Healing Our Land, Our Bodies, and Our Communities: The Intersection of Environment, Health, and Indigenous Communities

Presenters: Wenona Wolf, Matt Dannenberg, Jacklyn Velasquez
<table>
<thead>
<tr>
<th>YEAR</th>
<th>FEDERAL POLICY</th>
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<tbody>
<tr>
<td>Pre-1800's</td>
<td>Extermination, Manipulation &amp; Colonization of Indians</td>
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<td>Early 1800's</td>
<td>The Civilization Act</td>
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<td>1830</td>
<td>Removal Act- Authorized by President Jackson to remove Indians from the east to west of the Mississippi River.</td>
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<td>1870-1890</td>
<td>Indian Wars- Wounded Knee 1890- Famous Sioux Massacre.</td>
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<td>1887</td>
<td>The Dawes Allotment Act- Divided up Indian Land and gave plots of land to the &quot;head of household&quot;. Much of original land allotted to Indians was later taken because they were unable to pay taxes. Government determined tribal roles and memberships</td>
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<td>1924</td>
<td>The Snyder Act- Until this time, Indians were not considered citizens of the United States.</td>
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<td>1934</td>
<td><strong>Wheeler-Howard Indian Reorganization Act</strong>- The &quot;Indian New Deal&quot; allowed tribes to establish elected tribal governments. Traditional chiefs, headmen, and medicine men are not recognized by the government.</td>
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<td>1953</td>
<td><strong>Termination Policy</strong>- Attempted to abolish federal supervision of Indian tribes. Effect was disastrous on those tribes that were terminated, most notably the Klamath Tribe of Oregon and Menominee Tribe of Wisconsin.</td>
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<td>1968</td>
<td><strong>Indian Civil Rights Act</strong>- Imposed regulations on tribes in order to guarantee individual Indians similar rights in tribal matters.</td>
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<td>1970</td>
<td><strong>Self-Determination Policy</strong>- Richard Nixon condemned the Termination Policy and extended more control of Indian affairs to Indians themselves.</td>
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<td>1978</td>
<td><strong>Indian Child Welfare Act</strong>- Assures the preservation of the Indian family by protecting the proper placement of Indian children into Indian adoptive and foster homes.</td>
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Source: Native Wellness Institute
2.9 million American Indians in the United States

626,000 American Indian children in the United States

Source: Race for Results, Annie E. Casey Foundation and the National Congress of American Indians.
51,088 Native Americans
13,920 Native American children

37,276 Native Americans live on reservations or trust land

12 Native American Nations in Wisconsin

- Bad River Band of Lake Superior Chippewa
- Brothertown Nation (not federally/state recognized)
- Forest County Potawatomi
- Ho Chunk Nation
- Lac Courte Oreilles Band of Lake Superior Chippewa
- Lac Du Flambeau Band of Lake Superior Chippewa
- Menominee Indian Tribe of Wisconsin
- Oneida Nation of Wisconsin
- Red Cliff Band of Lake Superior Chippewa
- Sokaogon Chippewa Community
- St. Croix Chippewa Indians of Wisconsin
- Stockbridge-Munsee Community Band of Mohican Indians
“Marshall Trilogy”- A series of three cases that combined are the foundation of Federal Indian Law.

**Johnson v. M’Intosh 21 U.S. (8 Wheat.) 543 (1823)**- Doctrine of Discovery allows the confiscated lands and property of non-Christian savages.

**Cherokee Nation v. Georgia 30 U.S. (5 pet.) 1 (1831)**- Domestic Dependent Nations- They may occupy the territory but we assert a title independent.

**Worcester v. Georgia 31 U.S. 515, 559 (1832)**- “Distinct, Independent Political communities retaining their original natural rights” in self-governance-this, state law are largely inapplicable.
Tribal sovereignty in context of agency relationships

Unless the federal government has explicitly provided that a state program applies in Indian country, State regulations are not effective in Indian country and tribes independently comply with federal law and/or enforce their own laws.

Result in Context

State Programs resulting from federal delegation to the state implementation of regulations such as Clean Water Act (CWA) and Clean Air Act (CAA), did not apply to Indian county.
CWA/CAA TAS

Treatment in Manner Similar to States (TAS) was amended to include tribes who meet a number of requirements. Allows federal laws establishing minimum requirements (CWA and CAA) to be delegated to tribes. If TAS is achieved, Tribes are required to enforce standards, in part through a Implementation Plan.

Why TAS?
Regulate upstream users from contaminating downstream on-reservation water. *Wisconsin v. EPA* 266 F.3d 741, 748 7th Cir. 2000.
Take away-SELF GOVERNANCE- is key to exercising sovereignty. Tribes have used Federal environmental laws to promote protection of Indian country and strengthen self-governance platforms. This has always been about race.
Chippewa Treaties

In 1836, 1837, 1842, and 1854, the Chippewa entered into treaties with the United States covering land in what is now northern Michigan, Minnesota, and Wisconsin. In the 1837 and 1842 treaties, the Chippewa reserved specified lands ("reservations") but ceded other land to the federal government. In Wisconsin, this ceded territory covers approximately 22,400 square miles in the northern third of the state.

Territory in Wisconsin Ceded by Chippewa Treaties of 1837 and 1842

Source: Wisconsin Department of Natural Resources (DNR).

In the treaties, the Chippewa reserved use rights, also called usufructuary rights, to hunt, fish, and gather within the ceded territory.
PAST ENVIRONMENTAL FIGHTS

- 1980s-91 Walleye Wars
- 1996 Bad River Blockade
- 2011-2014 GTAC Penokee
CURRENT ENVIRONMENTAL FIGHTS

- Oil pipelines: DAPL, Enbridge
- Iron Mining: Penokee Hills
- Sulfide Mining: Back40
RACIAL DISPARITIES
Birth & Infant Mortality

In Wisconsin, Native American infants are 2.4 times more likely to die than White infants before their first birthday (2013-2015).

Native American women are more likely to have a premature birth (13.5%) than White women (9.2%) in Wisconsin (2015).

Source: Office of Health Informatics, Division of Public Health, Wisconsin Department of Health Services Annual Wisconsin Birth and Infant Mortality Report, 2015

Cancer

Native Americans in WI have higher cancer incidence rates (551.2 per 100,000 people) than whites (470.7 per 100,000).

Lung Cancer: 110.2 vs 60.5
Kidney and Renal Pelvis: 28.4 vs 17.3
Colorectal: 55.6 vs 37.5

Disease Mortality

Native Americans in Wisconsin (63.8 per 100,000) are far more likely to die of complications due to diabetes than whites (17.5 per 100,000).

Cerebrovascular Disease (strokes, aneurysms): 48.5 vs 34.8 deaths per 100,000 people
Heart Disease: 215.7 vs 156.7 deaths per 100,000 people
Suicide

Suicide is the second leading cause of death for AIAN adolescents and young adults, with a suicide rate one and half times higher than the national average.


Native Americans in WI have higher rates of deaths due to suicide than other minority groups.

Mortality

Native Americans have far higher overall mortality rates than Whites: 1,056.1 vs 705.7 deaths per 100,000 people.

Native Americans in Wisconsin are more likely to die at a younger age than Whites. 60.4 years vs 76.6 years.

- Men: 58.5 vs 73.2
- Women: 65.2 vs 79.9
THE HEALTH & WELL-BEING OF NATIVE COMMUNITIES

- Poverty

American Indians Living in Poverty
American Indian 26%
White 9%

American Indian Children in Poverty (2015)
American Indian 41%
White 10%

Median Household Incomes (2016)
American Indian $33,400
White $79,400
There is a direct connection between how we treat the earth and the health and well-being of the Indigenous people of this land.

- Threat to our water
- Threat to our Indigenous Food
- Disregard to treaties and affect of policies that prevent us from practicing our cultural ways.
- Education systems that don’t give our children access to our Indigenous foods and cultural teachings.
Become active in the fights to protect our environment, and remember individual choice does not drive systemic change.

Listen, engage, and work with Native communities to develop public policies.

Advocate for American Indian communities. Everyone’s work affects Native American communities but far too often we’re not included in policy conversations or policy solutions.

Learn more about how many of policies that affect Native communities are racists, work to help reverse these, and educate others on the unjust treatment of Native people.

Better understand how Indian Health Services works.

Understand how your organizations policies make it more difficult for Native people to succeed within the organization, care for their well-being and practice & honor their cultural ways.

Support tribal program and initiatives and organizations operated by Native Americans.
Support and Work With:

- Tribal programs throughout
- Gerald Ignace Indian Health Center
- We Are Healers
- Native American Center for Health Professionals
- Well for Culture
WHAT DIFFERENCE CAN YOU MAKE?

- YOUR vote!
- YOUR friends and family! Join MyPeople Network
- YOUR voice!
  Come canvass or phonebank
RACE TO THE POLLS...

Our schools, our communities, and our economy will be better when every person in the state has access to opportunity—but in order to achieve this, our lawmakers must stand up for racial justice and advance policies that promote racial equity.

Because our future is diverse, engaged, compassionate, equitable, inclusive, healthy, factual, and thriving and we need leaders who will engage with Wisconsin's communities of color, amplify their voices, and work to advance policies that promote racial justice.

Race to the Polls is for the people by the people. People who are ready to make racial justice a priority. People who are ready to vote for candidates who talk about issues affecting people of color. People who will hold elected officials accountable and support policies that will undo the many unjust policies and practices that exist in our state and throughout our nation.

Are you a voter committed to bringing racial justice issues to the forefront this election season? Sign the pledge.
“I don’t believe in magic. I believe in the sun and the stars, the water, the tides, the floods, the owls, the hawks flying, the river running, the wind talking. They’re measurements. They tell us how healthy things are. How healthy we are. Because we and they are the same. That’s what I believe in.” – Billy Frank Jr.