



ASSOCIATION ON AMERICAN INDIAN AFFAIRS

December 2017

PROTECTING SOVEREIGNTY • PRESERVING CULTURE • EDUCATING YOUTH

Volume 181

NEW OFFICERS!

On November 30, 2017, AAIA Board of Directors elected new officers to serve a two-year term. AAIA's new officers are:

President

Frank Ettawageshik
(Odawa)

Vice President

Jonathan Perry
(Wampanoag)

Treasurer/Secretary

Dee Ann DeRoin
(Ioway)

Nominating

Committee Chair

Sarah Kastelic
(Alutiiq)

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Words of Welcome from President Frank Ettawageshik (Odawa)



It is a humbling experience to be elected President of AAIA, a 95 year old organization with many critical achievements that have improved Indian Country. AAIA has been involved in, and in several cases led the way to end assimilation, repatriate cultural and sacred items, stop removal of Indian children from their homes and preserve sovereignty by advocating for the Indian Reorganization Act, the Indian Citizenship Act, the Indian Child Welfare Act, the National Museum of the American Indian Act, the Native American Graves Protection and Repatriation Act, among other pieces of legislation. AAIA has worked closely with Indian Nations and organizations such as the National Congress of American Indians, National Indian Child Welfare Association, Native American Rights Fund, Annie E. Casey Foundation and Casey Family Programs for success on

these issues. AAIA has also worked to fill in niches that need attention that others are not working on or lack the capacity to do without assistance. For example, AAIA was paramount in the protection of Big Horn Medicine Wheel; providing scholarships for over 40 years for native students' higher education; assisting the efforts for federal recognition of several tribes and, more recently, working successfully to improve the recognition process by making it more transparent, fair and timely.

As we begin preparations for our 100th Anniversary, we have been asking ourselves what role AAIA will play in meeting the challenges of the next 100 years? During AAIA's history, many changes have occurred nationally and internationally. Landmark legislation and Supreme Court decisions have defined and clarified the federal/tribal relationship. Internationally, the 1948 United Nations Universal Declaration on Human Rights and the 2007 United Nations Declaration on the Rights of Indigenous Peoples have helped make a political environment in

which Indigenous Peoples are better able to assert and protect inherent rights and rights reserved by treaties.

Our goal to work with Tribal governments, tribal citizens, and organizations to protect sovereignty, to further Indigenous Rights, and to work for more effective relationships in the regional, national, and international arenas will remain paramount to AAIA's mission.

We have never been able to do this work without public support. In fact, nearly all of our funding has been from individuals, from Tribes, and from interested businesses and corporations. As the new President of AAIA, I will work with all the members of our dedicated and talented Board and staff to continue to meet the challenges facing Indian Country. We ask you to join us in this important work by continuing to provide the funding that enables our efforts. We wish you continued joy and success in the New Year!

Introduction to AAIA's New Executive Director-Shannon Keller O'Loughlin (Choctaw)

When I was young, my grandmother would tell me family stories about boarding schools, losing land, losing language, losing the places where our ancestors were buried. And when she was done she would say: "Your grandmothers and my grandmothers went through all of that so you could be here and do good by your grandmothers. Now go to school and get to it!" And that's just what I did.

Though no one in my family had graduated from high school, I made it to the University of Arizona and obtained a Master of Arts and Juris Doctorate degrees in Tribal law and policy, and indigenous peoples human rights law. I practiced law and worked for Indian Tribes and organizations like AAIA. I was appointed by Secretary of the Interior Sally Jewell to the Native American Graves Protection and Repatriation Act Review Committee, and later ap-

pointed by President Barack Obama to the Cultural Property Advisory Committee within the Department of State. I worked as Chief of Staff at the National Indian Gaming Commission. I have had the wonderful opportunity to work in so many areas of Indian law and policy, and am very grateful.

But to work at AAIA – well, it's exactly the place my grandmother wanted me to be! And my first four months as AAIA's new Executive Director has been very exciting! I had built a relationship previously with AAIA and provided legal analysis for several years on AAIA's efforts in Indian Child Welfare, NAGPRA, International Repatriation and sacred site efforts. Through my time with previous Executive Director Jack Trope and the Board, I have come to know the longstanding history of AAIA in Indian Country and am so proud to be a part of

its longstanding efforts.

I am grateful for the support of our wonderful Board of Directors. Each one of our Board members truly care about the success of AAIA – and more importantly, are strongly dedicated to our mission at the AAIA – to protect sovereignty, preserve culture and educate youth. Our goal is to ensure, on a daily basis, that the organization works in concert and partnership with Indian Country to build capacity and support for cultural sovereignty. I have promised the Board, and promise each and every donor who believes in the mission of AAIA, that I will do my best to wake up every morning, pray for health and the success of AAIA's work in Indian Country. My grandmother would be proud! **YAKOKE!**



Indian Child Welfare Act Tribal-State Agreements

In October, AAIA released its report entitled "A Survey and Analysis of Tribal-State Indian Child Welfare Act Agreements, Including Promising Practices" that provides important guidance to tribes and states regarding the implementation of the Indian Child Welfare Act (ICWA), 25 U.S.C. §§ 1901-1963. Funding for the "Survey and Analysis" came from AAIA's partnership with Casey Family Programs, and other contributors.

ICWA is designed to protect the best interests of Indian children by preserving the connection between the Indian child and the Indian family, which includes the extended family, tribal community and tribal government. Enacted in 1978, ICWA is supported by congressional findings linking the Act to the federal government's special fiduciary relationship to protect American Indian tribes' continuing viability and integrity. ICWA states: "Congress, through statutes, treaties, and the general course of dealing with Indian tribes, has assumed the responsibility for the protection and preservation of Indian tribes and their resources. ... [T]here is no resource that is more vital to the existence and integrity of Indian tribes than their children." 25 U.S.C. § 1901.

Prior to the enactment of ICWA, the integrity of the Indian family was being devastated by state and locally sanctioned child welfare and adoption agencies who were removing Indian children from their families at an alarming and disproportionate



A SURVEY AND ANALYSIS OF TRIBAL-STATE INDIAN CHILD WELFARE ACT AGREEMENTS

Including Promising Practices
June 2017

Please look for the "Survey and
Analysis" on our website!

rate. AAIA completed two studies in 1969 and 1974 exposing that 25-35% of all Indian children had been separated from their families and placed in foster homes, adoptive homes or institutions, and 90% of those placements were in non-Indian homes. AAIA was a leader involved in the drafting and passage of ICWA and has continued to work with Indian tribes and states to implement ICWA.

ICWA alone, however, does not mandate the necessary coordination and relationships between state and tribal child welfare offices that are necessary to carry out efforts that support ICWA proceedings. To develop the necessary coordination and relationships between tribes and states, ICWA section 1919 specifically provides authorization for tribes and states to enter into agreements regarding the care and custody of Indian children. AAIA's "Survey and Analysis" details best practices currently in use by

tribes and states that support the Indian child and family in ICWA matters. The report also includes information about the new ICWA regulations passed by the Bureau of Indian Affairs in June 2016, as well as BIA's new "Guidelines for Implementing the Indian Child Welfare Act."

Surprisingly, the report finds that during the time period for the research in 2015 and 2016 – 39 years after ICWA became law – only ten states have entered into ICWA Tribal-State Agreements with 37 of the 567 federally recognized tribes across the country. AAIA is continuing its efforts to speak with Indian tribes and states in hopes that this report, along with the Bureau of Indian Affairs new regulations, will provide tribes and states strong motivation to renew their current agreements, or develop for the first time, effective ICWA Agreements that support the goals of ICWA.

Sarah Kastelic, Executive Director of the National Indian Child Welfare Association and a member of AAIA's Board of Directors, stated, "The importance of a Tribal-State ICWA agreement should not be underestimated. There are processes that are not laid out in ICWA or the new regulations, which should be agreed to between a tribe and a state in order to effectively implement ICWA and protect Indian children. This report is a helpful resource to support tribes and states in fulfilling the purpose of ICWA."

AAIA Receives Native American Heritage Proclamation



Former Board President, Faith Roessel, receives a Native American Heritage Month Proclamation from the Mayor of Rockville, MD, Bridget Newton in November. The Proclamation states that Native Americans have shaped and continue to shape the United States, and that the City affirms its commitment to celebrate the original peoples.

On November 22, 2017 AAIA submitted comments responding to the November 8, 2017 Senate Committee on Indian Affairs regarding Senate Bill 1400, the Safeguard Tribal Objects of Patrimony Act of 2017 (STOP Act). Testifying at the hearing was John Tahsuda, III, Principal Deputy Assistant Secretary – Indian Affairs, U.S. Department of the Interior; Chairman Dave Flute, Sisseton Wahpeton Oyate of the Lake Traverse Reservation, and Governor Kurt Riley, Pueblo of Acoma. The STOP Act protects cultural items and archaeological items from export to other countries. Though the Bill only applies to “cultural items” as that term is defined by the Native American Graves Protection and Repatriation Act, and “archaeological items” defined by ARPA and the Antiquities Act, such a law is significant for the return of Native American objects that have been improperly taken and have been found for sale in other countries. Here is an excerpt of AAIA’s comments:

Dear Chairman Hoeven and Vice Chairman Udall:

The Association on American Indian Affairs (AAIA) is honored and grateful for the opportunity to provide support to this bipartisan legislation that is necessary to the continued revitalization of Native cultures and supports Tribal self-sufficiency and self-determination. The Safeguard Tribal Objects of Patrimony Act of 2017 (STOP Act) declares that the exportation of cultural items and archaeological resources that are already protected from trafficking within the US is illegal. This assertion of law and policy through the STOP Act is desperately needed.

AAIA absolutely supports the STOP Act. The AAIA is the oldest non-profit organization working in Indian Country, founded in 1922 by Indian policy reformists such as John Collier who sought to end assimilationist and allotment policies of the late 19th and early 20th Centuries. For at least the last 50 years, AAIA has worked to support Tribal efforts for the protection of indigenous religions, languages, sacred sites, and the return of ancestors, their

burial items, and other looted cultural items. AAIA assisted in the development and drafting of the National Museum of the American Indian Act (NMAI Act) and the Native American Graves Protection and Repatriation Act (NAGPRA). “Protection of Cultural Items” is a significant AAIA program. As part of this program, AAIA has worked with Tribal governments and spiritual leaders, as well as attorneys and advocates, to develop appropriate legislation to STOP the export of our indigenous culture overseas.

The journey home of ancestors, funerary objects, objects of cultural patrimony, sacred objects, and other archaeological items back to their origin and into the possession and control of American Indian Nations is a significant constitutional due process and Indian Commerce Clause issue, as well as a human rights concern. The US Congress has already determined that federal law must support the special government-to-government relationship with Tribes through protection and repatriation of cultural items through NAGPRA. The US Congress has already documented the terrible history of how Native Americans were dispossessed of their ancestors and cultural items when NAGPRA was drafted and enacted. Yet, the commercial perspective regarding the sale of “tribal antiquities” lags far behind US law and policy and is, unsurprisingly, threatened by the current legislation that you have proposed – and for which there has only been positive support from Tribes, Indian organizations and Native peoples.

All opposition to this bill comes from commercial dealers that are worried the exportation ban will eat into their sales of tribal antiquities. The Antique Tribal Art Dealers Association (ATADA) and non-profits supporting the agenda of commercial dealers including the Committee for Cultural Policy (CPP) and the Global Heritage Alliance (GHA), argue how the STOP Act is too broad, redundant and therefore unnecessary, and will harm the sale of legitimate American Indian art. Such comments from this opposition are misplaced and incorrect.

Go to www.indian-affairs.gov to read the rest of AAIA’s comments.

US Department of the Interior Secretary Zinke Suspends the NAGPRA Review Committee

AAIA and its membership are very concerned that the US Department of Interior Secretary Zinke has indefinitely suspended the NAGPRA Review Committee. This action occurred in May 2017 and there has been no expectation from the Department when the NAGPRA Review Committee will be able to fulfill its statutory mandate. Congress mandated that the NAGPRA Review Committee oversee and make decisions about the repatriation of human remains and other cultural and sacred items. If the Review Committee does not meet, museums and federal agencies are unable to fulfill certain legal responsibilities, and Tribes are further delayed from the return of their ancestors and cultural items. The Act states that NAGPRA is based on the unique government-to-government relationship the federal government has with Tribes (sect. 3010). Zinke's suspension of all Federal Advisory committees is an overbroad action; though his intention is to make sure stakeholders have a say in what happens at Interior, his action is actually preventing that with Tribes and NAGPRA. Even worse, Tribes have been working to get meetings about the suspension of the NAGPRA Review Committee with the Secretary (or his delegate on this issue), and have been rejected several times. AAIA has been in contact with congressional representatives about this issue.

2017 Summer Camp Recipients!

Through the help of generous donors, especially annual funding from the Plucknett Charitable Trust, AAIA provides seed money to Native American summer camps that support culture, language and health and wellness for Native youth. 2017 recipients were:

Summer Youth Corporation, Gallup, New Mexico was awarded \$500 and promoted healthy, balanced living by teaching Native American youth about physical, mental, social-emotional, and spiritual well-being (*hózhó*); increased understanding of environmental stewardship, family, teamwork, and responsibility; worked toward building self-esteem and to taking pride in their community.

Pollen Circles, Inc. was provided a \$1,000 grant for 2 wellness camps, which included a workshop called Sheep to Life;

directed outings to sacred sites, and gave sweat lodge ceremonies for Native American youth and young adults.

Camp Thunderbird South Dakota was given a \$500 gift to empower Native American youth of South Dakota through outdoor and educational experiences that emphasize leadership, teamwork, and goal setting skills, and provide a nurturing space for campers to gain self-confidence, make new friends, and explore the natural world.

Interfaith Action of Greater Saint Paul was provided a \$1000 grant for its American Indian Youth Enrichment Summer Program for Native youth from 30 different tribes. Each

student attended *Book-It! Reading Warriors* class twice a week to assist with reading fluency. The goal was to support literacy capabilities in



order that the youth would build skills to explore his or her history and to learn how to communicate achievements.

Kamiah Nimiipuu

Health Clinic received a \$1,000 gift to provide Native youth camp activities that included participating in a variety of physical fitness activities, traditional games and arts and craft activities. The Nimiipuu Health Nurses and Providers shared information on nutrition, physical activity and diabetes prevention. Story telling lessons

were given such as Stop the Pop and Drink Water.

Pathkeepers for Indigenous Knowledge were awarded \$1000 and provided camp activities for Native youth that included: exploring artistic expression like beading, Native flute, storytelling and Native logic and creative writing; Native horse culture; and Native games and social activities, like lacrosse, Kiowa hand game, powwow singing and dancing. Campers also helped prepare Camp meals, which were all-natural, healthy and nutritious with emphasis on traditional Indian foods.

American Indian Youth Wellness Camp - University of Arizona Received \$1000 and provided Native youth one week of healthy eating, exercise, learning, and fun while receiving in-depth physical assessments to track progress and personalize pathways to health.

Congratulations to our 2017 Scholarship Award Recipients!

AAIA provides scholarships to graduate and undergraduate Native American students. If a student is able to maintain their grades and stay in school full time, AAIA will continue the scholarship throughout their educational career. Each semester's scholarship is currently \$750 and is supported by an endowment and contributions from donors.

AAIA congratulates its 2017 Scholarship recipients:

- ◆ Amber M. Byars – Choctaw
- ◆ Andrew Roybal – Piro/Manso/Tiwa Indian Tribe, Pueblo of San Juan de Guadalupe
- ◆ Annie Evans – Blackfeet Tribe
- ◆ Benjamin M. Cornelius – Oneida of Wisconsin
- ◆ Chase Harmon – Nanticoke
- ◆ Christian Wassona – Cheyenne and Arapaho Tribes
- ◆ Frank J. Gilbert – Chippewa
- ◆ Garrett A. Holm – Cherokee
- ◆ Lindsey Hancock – Choctaw
- ◆ Maranda M. Byrd – Choctaw
- ◆ Marcene Hoover-Bennett, Navajo
- ◆ Marcus Bear Eagle – Oglala Lakota
- ◆ Marisa Skolnick – Village of Togiak
- ◆ Megan Susanne Warren – Central Council Tlingit & Haida Indian Tribes of Alaska
- ◆ Melinda Casey – Navajo
- ◆ Morgan Atkins – Delaware & Cherokee Tribes
- ◆ Nicholas C. Hill - Muscogee (Creek) Nation
- ◆ Shannon Wentworth – North Fork Rancheria of Mono Indians
- ◆ Taryn St. Louis – Prairie Band of Potawatomi Nation

AAIA's mission is to protect sovereignty, preserve culture and educate youth. To fulfill its mission, the AAIA currently has the following programs:

REPATRIATION OF CULTURAL ITEMS

AAIA has advocated for the protection and repatriation of cultural items over the last 50 years, including the development of the National Museum of the American Indian Act, which provides a mechanism for repatriation of cultural items from the Smithsonian Institution, and the Native American Graves Protection and Repatriation Act, which provides for repatriation and graves protection involving museums, and federal and tribal lands. This project is advised by a working group of indigenous peoples from across the United States (and Hawaii) to:

- (1) Provide a centralized information hub of expertise and information that provides training and supports repatriation efforts domestically and abroad;
- (2) Develop templates, toolkits and model laws that can be used by Tribes to support repatriation of human remains, funerary objects, cultural patrimony and sacred objects;
- (3) Advocate for stronger laws and policies that protect human remains, funerary objects, cultural patrimony and sacred objects on private lands, and items held by private collectors domestically and abroad; and
- (4) Raise awareness and

provide educational opportunities domestically and internationally with governments, institutions and the public to influence positive action towards addressing repatriation issues.

PROTECTION OF SACRED SITES AND CULTURAL PROPERTIES

AAIA has provided legal representation and training to tribes seeking to protect sacred places, including the successful effort to have the Bighorn Medicine Wheel/ Medicine Mountain in Wyoming designated as a National Historic Landmark. This work:

- (1) Provides a centralized information hub of expertise and information for training and support of the protection of these sites and properties;
- (2) Develops templates, toolkits and model laws that can be used by Tribes to support the protection of these sites and properties;
- (3) Advocates for stronger laws and policies that protect these sites and properties; and
- (4) Raises awareness and provide educational opportunities with governments, institutions and the public to influence positive action towards site protection issues.

INDIAN CHILD WELFARE

AAIA has worked actively in the field of Indian child welfare for more than four decades. AAIA developed studies and advocacy that were the catalyst for the passage of the

Indian Child Welfare Act of 1978 (ICWA), and for the new Bureau of Indian Affairs regulations implementing the ICWA in 2016. AAIA has further worked to promote the full implementation of the ICWA by seeking to obtain adequate resources and support for tribal child welfare programs. In doing so, the AAIA's advocacy helped to expand tribal eligibility under Titles IV-B and Title IV-E of the Social Security Act.

AAIA also has provided extensive training programs for Tribes seeking to institutionalize their own child welfare programs. Recently, AAIA was actively involved in the *Adoptive Couple v. Baby Girl* case (a.k.a. Baby Veronica case), including authoring a brief for 30 Tribes and 8 national organizations. In response to the decision, together with the National Indian Child Welfare Association, AAIA has written law review articles explaining how Tribes and Indian families can appropriately respond to the decision. The AAIA is currently developing a study to document abuses in the adoption industry that are having a negative effect upon Indian children.

JUVENILE JUSTICE

AAIA is extremely interested in how Tribes and states work together on Indian child welfare matters. AAIA has developed lengthy reports on Tribal-State Agreements concerning Title IV-E and ICWA, including what are

promising practices in the industry.

AAIA has convened tribal leaders and juvenile justice experts to explore how Tribes can benefit from alternatives to incarceration of youth, including the Juvenile Detention Alternatives Initiative (JDAI) developed by the Annie E. Casey Foundation (AECF). AAIA seeks to document and address disparities in the treatment of Native Americans by federal and state juvenile justice systems. AAIA is currently undergoing a pilot project with the Mississippi Band of Choctaw Indians concerning JDAI and culturally appropriate alternatives to incarceration. AAIA will be working with other Tribes on similar pilot projects in the future.

EDUCATIONAL OPPORTUNITIES FOR YOUTH

AAIA provides undergraduate and graduate scholarships to Native American college students. AAIA's scholarships target students not specifically targeted by any other national Indian scholarship program, including displaced homemakers, Indian students that are enrolled citizens of non-federally recognized Indian Tribes, and those needing emergency aid.

AAIA also provides seed money for youth summer camps generally run by Native organizations and Tribes that focused on cultural preservation, language, and health.

How You Can Help!

Indian tribes, companies, foundations, individuals, trusts, estates and other organizations or entities are all invited to take advantage of the opportunity to become a part of the AAIA legacy of success. Relationships are crafted in many ways, but most often occur in the form of general or designated financial contributions, as well as volunteering time.

GENERAL SUPPORT

AAIA's service in Indian Country depends on all types of donors. The day-to-day expenses of operations as well as the programs AAIA supports requires regular and pre-

dictable contributions from generous tribal, foundation, corporate and individual contributors. Such contributions are the cornerstone to our foundation of success and help us provide consistent representation of the issues, as well as deliver the results Tribes depend on over the long term. Please consider becoming a regular general supporter each budget year.

PROJECT SPECIFIC SUPPORT

AAIA welcomes partnership opportunities with Indian Tribes, foundations, corporations, and other entities and individuals to receive grants

and funding towards the achievement of specific program goals. Whether your interest is cultural resources, youth, education or other Indian Country issue, AAIA receives project specific support, which allows AAIA to develop programs in collaboration with those partners.

PROVIDE A CHARITABLE GIFT IN YOUR ESTATE

If the work of AAIA is meaningful to you and your family, you may provide for AAIA with a charitable donation or trust as one of your last wishes. A charitable donation will minimize your taxable estate since charitable

donations are exempt from gift taxes.

VOLUNTEER

AAIA has volunteer opportunities for public affairs, legal, accounting, and project specific expertise. Be a part of advocacy in Indian Country by donating your time and effort to changing lives on the ground, preserving culture, and supporting strong tribal governments.



**Please tear out to mail in your contribution.
Or, go to www.indian-affairs.org
and use your credit card or Paypal account.**



ASSOCIATION ON AMERICAN INDIAN AFFAIRS

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Enclosed is my gift of: \$15 \$25 \$50 \$100 \$125 Other \$_____

You can also become a MEMBER of AAIA, and receive newsletters, calls to action and other important announcements; and vote for the Board of Directors at annual meetings if you donate at least \$35. Enclosed is my membership renewal fee of: \$35

Name: _____

Street: _____ City: _____ State: _____ Zip: _____

Email: _____ Phone Number: _____

Check enclosed. Please make payable to AAIA.

Credit card donation in the amount of: \$_____ Visa MasterCard

Expires: _____ Security Code: _____ Discover Bank Debit

Name as it appears on the card: _____

Signature: _____

Credit Card Donations can also be submitted at www.indian-affairs.org



On November 29, 2017, AAIA held its 95th Annual Membership Meeting in Rockville, Maryland, near Washington, DC and AAIA's headquarters. The theme of the evening celebrated "Remembering Our Past and Advocating for the Future" with speakers, singers and dancers. After the opening prayer from the Board member Frank Ettawageshik, Shannon Keller O'Loughlin, Executive Director discussed AAIA's 2017 program activities and fund-

ing. Then, a panel of speakers discussed how best to advocate for Indian Country in the current administration. The speaker panel included **Larry Roberts (Oneida)**, Attorney with Kilpatrick Townsend Native American Litigation Practice and former Acting Assistant Secretary for Indian Affairs during the Obama Administration; **Raina Theile (Dena'ina Athabascan and Yup'ik)**, Owner of Theile Strategies and former Associate Director of Intergovern-

mental Affairs during the Obama Administration; and **Gabrielle Tayac (Piscataway)**, Associate Director for Communications at the Spirit Aligned Leadership Program and Previous Historian at the National Museum of the American Indian.

After the panel of speakers, **Lance Ma'heonenahkohe Fisher** and his drum group led dancers, including membership participants, in a round dance to build community and close out the evening.

Unfortunately, the Membership meeting was so engaging that there was no time left for the two short films, which included "**A Few Things to Know About Why Treaties Matter**" (<https://www.youtube.com/watch?v=bexvE4lZRG0&feature=youtu.be>) – a public service announcement type of film from National Public Radio that includes Frank Ettawageshik, AAIA Board member; and Mary Kathryn Nagle, AAIA Council of Advisor members; and "**American Uprising: Land that I Love**" (<https://content.jwplatform.com/previews/QefOZv16-avTupidD>) – a short documentary from Refinery29 about American Indian advocacy using the NoDAPL protest to discuss how advocacy has always been a part of Native American culture. Membership has always been important to AAIA—we look forward to celebrating every year of good work in Indian Country with you!

Update on the Protection of Bears Ears National Monument

On April 26, 2017, President Donald Trump delivered an Executive Order requiring the Secretary of the Interior to review all National Monuments designated under the Antiquities Act of 1906 since 1996 that were Monuments over 100,000 acres or had been designated "without adequate public outreach." The stated purpose of the Executive Order was to review whether the past National Monument designations created "barriers to achieving energy independence, restrict public access to and use of Federal lands, burden State, tribal, and local governments, and otherwise curtail[ed] economic growth." Bears Ears National Monument, established by President Barack Obama on December 28, 2016, was the only National Monument expressly named in the Executive Order.

Bears Ears National Monument covers approximately 1.35 million acres. Bears Ears is considered sacred by Tribes and is covered by 100,000 plus significant cultural and sacred sites, structures and objects, and environmental sanctity. The Hopi Tribe, Navajo Nation, Pueblo of Zuni, Ute Indian Tribe, and Ute Mountain Ute Tribe have worked together to support the proposal for the designation of Bears Ears as a protected National Monument. Bears Ears National Monument was created by President Obama to preserve hunting, fishing, gathering and grazing rights, and protected these incredible lands from widespread looting and oil, gas and mineral development. And at every turn along the way, the Tribes have faced opposition from interests that seek to exploit the area for further energy development.

President Trump, on December 4, ordered a drastic reduction to the size of Bears Ears, shrinking it to 15% of its

original size, roughly 228,000 acres. The revoked lands are to be open up to "entry, location, selection, sale" and "disposition under all laws relating to mineral and geothermal leasing" and "location, entry and patent under mining laws" within 60 days, essentially selling the sacred lands to the highest bidder. There is no doubt that significant cultural and sacred sites will be plundered and destroyed by such activity, not to mention the long-term environmental effects of opening up these lands to energy development for short term jobs and capital.

The Native American Rights Fund (John Echohawk is the Executive Director of NARF and on the Board of AAIA), on behalf of the Hopi Tribe, Pueblo of Zuni, and Ute Mountain Ute Tribe, is suing President Trump to kill his order to diminish Bears Ears. The Navajo Nation and the Ute Indian Tribe have joined in that litigation. Recreation, scientific and environmental groups have also filed litigation to stop the Trump administration from acting on the diminishment. The main argument is that President Trump (or any other sitting President) does not have the authority to diminish a National Monument, but only to designate a National Monument.

In the meantime, House Natural Resources Chairman Rob Bishop (R-Utah) introduced problematic legislation amending the Antiquities Act of 1906, making any Monument designation over 640 acres subject to extensive environmental assessment, state and local government review, and further codifies the president's ability to reduce the size of any Monument.

ASSOCIATION ON AMERICAN INDIAN AFFAIRS

966 Hungerford Drive, Ste. 30-A
Rockville, Maryland 20850

240-314-7155
general.aaia@indian-affairs.org

December 2017 Newsletter
Volume 181



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Who is the Association on American Indian Affairs

The **Association on American Indian Affairs**, or **AAIA**, is the oldest American Indian advocacy organization in the United States, founded in New York City in 1922.

The organization began – moved by Pueblo land claims issues – as a citizens' group supporting Indian rights. One of its founders was John Collier, and during his tenure worked with the early organization to develop new creative policy that would end racist policies of assimilation and land allotment. This later became the Indian Reorganization Act of 1934, which in fact ended the allotment era and recognized tribal governing bodies.

In 1948 the early organization merged with other similar groups and began a tradition of serving Indian Tribes, their citizens and all indigenous communities within the United States with a mission of protecting tribal sovereignty, preserving culture and educating youth.

AAIA involves itself at the grassroots and national levels in partnership with Tribes and tribal peoples to seek solutions and

policies that empower individuals and contribute towards self-determining and sustainable Indian communities.

AAIA is governed by an all-Native Board of Directors from across the country: **Frank Ettawageshik (Odawa) President**, **Jonathan Perry (Wampanoag) Vice President**, **Dee Ann DeRoin, MD (Ioway) Treasurer/Secretary**, **Alfred R. Ketzler, Sr. (Athabaskan)**, **John Echohawk (Pawnee)**, **Bradford R. Keeler (Cherokee)**, **Elke Chenevey (Omaha)**, **Sarah Kastelic (Alutiiq)**, **Faith Roessel (Navajo)**, and **Cheriena Ben (Choctaw)**. The Board works in alliance with its Executive Director, **Shannon Keller O'Loughlin (Choctaw)**. The Board and Executive Director are further advised by the Council of Advisors, whose members are prominent experts in many subject matter areas important to Indian Country.

To learn more about **AAIA** and its programs, and to support cultural sovereignty, visit www.indian-affairs.org.



To support **Cultural Sovereignty** the **AAIA** works to support child welfare, youth education, indigenous languages, federal recognition and the protection of cultural resources and sacred sites.