hard work of the last eight months had paid off:

Juarez, a citizen of the Blackfeet Nation who grew up on the Puyallup Reservation, is believed to be the first citizen of an indigenous nation elected to the council in the city's 150-year history. She is a former King County Superior Court judge and former director of the Governor's Office of Indian Affairs.

#### ANISHINABE-KWE IN THE HOUSE

Karen Diver, Chairwoman of the Fond du Lac Band of Lake Superior Chippewa in Minnesota, announced in November that she is stepping down from her long time position as tribal chairwoman and has accepted an appointment to serve at the White House as special assistant to President Barack Obama on Native American affairs. Not bad for a woman who started out as a 15 year-old single mom struggling to educate herself while supporting her daughter.

Diver, a major advocate for self-sufficiency and advocacy for others, began working for the tribe in 2003 and was elected in 2007 as the first female leader of the Fond du Lac Band. A graduate of the University of Minnesota-Duluth, she also holds a master's degree in public administration from the Kennedy School of Government at Harvard University.

#### MASHPEE CHAIRMAN CEDRIC CROMWELL: 'WE HAVE SOVEREIGN LAND'

On September 18, the Mashpee Wampanoag Tribe, whose ancestors met the first wave of invading English settler colonists to arrive on the shores of Cape Cod almost 400 years ago, received notice that the Interior Department will issue a reservation proclamation announcing that land has been taken into trust for the tribe to create its initial reservation. Assistant Secretary-Indian Affairs Kevin K. Washburn announced that the Interior Department has taken into trust 170 acres

of land in the town of Mashpee, Massachusetts, for tribal government, cultural and conservation purposes and 150 acres in trust in the City of Taunton, Massachusetts, for the purpose of constructing and operating a gaming facility and resort. The lands in both Mashpee and Taunton will become the tribe's first lands held in trust.

"We have sovereign land! We have sovereign land! We did it! We



*Could Juneau become first Native congresswoman?*

have our own universe!" Mashpee Chairman Cedric Cromwell shouted exuberantly to an excited crowd of Mashpee citizens who had gathered in the government offices/community center building to hear the good news.

#### TRIBES WIN \$1 BILLION FROM FEDS IN CONTRACT SUPPORT COSTS CASE

The federal government on Septem-

ber 17 announced a historic agreement worth almost \$1 billion that would end 25 years of litigation between the U.S. and tribes over the payment of contract support costs incurred by tribal entities under the terms of the Indian Self-Determination and Education Assistance Act (ISDEAA) of 1975. Benjamin C. Mizer, principal deputy assistant attorney general in the Justice Department, said the settlement was a compromise reached after years of

complex negotiations following the U.S. Supreme Court's 2012 decision in *Salazar v. Ramah Navajo Chapter*. Mizer described it as a settlement both sides can be proud of. Under the ISDEAA, explained Assistant Secretary-Indian Affairs Kevin K. Washburn, the federal government signs intergovernmental contracts with the tribes that allow them to run Bureau of Indian Affairs programs for the benefit of tribal members, such as law enforcement, forest management, fire suppression, road maintenance, housing and federal education.

The federal government has been contracting with tribes for these services for four decades, but Congress has consistently failed to authorize enough money to cover the full costs of the contracts.

#### BIA REFORMS FINALLY ANNOUNCED: ANTI- INDIAN FORCES SHOW THEIR KNIVES

Over the summer the Bureau of Indian Affairs unwrapped its long-awaited package of reformed regulatory procedures and criteria for the federal acknowledgment of Indian tribes. U.S. Secretary of the Interior Sally Jewell and Assistant Secretary-Indian Affairs Kevin K. Washburn released the new streamlined "final rule" June 29. It is the first major overhaul of the regulations for federal acknowledgment (or federal recognition) since



they were established in 1978.

But the road ahead for the new rule is fraught with uncertainty. Some Indian law experts say a provision removed from the final rule that would have allowed previously denied tribes to re-petition under the new regulations will likely result in litigation. And the question of whether the new rule will even be implemented is up in the air.

Washburn and his team worked for three years on the revision project, holding dozens of consultations and public meetings all over the country and teleconferences that lasted for hours. They also read thousands of opinions submitted during extended public comment periods. The goal was to repair a federal recognition system that has been universally criticized as broken, long, expensive, burdensome, less than transparent, unpredictable, and subject to undue political influence and manipulation.

**PAMUNKEY  
BECOMES NO. 567;  
FIRST FEDERALLY  
RECOGNIZED  
TRIBE IN VA.**

Assistant Secretary-Indian Affairs Kevin K. Washburn issued final determinations on July 2 to acknowledge the Pamunkey Indian Tribe as a federally recognized Indian tribe. (At the same time, the Duwamish Tribal Organization was denied acknowledgment.) This is the Obama administration's second federal acknowledgment of a tribe. Elated and exhausted after the decades-long process, Pamunkey Chief Kevin Brown said that gaining federal recognition was like "winning the championship and stepping down at the height of my career." Shortly after the Pamunkey received federal recognition, Brown announced he was

stepping down as chief.

**ROUBIDEAUX TO LEAVE HHS  
MONTHS AFTER RECEIVING  
TOP-TIER POSITION**

Less than four months after the Department of Health and Human Services (HHS) created a special, top-tier position for Dr. Yvette Roubideaux to advise HHS Secretary Sylvia Burwell on Indian health and other Native-focused matters, Roubideaux announced she was stepping down. Roubideaux made the announcement in a June 1 e-mail to Indian Health Service staff wherein she complimented the IHS staff and the support



*Tribal representatives were on hand for the historic contract support costs agreement.*

she received from the Obama administration. Senators from across the aisle, especially Sens. Lisa Murkowski (R-Alaska), Jon Tester (D-Montana), Maria Cantwell (D-Washington), and former Alaska Sen. Mark Begich (D) had made it quite clear to Roubideaux both privately and in some cases during public hearings that many tribal leaders were concerned about her ability to be a strong advocate on pressing tribal concerns.

**STEPPING DOWN AS WHITE  
HOUSE ADVISOR, JODI GILLETTE  
ACCEPTS NEW ROLE**

Jodi Archambault Gillette, President

Obama's special assistant for Native American Affairs, left the White House on May 14 to be policy advisor at the law firm of Sonosky, Chambers, Sachse, Endreson & Perry, LLP. Gillette served on the White House's Domestic Policy Council, where she advised the president on issues impacting Indian country. A citizen of the Standing Rock Sioux Tribe, she was first appointed by the Obama administration in February of 2009.

Gillette's time at the White House and in several federal agencies was marked by key accomplishments that helped Native Americans nationwide. Among her successes was

her work on the 2013 reauthorization of the Violence Against Women Act, to help restore tribal jurisdiction over non-Indians who commit crimes of domestic violence against Native American women on tribal lands.

**JONODEV  
CHAUDHURI  
CONFIRMED AS  
NIGC CHAIR**

After a year and a half as acting chairman and vice chairman of the National Indian Gaming Commission,

Jonodev Osceola Chaudhuri was confirmed by the Senate as chairman of the gaming regulatory agency on April 16. Chaudhuri, an enrolled member of the Muskogee Nation, previously served as Senior Counselor to Assistant Secretary-Indian Affairs Kevin K. Washburn, providing guidance and assistance on a wide range of national policy issues, including Indian gaming, economic development, energy, Alaska affairs, and tribal recognition. The NIGC is responsible for regulating the more than 450 Indian gaming facilities, associated with nearly 242 tribes, across 28 states.

# Native Athletes Pile Up Headlines in 2015

*Lyle Thompson and Rickie Fowler lead the charge*

*From passings to championships, Natives filled the world's sports pages with achievements and entertainment.*

## WORLD MOURNS NEW ZEALAND RUGBY GREAT

In December, Indigenous Rugby champion Jonah Lomu walked on after a battle with nephrotic kidney disease. His awards and accolades included membership in the International Rugby Hall of Fame and the World Rugby Hall of Fame, and his memorial included tributes from Morgan Freeman and Queen Elizabeth II.

## GOODBYE 'FIGHTING SIOUX'

The results of a University of North Dakota vote were released November 20 and UND President Robert Kelly disclosed that the new mascot name would be the Fighting Hawks. According to the final tally, Fighting Hawks won with 57 percent of the vote, compared to Roughriders, which got 42 percent.

## WINNIPEG JETS BAN FAKE HEADDRESSES

On November 11, the Winnipeg Jets no longer allowed fans to wear fake American Indian headdresses to their games.

## CALIFORNIA BANS R-WORD AT PUBLIC SCHOOLS

California Governor Jerry Brown signed a bill into law that effectively bans the use of the word 'redskins' at public schools in the state. California is the first state in the country to pass such a law. "Today is a huge victory for Native American Civil Rights, and I hope it paves the way for all other states to create similar laws," said Dahkota Brown, a Native American youth who helped shepherd the legislation. "No-body's team or school pride should ever

outweigh someone's cultural identity!"

## SUPREME COURT DENIES APPEAL TO RETURN JIM THORPE'S REMAINS HOME

The quest to bring legendary athlete Jim Thorpe's remains back home to Oklahoma from Pennsylvania ran its course with an unhappy outcome for the Thorpe family: The U.S. Supreme Court denied the Sac and Fox Nation and the Thorpes' appeal to return the Olympic hero to his



*Thompson brothers are 'short a guy'*

original homelands. "It is sad news," said Bill Thorpe, one of Jim Thorpe's remaining sons.

## IROQUOIS NATIONALS TAKE SILVER IN WORLDS

With a world record total of more than 10,400 in attendance on September 9 at Syracuse University's Carrier Dome, Team Canada bested the Iroquois Nationals with a final score of 12-8 at the World Indoor Lacrosse Championships to take home the gold.

## THOMPSON BROTHERS FEATURED IN NIKE'S 'SHORT A GUY' AD

Attackmen Miles and Lyle Thompson, who both played lacrosse for the Florida Launch, were featured in Nike's "Short a guy" ad, which was about a young man who becomes inspired to play sports by

some of the greatest players in the game. In the ad, they insist that they are short a man and pull him into play for their team.

## LYLE THOMPSON WINS TEWAARATON AWARD FOR SECOND STRAIGHT YEAR

Lyle Thompson, Onondaga, was honored with the Tewaaraton Award, making him the second men's player in the award's 15-year history to be a repeat winner.

## NAVAJO GOLFER RICKIE FOWLER GETS HISTORIC WIN

With four birdies and an eagle on his last six holes in regulation play during the Player's Championship Golf Tournament, Navajo golfer Rickie Fowler put himself into a playoff. He then bested the competition to win one of the game's biggest prizes. CBS Sports called it "a completely insane" championship; the PGA described it as "the win heard round the world" and "the greatest finish in the 41-year history of The Player's Championship."

## NATIVE STUDENTS DOUSED WITH BEER AND HARASSED AT HOCKEY GAME

A group of Native American youths and their chaperones were harassed during a Rapid City Rush hockey game in South Dakota on January 24. Students from the American Horse K-8 school in Allen were sitting below a VIP suite when an estimated 15 people began shouting racial slurs at the kids and then proceeded to dump beer on the group. Chaperone Justin Poor Bear wrote on his Facebook wall that the students were told to "go back to the reservation." He told ABC News affiliate KOTA that he confronted the aggressors and they invited him up to the VIP section to "fight about it."



# Native Entertainers Let Their Voices Be Heard in 2015

*This year, music led the way*

*Native rappers, activists and a feisty Buffy Sainte-Marie made the headlines in 2015. But the ridiculous also stood out during the year.*

## **NATIVE ACTORS WALK OFF SET OF ADAM SANDLER MOVIE AFTER INSULTS TO WOMEN, ELDERS**

In April, approximately a dozen Native actors and actresses, as well as the Native cultural advisor, left the set of Adam Sandler's newest film, *The Ridiculous Six*. The actors, primarily from the Navajo Nation, left after the satirical western's script repeatedly insulted Native women and elders and grossly misrepresented Apache culture. The examples of disrespect included Native women's names such as Beaver's Breath and Never Wears Bra.

## **RAPPER DREZUS DOMINATES**

At the 10th annual Manito Ahbee Festival in Winnipeg, Manitoba on September 11, Alberta-based hip hop artist Drezus dominated the Indigenous Music Awards (IMAs), taking home four major honors, including trophies for Best Rap/Hip Hop CD, Best Music Video, Best Producer/Engineer and Indigenous Entertainer of the Year. This year's event, which was previously named the Aboriginal Peoples Choice Music Awards, featured music from artists all over North America. The 33-year-old Plains Cree's album "Indian Summer" included a hard-hitting video, "Warpath," which took on absentee fathers and petty tribal politics. It won the best music video award.

## **IT'S A BIRD! IT'S A PLANE! IT'S SUPAMAN, A NATIVE HIP-HOP HERO!**

The "stars lined up" as fan-

cy dance champion and hip-hop artist Christian Parrish of the Apsalooka Nation (Crow), aka Supaman, and eight-time world jingle dress champion Acosia Red Elk, an enrolled member of the Confederated Tribes of the Umatilla Indian Reservation, came together for a beautiful, powerful video called "Why?" that blew up in Indian country. Supaman also previously won the Artist of the Week via MTV's Iggy blog with his popular "Prayer Loop" song.

## **JESSICA SIMPSON, SUSAN BOYLE WORE FEATHER HEADDRESSES**

Singers from opposite sides of the pond—Jessica Simpson and Susan Boyle—appeared in headdresses, much to the chagrin of their followers on social media. Simpson shared a photo of herself with her 1.7 million Instagram followers at her 35th birthday celebration in St. Barts and sparked a comment war on Instagram. The British singer Susan Boyle appeared at a music festival in July wearing a large feather headdress. "Wearing a headdress like this is like wearing military medals and a uniform you didn't

earn," said one commenter. "It's racist."

## **ST. LOUIS UNIVERSITY REMOVES STATUE OF PRIEST AND NATIVES**

St. Louis University has removed a statue, "Where the Rivers Meet," that shows Pierre-Jean De Smet, a cross held high above his head, putting a hand on a Native American who stands below him. A second Native is shown kneeling. "This message to American Indians is simple: 'You do not belong here if you do not submit to our culture and our religion,'" wrote Ryan McKinley in *The University News*. The statue is now displayed in the University's art museum.

## **BUFFY SAINTE-MARIE'S BLOOD: FIRST ALBUM IN SEVEN YEARS**

At age 74, Buffy Sainte-Marie released her first album in seven years, *Power In The Blood*. Was it toned down? Not hardly, she says. "I write at the same degree of excellence that I wrote in the '60s. Songwriting is a gift. It really surprised people in the '60s. They asked, 'How can you be so young and write with such wisdom?' Now, they ask 'How can you be the age you are and write with such freshness?'"

## **'SUICIDE SQUAD' PHOTO RELEASED—AND THERE'S ADAM BEACH!**

It was a tweet that first revealed that Adam Beach is in the cast of *Suicide Squad*, a film based on a DC comic book about a team of supervillains who work for the U.S. government. Director David Ayer sent out a picture of many cast members in costume, including Beach in his role as Slipknot. Beach shared the picture later that day, adding "It's good to be bad."



*Supaman's 'Why' took Indian country by storm.*

# The Year of Injustice

*2015 offered reminders again of the ugliness that Natives face*



*Rose Downwind, seen with her five children, went missing in October. The granddaughter of Dennis Banks' body was found in December.*

*There was so much good news this year in Indian country, but it would be foolhardy to pretend that too much hate, violence and racism is not still present. What follows are some of the lowlights from 2015—teachable moments and reminders that the struggle is never over.*

## **NO JAIL TIME FOR 'BEER' MAN**

A 41-year-old man from Philip, South Dakota, was acquitted of disorderly conduct on September 1 after he was accused of pouring beer on a group of Native American youths during a hockey game at the Rapid City Event Center on Janu-

ary 24. The man, Trace O'Connell, also allegedly told the group to "go back to the reservation." Family of the youths wanted O'Connell charged with child abuse and assault. O'Connell faced up to 30 days in jail, but in May a magistrate removed any possibility of jail time. The slow investigation of the incident and the acquittal set off waves of protests.

## **RACIST RANT PROMPTS TERMINATION**

A nurse at South Dakota's Rapid City Regional Hospital was fired on May 11 after she was caught on video going on a racist rant against Native Americans.

The 13-second clip shows Ryane Oliva saying "the [expletive] Indians can suck a mother [expletive] fart out of my [expletive] ass because the [expletive] Indians, they suck." On May 12, a rally was held by Native Americans outside of the hospital in protest of Oliva's employment there. Hospital officials said in a press release that they have "zero tolerance policy regarding this type of behavior." The video was the latest incident at the hospital involving racist accusations. In September 2011, a Native American man said he awoke from double-bypass surgery with "KKK" carved into his abdomen.



**MEDICINE MAN DIES IN CELL**

Rexdale Henry, a member of the Mississippi Band of Choctaw Indians, was found dead in a jail cell in Philadelphia, Mississippi in July. Henry, a medicine man and activist, was arrested for not paying the fine for a minor traffic citation. A man who shared the Neshoba County Jail cell with Henry was eventually charged with his murder. Given the lack of details, Henry's family considers his death suspicious. Henry is the second person to die at the Neshoba County Jail within a year; the jail faces a \$10 million wrongful death lawsuit after an inmate died there in November 2014.

**POLICE KILL MAN WITH PSYCHOLOGICAL DISORDER**

A Native American father who suffered from mental illness was shot and killed by Denver police on July 12 after he allegedly charged them with a long knife. Paul Castaway, 35, who suffered from schizophrenia, was shot four times in the torso and was pronounced dead later the same day. Castaway's mother, Lynn Eagle Feather, told ICTMN that she had called police to help calm her son, who was suffering from a schizophrenic episode. Video surveillance shows Castaway holding the knife to his neck and walking toward officers before they open fire. Castaway's death prompted protests from Native Americans in Denver as well as discussions nationwide about police brutality in Indian country.

**'QUIT FAKING'**

Sarah Lee Circle Bear, a Lakota mother of two, died while in police custody on July 5 in Aberdeen, South Dakota. Circle Bear, 24, was being held at the Brown County Jail on a bond violation when she began to suffer from excruciating abdominal pain, a witness said. Circle Bear allegedly called out for help, but jailers allegedly responded by saying "Knock it off" and "Quit faking." Circle Bear was pregnant at the time of her death, her older sister, Adrienne Yancey, told ICTMN.

**'YOU COULD DIE RIGHT NOW AND I DON'T CARE'**

A Yup'ik man who officials said should have never been jailed died of an appar-

ent heart attack while in a holding cell in Juneau, Alaska on August 14. Joseph Murphy, 49, was booked into the Lemon Creek Correctional Center on August 13 for intoxication, but by the next morning he appeared to be sober and sweaty. A heated verbal exchange ensued between Murphy and an unidentified jailer, according to an administrative review by the Alaska Department of Corrections. The jailer allegedly told Murphy, "I don't care. You could die right now and I don't care." Murphy then began to pace his cell and clutch his chest. He later collapsed and died 12 hours after being booked. Murphy was an Iraq war veteran, a volunteer firefighter and an ambulance attendant. His death was caught on video, which state officials said is "compelling" and "very, very disturbing" and shows that the jail staff did not provide Murphy with help.

**NATIVE AMERICAN ELDER VICTIM OF HIT-AND-RUN**

A member of the Colville Tribe was struck by a driver in Denver on January 25. The driver fled the scene, leaving the victim, Isaac Wak Wak, helpless in the street. Two witnesses, a mother and daughter, ran to aid Wak Wak and directed traffic away from him until emergency vehicles arrived. Wak Wak suffered broken arms, legs, and pelvis. A month after the incident, he was still relearning how to do basic things, like walking and shaving. Prior to the hit-and-run, Wak Wak would frequent pow wows. "I'm very upset with them," Wak Wak told KDVR Denver from his hospital bed earlier this year about the driver who struck him. "And they should care. Somewhere along the way they are going to get theirs."

**COP USES TASER 28 TIMES ON MAN**

A female officer who was caught on video using a Taser on a man lying motionless on the ground an estimated 28 times was exonerated of all charges. Rebecca Sotherland, 33, previously of the Oglala Sioux Tribe Police, had been charged with deprivation of constitutional rights, assault with a dangerous weapon and obstruction of a federal investigation by filing a false report. But Sotherland, who is not a citizen of the Oglala Nation,

was found not guilty by a federal jury in Rapid City, South Dakota. The man being tased in the video, Jeffery Eagle Bull, was allegedly intoxicated.

**GRANDDAUGHTER OF AIM LEADER MURDERED**

The granddaughter of revered American Indian Movement leader Dennis Banks was allegedly murdered by two men, one of them reportedly the victim's ex-boyfriend. Rose Downwind, 31 and the mother of five, went missing on October 19 in Bemidji, Minnesota. A nationwide search began after Banks called on Indian country to help locate his granddaughter. TV celebrity Dog "Duane" The Bounty Hunter joined the search and offered \$10,000 for information that would lead to Downwind's whereabouts. The burned body of Downwind was found in mid-December in a shallow grave northwest of Bemidji, police announced on Facebook. Marchello Anthony Cimmarusti, 40, Downwind's ex-boyfriend, and Brandon Joseph Rossbach, 31, a friend of Cimmarusti, have been charged with second-degree murder. A warrant has been issued for a third suspect, Christopher John Davis, for aiding in the crime. According to reports, Cimmarusti led police to Downwind's gravesite.

**CONVICTION IN 2014 CASE OF SLEEPING NAVAJOS BLUDGEONED TO DEATH**

A 20-year-old man was convicted on December 9 of the brutal murder of Allison Gorman, 44, and Kee Thompson, 46, who he beat to death with cinder blocks and other items as the pair slept in a vacant lot on a mattress in Albuquerque, New Mexico. Alex Rios, who was 18 at the time of the killings on July 19, 2014, and two other teens went searching for "someone to beat up" after one of the teens had broken up with a girlfriend. With black T-shirts wrapped over their faces to conceal their identity, the three found three transients and proceeded to attack them. The third would-be victim apparently escaped on foot. The teens admitted to hitting both Gorman and Thompson in the face with the objects. One teen said he hit the victims more than 10 times with a cinder block.

# First Nations Win 2015

*Validation of residential schools, a new Prime Minister led the way*

*In 2015, what Indigenous Peoples in Canada had sought for years finally came: A government willing to work with them. It was a year that saw the Truth and Reconciliation Commission's validating pronouncement that residential schools constituted "cultural genocide", the unseating of Prime Minister Stephen Harper and his Conservative Party, and the convening of a national inquiry on missing and murdered aboriginal women. Here are summaries of the biggest headlines in news from Canada last year:*

## 'LAB RATS'

The year kicked off with the revelation that children who were ripped away from their parents during the boarding school era in Canada were not only subject to starvation in the name of nutrition experiments, but were also tested for extrasensory perception. Fifty children between ages 6 and 20 were the subjects of tests at the Indian Residential School in Brandon, Manitoba, during the 1940s, according to research that came out in January.

## BEHIND BARS: THE PEDOPHILE PRIEST

In February, so-called Pedophile Priest Eric Dejaeger was sentenced to 19 years, minus eight years for time served, for the sexual abuse of more than two dozen Inuit children during the 1970s and '80s.

## 'CULTURAL GENOCIDE'

In June the words "cultural genocide" were officially used to describe what happened to First Nations, Inuit and Métis during the residential schools era when the Truth and Reconciliation Commission released its final report. The commission also put forth 94 recommendations for setting things right.

## PIPELINE SPILL

July saw the largest pipeline spill in Canada's history, when 1.3 million gallons of emulsion—a

mixture of bitumen, water and sand—leaked south of Fort McMurray in the Alberta oil sands. Nexen Energy, owned by the Chinese oil and gas company CNOOC, apologized for the spill, which was discovered by a contractor rather than by supposedly fail-safe, state-of-the-art detection equipment, then admitted that the spill could have been under way for two weeks before being noticed.

## FORESHADOWING: OIL SANDS PROVINCE TILTS LEFT

The province of Alberta, home of the notorious oil sands, shocked everyone in May by electing the left-leaning New Democratic Party (NDP). The win ended a 44-year reign by the Conservatives and made Rachel Notley, NDP Party leader in Alberta, the premier. She tightened environmental regulations and oversight.

## AHOUSAHT HEROES

Ahousaht First Nation members were at the forefront of rescue efforts when a whale-watching boat capsized off the Vancouver Island town of Tofino on October 25, killing five and leaving one person missing. Ahousaht fishermen plucked nearly two dozen people from the water.

## HARPER UNSEATED

Also in October, Justin Trudeau's Liberal

Party took the majority in federal elections. The new Prime Minister promised to respect indigenous rights and honor treaties, and he named Jody Wilson-Raybould, former regional chief of the AFN and one of a record 10 indigenous candidates elected to Parliament, as Justice Minister and Attorney General. Trudeau also appointed Inuit Hunter Tootoo as Fisheries and Oceans Minister.

## CAMPAIGN PROMISES, MAKING HISTORY

Trudeau's promises to First Nations, Métis and Inuit peoples hinged on reconciliation, compliance with the United Nations Declaration on the Rights of Indigenous Peoples, and an inquiry into missing and murdered aboriginal women. After being sworn in, Trudeau urged Carolyn Bennett, his new minister of Indigenous and Northern Affairs, to reset the relationship between Indigenous Peoples and the Canadian government. He also included indigenous representatives in the country's delegation to the COP21 climate summit in Paris, where his speech invoked traditional knowledge and its potential for helping to address climate change. A week later he made history by addressing the Assembly of First Nations national gathering in early December, the first sitting leader to do so.

## AT LONG LAST: MURDERED AND MISSING WOMEN INQUIRY

The call to establish a national inquiry on murdered and missing aboriginal women was finally answered when Trudeau took office. In December he announced it would go forward and begin by meeting with victims' families before consulting with experts, aboriginal organizations and lower levels of government to design and focus the inquiry before its full launch in 2016.



*Trudeau, newly crowned PM, recognized at Assembly of First Nations*



# Power Forward

*Proving the ability to create sustainable change*



NB3F Awarded \$20,000 in "Seeds of Native Health" Grant to REDCO Community Food Sovereignty Initiative in Rosebud, S.D.

*Several of the biggest economic storylines in Indian country in 2015 had one thing in common: the power of influence. From philanthropic giving to state contributions to persistent advocacy, tribes and Native entities proved their ability to create sustainable change and benefit both tribal self-sufficiency and their greater communities. Here are some of the top business stories of the year:*

## **SEEDS OF NATIVE HEALTH: SHAKOPEE, NB3F TAKE VITAL STEPS TO AFFECT CHANGE**

The Shakopee Mdewakanton Sioux Community (SMSC) committed \$5 million to its Seeds of Native Health campaign, making it by far the most significant funder in the area of improving Native food access and health outcomes to date. Seeds of Native Health has partnered with the First Nations Development Institute and the Notah Begay III Foundation (NB3F) to

administer \$2.5 million in grants.

NB3F will receive \$1.1 million from the SMSC for re-granting to projects that will increase access to healthy food and nutrition education among Native youth. So far, NB3F has named six grant award winners totaling \$118,000: the Red Lake Band of Chippewa Indians, the Rosebud Economic Development Corporation, the Tuscon Indian Center, the American Indian Health Research and Education Alliance, Blackfeet Community College, and the Urban Native Education Alliance.

The tribe is widely respected for its deep-seated tradition of generosity to tribal communities, having donated more than \$325 million since its 1992 foray into gaming. It has several strategic partners, including ones with the Notah Begay III Foundation (NB3F), the American Heart Association, First Nations Development Institute, MAZON: A Jewish Response to Hunger, The University of Arkansas

School of Law's Indigenous Food and Agriculture Initiative, and the University of Minnesota. "Native Americans are sovereign peoples, but we cannot solve every problem on our own," said Shakopee Chairman Charlie Vig. "That is why Shakopee is committed to bringing together the best minds and organizations to find workable, long-term solutions...."

## **KIVASUN WINS USDA CONTRACT**

After a persistent battle to gain the United States Department of Agriculture's (USDA) attention, KivaSun Foods, an all-natural, traditional Native food company founded by Notah Begay III, secured an agreement for the purchase of 520,000 pounds of bison for inclusion in the Food Distribution Program on Indian Reservations (FDPIR) commodity offering. "When we were notified that we won the business with the USDA, it was a very emotional moment for me, because we've



*Phillip E. Haugen, a Kalispel Tribal member, is general manager for Northern Quest Resort & Casino. Northern Quest guests will have the opportunity to participate in 'stay and play' packages at Kalispel Golf and Country Club.*

finally gotten to the point in time where a Native American-owned entity has come full circle and now has the honor to provide high-quality, traditional healthy food to Native American people who need it," Begay (Navajo, San Felipe Pueblo and Isleta Pueblo) told ICTMN.

KivaSun has been successfully providing bison, a healthy and culturally rich protein, in the commercial market through retail accounts such as Costco and Walmart and online at [www.kivasunfoods.com](http://www.kivasunfoods.com). The first shipment of bison was made at the end of October 2015. KivaSun's achievement will hopefully open the door to the USDA purchasing more traditional Native foods from Native sources to give to Native communities. "If this happens, it will be a significant step forward in addressing health disparities among Native Americans resulting from lack of access to healthy, affordable food," Begay said.

At the urging of the National Congress of American Indians (NCAI), tribal leaders, and healthy food advocates, Congress directed the USDA in the most recent Farm Bill to purchase \$5 million of "tra-

ditional food" for FDPIR because of the importance of traditional food to Native Americans' health.

#### **SEMINOLE 20-YEAR COMPACT: 'STABILITY AND CERTAINTY FOR THE LONG TERM'**

The Seminole Tribe of Florida took a historic step forward, ensuring future rewards in its multibillion-dollar gaming operation when Florida Gov. Rick Scott signed off on a new compact allowing the tribe exclusive rights to operate blackjack and to add craps and roulette. The 20-year compact includes a guarantee that the tribe will generate \$3 billion in added revenue to the state over the course of the next seven years. The Florida House and Senate, as well as the U.S. Department of the Interior, still need to ratify the deal. But Seminole tribal spokesman Gary Bitner told ICTMN that things are moving in the right direction. "The agreement provided stability and certainty for the long term," he said. "The tribe does earn over \$2 billion dollars a year from gaming. So this has been a goal for the Seminole Tribe throughout its gaming history, ensuring

that it has stability in its planning for the future." The compact represents an unprecedented level of cooperation between the State of Florida and the Seminole Tribe of Florida, including the largest revenue share guarantee in history.

#### **KALISPEL TRIBE BUYS SPOKANE COUNTRY CLUB**

Spokane, Washington's oldest golf course, The Spokane Country Club, which dates to 1898, now belongs to the Kalispel Tribe of Indians and has been renamed the Kalispel Golf and Country Club. The price paid was just over \$3 million. "We're excited. We're now the official owners of this club," said Phil Haugen, a Kalispel tribal member and general manager for Northern Quest Resort & Casino. The course and the resort/casino are several miles apart but visitors to Northern Quest will be offered 'stay and play' packages, that would benefit both properties.

One of the first changes is a new logo featuring a frog. "We want to show our Indian cultural history. In the Indian culture the frog represents transformation, renewal and rebirth. It's proof of health and balance in any ecosystem," Haugen said. "We bought it to make revenue but I think it's a great project to express what Kalispel hospitality is," Haugen said.

#### **PECHANGA, TEMECULA CITY INK AGREEMENT ON \$285M RESORT EXPANSION**

Common ground has been found between the Pechanga Band of Luiseño Indians and the City of Temecula in California to pave the way for the tribe's \$285 million, 800,000-square-foot resort expansion, including city- and tribal-financed road and safety improvements, reported [myvalleynews.com](http://myvalleynews.com). The city and the tribe signed a 19-page Intergovernmental Agreement, signifying their strong bond. The tribe will set aside about \$5.2 million for road-widening work and projects to reduce traffic congestion, as well as pay the city \$289,000 or more annually for the next 15 years to help offset the climbing cost of public safety. Pechanga Resort & Casino has proved an economic boon to the area since its debut in June 2002. The tribe has pumped more than \$40 million into youth, veteran and other charitable programs and projects.



### KAUFFMAN & ASSOCIATES, INC. CELEBRATES AND REFLECTS ON ITS 25 YEARS OF INFLUENCE

Since its humble beginnings as a one-person lobbying shop in Washington D.C. in 1990, over the course of 25 years, Kauffman & Associates, Inc. (KAI) has expanded to a 65-member firm with offices in Spokane, Washington, and on Capitol Hill.

The Native American, woman-owned business provides support to tribes; tribal organizations; foundations; private-sector businesses; and regional, state and federal agencies. KAI's expertise spans diverse specialty areas, including public health, education and economic development.

For founder Jo Ann Kauffman, a member of the Nez Perce Indian Tribe, her work is "exciting and a great privilege. I continue to be amazed and thrilled everyday," she told ICTMN. "I don't think it's ever become mundane to me. Everyday I'm thankful and grateful for those opportunities."

KAI currently has about 40 active contracts across a variety of sectors. "Over 25 years, we've not chased after contracts that don't offer the potential of having positive benefits for tribal and other vulnerable communities," Kauffman said. "Our Motto at KAI is: 'We do work that matters.'" Among the firm's proudest victories over its 25 years, as well as some of its continuous work, are four key efforts: leading a national communications campaign centered around the Affordable Care Act, surveying tribal court systems for the department of defense, supporting Native-led solutions to alcohol and substance abuse and youth violence prevention, and promoting health and nutrition education among Native youth.

### VALBUENA JOINS GAMING

### HALL OF FAME 'ON BEHALF OF INDIAN COUNTRY'

"It's not about me, it's about us," said Lynn Valbuena, chair of the San Manuel Band of Mission Indians, of her recent induction into the American Gaming Association's



*The recently renovated lobby at Pechanga Resort & Casino in Temecula, California.*

(AGA) Gaming Hall of Fame. The Gaming Hall of Fame is the industry's highest honor, awarded to those who have made significant contributions in leadership and entertainment. The prestigious society now counts 89 members.

Valbuena said she is "very humbled and very honored" by the invitation. "When I gave my 'thank you' in Las Vegas, I had said, 'I'm accepting this award on behalf of Indian country.' We all work so tirelessly, and we are not all recognized for what we do," she said.

Since the Gaming Hall of Fame's inception in 1989, Valbuena is the third Native American to be elected. The first Indian inductee, in 1993, was Leonard Prescott, former chair of the Shakopee Mdewakanton Sioux Community and then-chairman of Little Six, Inc., the tribal gaming enterprise. He was followed in 2014 by Ernie Stevens, Jr. (Oneida Nation of Wisconsin), who this spring started his eighth consecutive two-year term as chairman of the National Indian Gaming Association (NIGA).

### OKLAHOMA APPROACHES \$1 BILLION IN EXCLUSIVITY FEE COLLECTION

Oklahoma has collected nearly \$1 billion from the tribal gaming industry, according to a new report by the Oklahoma Indian Gaming Association on tribes' economic impact on the state.

The state initially projected \$71 million per year in revenue from the compact, far less than the results. Since Oklahoma voters overwhelmingly approved State Question 712 in 2004, the growth of tribal gaming in Oklahoma has had a positive impact on Oklahoma's economy beyond original expectations. "The Cherokee Nation has a \$1.55 billion impact on the state's economy and is a significant part of the overall tribal gaming economic

impact on Oklahoma," said Cherokee Nation Principal Chief Bill John Baker in an official statement.

### NIGC WELCOMES A NEW MEMBER: SEQUOYAH SIMERMEYER

After more than five months of operating solely under Jonodev Osceola Chaudhuri, the National Indian Gaming Commission (NIGC) welcomed another member in November. E. Sequoyah Simermeyer joined the agency as an associate commissioner on November 2. The Coharie Tribe of North Carolina member will serve a three-year term.

"Sequoyah joins a team of talented and hardworking public servants who are committed to creating greater economic opportunities and upholding the highest ethical standards when it comes to Indian gaming," Secretary of the Interior Sally Jewell said. "His wide range of experience and expertise in Indian Affairs makes him a very well qualified person to help the commission oversee these important responsibilities in Indian country."

# The Year in Education

*Indian country takes a step forward for Native youth*

*There was a lot to talk about regarding Native education in 2015. Students fought for the right to wear eagle feathers at graduation ceremonies, Cobell scholarships became available and the Bureau of Indian Education started looking at the state of reservation schools. ICTMN spotlighted a number of these stories this year:*

## WINNING EAGLE FEATHER FIGHT

A 20-year-old policy at Grand Forks Public Schools was changed, allowing Native American students to wear eagle feathers on their graduation tassels.

## UW FINISHES LONGHOUSE

The second longhouse in Seattle, Washington since the original ones were destroyed in the late 1800s was erected. Those involved in its construction hope it will encourage more Native Americans to pursue higher education.

## NATIVES LEARN IN CRUMBLING BUILDINGS

Thousands of American Indian children are attending school in buildings that are an immediate threat to their health and safety. "BIE schools are historically some of the lowest-performing schools in the nation," Interior Secretary Sally Jewell said. "The infrastructure is crumbling and they have a severe lack of resources."

## COBELL SCHOLARSHIPS HAPPENING

The U.S. Interior Department transferred \$17 million to the Scholarship Fund for American Indian/Alaska Native students authorized by the Cobell settlement. A total of \$60 million can be put into the fund from Buy-Back Program sales.

## MONTANA STEPS UP FOR NATIVE STUDENTS

The state's Office of Public Instruction initiated efforts in its K-12 classrooms specifically relevant to tribes—including the Indian Education for All program and the Schools of Promise initiative and the hiring of two full-time specialists whose

job is to help teachers working on closing the achievement gap. The Montana State Legislature also supports tribal colleges by providing funding for non-tribal students attending those schools.

## NATIVE HISTORY A MUST IN WASHINGTON SCHOOLS

There are 29 federally recognized indigenous nations in Washington State, and as of May 8, it became mandatory for schools in the state to educate students about the history and governance of those nations.

## EAGLE FEATHERS

Waverly Wilson was told by her principal at Lakes High School in Lakewood, Washington that she could not wear an eagle feather on her tassel at graduation. Hayden Layne Griffith, who graduated from Caney Valley School District, fought a similar battle. Christian Titman was able to wear his during his graduation from Clovis Unified School District after an agreement was reached.

## ASU GRADUATES 10 PHDS

This year's graduating class at ASU may have included the largest group of Native American doctoral graduates to ever collect degrees at one time. The 10 graduates are all Pueblo Indians who were a part of the first joint endeavor between ASU's School of Social Transformation and Santa

Fe Indian School's Leadership Institute.

## \$50 MILLION GOES TO TCUS

The grants will help higher education institutions strengthen their academic quality, management, and overall fiscal stability.

## AP U.S. HISTORY LIES ABOUT NATIVES

American exceptionalism is back! The College Board, having deleted the term in its 2014 revision of the AP U.S. History Curriculum Framework, reinstated it in 2015.

## NO MOHAWKS ALLOWED

A Native second grader at the Washington County School District in Utah was sent home because his traditional Mohawk hairstyle was "too distracting" and violated the school dress code.

## SUSAN TAFFE REED REASSIGNED

After questions about her Native heritage arose, Reed was removed as the director of the Native American Program at Dartmouth College.

## DENYING NATIVE GENOCIDE

A Cal State Sacramento University professor who allegedly told his U.S. History class he did not like the term "genocide" in relation to Native American told a Native student who disagreed with him that she was disenrolled from his course.

## FIGHTING RACISM AT YALE

Native students at Yale joined more than 1,000 people to make their voices heard in an event on November 9 where students of color and their allies showed unity in the face of racial problems on campus.

## CONGRESS PASSES EDUCATION DO-OVER

Congress passed the Every Student Succeeds Act, the first major federal overhaul of elementary and secondary education in 15 years. The president signed the act on December 10, quashing most provisions of No Child Left Behind Act of 2001.



*Obama signs Every Student Succeeds Act.*



# Remember Those Who Walked On

*Indian country lost leaders, activists and artists in 2015*

*As 2015 comes to a close, we remember those who walked on during the past year and pay tribute to their service and their lives. Whether prominent on the international stage or the home front, these enlightened spirits touched us all. Here is a sampling of the people who passed through Indian country for all too brief a time:*

**Marie Smallface Marule** (70), education and rights leader of the Blood Tribe, walked on December 31, 2014.

**Mario Cuomo** (82), steadfast ally of the Oneida Indian Nation, walked on January 1, 2015.

**Geronima Cruz Montoya** (99), renowned Oh'Kay O'wingeh artist, educator and cultural leader, walked on January 2.

**Lloyd House** (83), Navajo and Oneida teacher, veteran, Marine, Air Force reservist, and the first Native American Senator in Arizona, walked on January 2.

**William Buffalo Tiger** (94), first tribal chairman of the Miccosukee Tribe of Indians of Florida, walked on January 6.

**Gordon Crowchild** (85), a well-known leader, family man, respected rodeo pro and former chief of the Tsuu T'ina Nation, walked on January 12.

**Wilmer Mesteth** (57), Oglala Lakota spiritual leader, walked on January 16.

**Reies Lopes Tijerina** (88), founder of the Alianza Movement, walked on January 19.

**Gary M. Mitchell** (63), a Prairie Band Potawatomi Nation tribal leader, walked on January 23.

**Ray Gardner** (59), Chinook Tribe chairman, walked on February 3.

**Mushkooub Aubid** (65), drumkeeper and brother of an elected official of the Mille Lacs Band of Ojibwe, walked on February 7.

**Michele Sereda** (49), co-founder and artistic director of experimental theater company Curtain Razors; dancer and powwow instructor; **Lacy Morin-Desjarlais** (29), **Saulteaux and Métis**; **Michael Green** (58), a co-founder of the theater company One Yellow Rabbit, and Blackfoot elder **Narcisse Blood** (60), Kainai First Nation, all walked on February 10 as a result of a car crash.

**Tonya Gonnella Frichner** (67), citizen of the Onondaga Nation and monumental figure in indigenous rights, walked on February 14.

**George Attla Jr.** (81), Athabaskan mushing legend and mentor, walked on February 15.

**Jeri Ah-be-hill** (80), the Kiowa-Comanche fashion icon, walked on March 11.

**Margarete Bagshaw** (50), a third generation female painter of Santa Clara Pueblo descent, walked on March 19.

**Michael Jandreau** (71), a former Lower Brule Sioux Tribal chairman, walked on April 3.

**Charles Chevalier** (84), who fought for treaty fishing rights and was a member of the Mitchell Bay Band, walked on April 7.

**Charles "Etok" Edwardsen** (71), controversial Iñupiat activist, walked on May 8.

**Bahe Kethcum** (96), Navajo code talker, walked on June 9.

**Michael "Huzo" Paddlety** (55), artist and member of the Mandan-Hidatsa-Arikara Tribes, walked on June 16.

**Sharon Bryant** (54), first female Monacan tribal chief, walked on June 23.

**Peter Mead** (54), longtime supporter of Indian gaming and founder of Casino Enterprise Management magazine, walked on June 24.

**Bonnie Red Elk** (63), award-winning journalist and member of the Fort Peck Tribes, walked on June 29.

**Frankie Rivera** (38), Diné, a prominent, outspoken urban Native activist, walked on August 29.

**Overton James** (90), who served as governor of the Chickasaw Nation from 1963 to 1987, walked on September 16.

**To Kola Ota** (Darrell Standing Elk) (81), respected leader of the Sicangu Lakota Oyate, walked on September 20.

**Jess Sixkiller** (78), Cherokee elder and activist, walked on September 25.

**Wayne Chico** (64), Tohono O'odham, former chairman of the Board of AMERIND Risk Management Corporation, walked on October 7.

**Kenneth S. Clark Sr.** (84), former Nanticoke Indian Tribe of Delaware chief, walked on October 9.

**Rina Naranjo Swentzell** (76), Santa Clara Pueblo artist, author and scholar, walked on October 30.

**George Billie** (88), a Seminole elder, tribal historian and interpretive guide at the Ah-Tah-Thi-Ki Seminole Indian Museum, walked on November 9.

**Vernon Lewis Ashley** (99), a U.S. Army veteran and former Crow Creek Sioux tribal chairman, walked on November 10.

**Robin Poor Bear** (38), Oglala Sioux subject of a PBS documentary about abuse, sobriety and justice, walked on November 20.

**Antoine Delormier** (67), Akwesasne man who claimed to have been roughed up by Canadian border guards, walked on November 24.

**Greg Fisk** (70), who was the newly elected Juneau, Alaska mayor, walked on December 1.

**John Trudell** (69), American Indian poet, actor, spoken word artist and political activist, walked on December 8.

# Indigenous Voices Fuel Environmental Movement of 2015

From Keystone XL to Paris climate talks Native activism remained strong

*Indigenous activism continued to influence both policy and the environmental movement in 2015, with some major victories, most notably the defeat of the Keystone XL pipeline. Throughout the year, climate change was the overriding concern, culminating in the representation of Indigenous Peoples at the COP21 United Nations climate talks in Paris in December. Ongoing drought, wildfires and Arctic drilling also dominated the news, with President Barack Obama visiting Alaska and getting to know Native groups there. Here are some of the biggest environmental stories of the year:*

## Arctic Protections

In January, citing Native subsistence fishing traditions among other considerations, Obama designated 12.3 million acres as wilderness in the Arctic National Wildlife Refuge, putting it off limits to oil and gas drilling in perpetuity. His move was tempered by his opening of offshore drilling in the Arctic and the Atlantic.

## Gogebic Taconite on Hold

The long fight against Gogebic Taconite's open pit iron ore mine in the pristine Penokee Mountains in Northern Wisconsin came to a halt in late February when the company announced its plans were on hold. It was good news for tribes, given that it would have sat over the Bad River Watershed, the conduit for myriad streams that flow into Lake Superior and through the famed wild rice beds on the Bad River Ojibwe Reservation.

## Oil Trains

Derailment after derailment and explosion after explosion prompted warning

after warning from the Quinault Indian Nation and other tribes against the train transport of crude oil, especially extra-flammable bitumen from places like the Bakken in North Dakota. An average of 800,000 gallons of oil spilled from trains between 1975 and 2012, with the number reaching 1.15 million gallons in 2014, the Quinault pointed out. A federal study predicted that oil- and ethanol-laden freight trains transporting the flammable substances across long distances for deliver could derail an average of 10 times annually.

## Gold King Mine Spill

Disaster struck on August 5, when sub-contractors for the U.S. Environmental Protection Agency (EPA) accidentally unleashed three million gallons of mining wastewater into a tributary of the Animas River in Colorado, which flowed into the San Juan and across the Navajo Nation, causing the Ute Tribe and the Navajo Nation to issue disaster declarations.

## Coal Terminals

An alliance of tribal leaders and members from the Lower Elwha, Quinault, Tulalip, Spokane, Swinomish, Yakama and Tsleil-Waututh First Nation joined the Lummi Nation to call on the U.S. Army Corps of Engineers to deny permits for the proposed Gateway Pacific Coal Terminal. The Northern Cheyenne Council unanimously passed a resolution against coal trains as well. Opponents—including tribal members and leaders from the Tulalip, Swinomish, Quinault, Lower Elwha Klallam, Yakama, Hoopa Valley, Nooksack and Spokane nations—took their case all the way to Washington D.C.

## Keystone XL Pipeline: Finally Defeated

Having vetoed a bill to force construction of the Keystone XL pipeline, Obama in November rejected the project outright, saying it was not in line with the national interests of the U.S. The pipeline had been a multi-year battle waged by numerous tribes, including the Yankton Sioux, the Sioux and Assiniboine of the Fort Peck Reservation, the Lower Brule Sioux, and more.

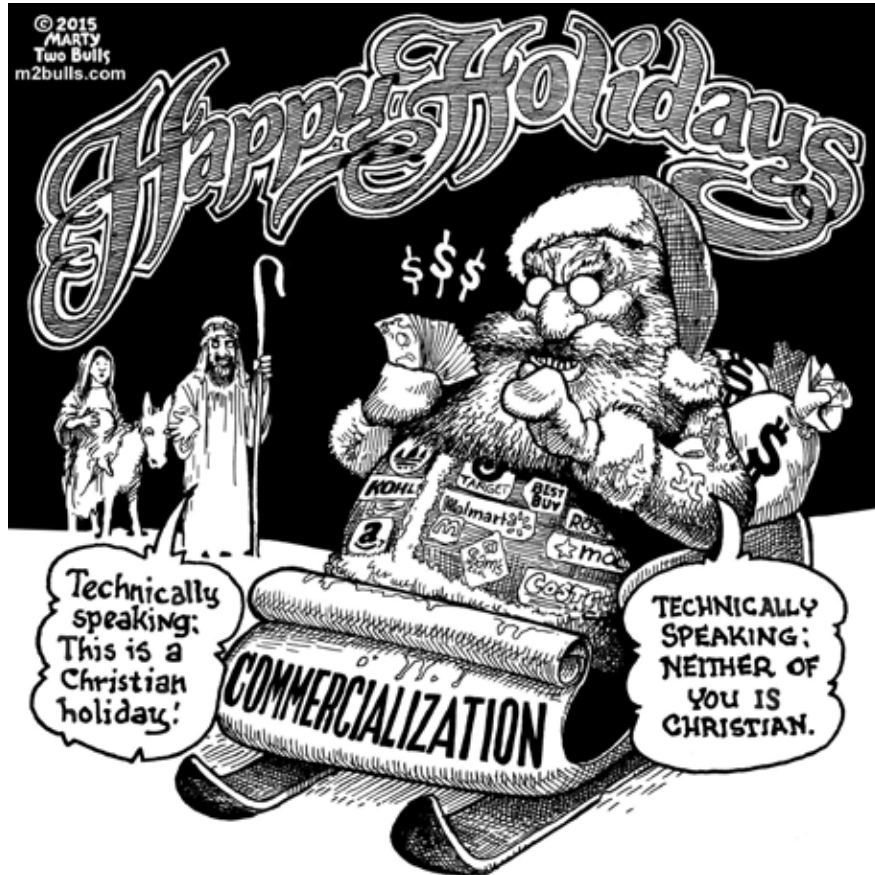
## Climate Change

Underlying all environmental problems is climate change, which affects Native peoples all over Turtle Island. In early January a group of scientists warned that fossil fuel deposits, including those in the Alberta oil sands, must be left in the ground to avoid catastrophic warming. In February Alaska Native villages received \$8 million for climate change mitigation, and a visit from U.S. Secretary of the Interior Sally Jewell. The Sauk-Suiattle Tribe bought 40 acres in preparation for moving upland, away from the Sauk River, to avoid its encroachment. Pope Francis invoked traditional knowledge and culture in his 192-page encyclical on climate change, saying that Indigenous Peoples "should be the principal dialogue partners" on projects affecting the environment.

## COP21

In that vein, indigenous climate activists descended on Paris for the COP21 United Nations climate summit and lobbied hard to get their concerns incorporated into the final documents, with mixed results. The negotiations, which culminated on December 11 with an agreement to keep the world's warming no higher than 1.5 degrees Centigrade, fell short of indigenous expectations.





## TOP NEWS ALERTS

From IndianCountryTodayMediaNetwork.com

### SMALL BUDGET INCREASES FOR INDIAN AGENCIES

The massive federal Consolidated Appropriations Act, released last week, offers only modest budget increases for major Indian Country agencies. The Indian Health Service has been apportioned \$4.8 billion for fiscal year 2016, an increase of only \$165 million above 2015. The Bureau of Indian Affairs allocation of \$2.8 million is only \$195 million above the present level. Formally designated as H.R.2029, the act is designed to fund the federal government for FY 2016.

### TRIBAL CHAIRMAN ON MICHIGAN PIPELINE BOARD

Homer Mandoka, the Tribal Council Chairman of the Nottawaseppi Huron Band of the Potawatomi, has been appointed

to the Michigan Pipeline Safety Advisory Board. The 16-member board oversees protection of Michigan's environment from damage by pipeline problems. It also advises state agencies on pipeline routing, construction, operation and maintenance to safeguard such natural resources as the state's lakes and rivers. Mandoka is a 13-year member of the tribal council.

### KALISPEL TRIBE BUYS SPOKANE COUNTRY CLUB

The Kalispel Tribe of Indians has purchased the Spokane Country Club, Washington State's oldest golf club, for a little over \$3 million. As part of the transaction, which was concluded on December 8, the club has been renamed the Kalispel Golf and Country

Club. "We bought it to make revenue," said tribal member Phil Haugen, general manager for the nearby Northern Quest Resort & Casino, "but I think it's a great project to express what Kalispel hospitality is."

### BLOOD TRIBE WINS \$5.8 MILLION SETTLEMENT

The Blood Tribe of southern Alberta has accepted a \$5.8 million settlement with Ottawa some 70 years after the government illegally seized 55,000 acres of tribal land to use as a bombing and gunnery range during World War II. Ottawa had failed to secure the tribe's approval, as required by the Indian Act. Besides arguing the need to right a historical wrong, the Blood Tribe conducted a study to determine how much potential oil and gas

revenue had been lost during the government occupation.

### NATIVE COMICS COLLECTION WINS AWARD

The stereotype-smashing graphic novel *Moonshot: The Indigenous Comics Collection* (AH Comics, 2015) has been named to the School Library Journal's prestigious Best Books list for 2015. "Moonshot is a wonderful teaching tool," said Pamela Vanderberg (Métis), Native Studies teacher at East Northumberland Secondary School in Brighton, Ontario. "We need more up-to-date resources like this." School Library Journal editor Shelly Diaz said that *Moonshot* "has an exceptionally diverse range of storytelling styles" and is altogether "arresting."



*Crystal Worl's "Into Water" is one of 50 Institute of American Indian Arts prints that will grace State Department residences worldwide.*

CRYSTAL WORL/IAIA

**THE BIG PICTURE**