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From: Denise Everhart [<mailto:denise@redhead-web.com>]

Sent: Wednesday, May 29, 2013 11:06 AM

Subject: Native American Mascots

I have been involved and interested in the Mascot Issue since last year. I wanted to share the following with you, hoping to insert some logic into these proceedings:

1. Dr. Fryberg's presentation did not mention a single Oregon mascot. It did not mention any study done with high schools. It did not include information from a single Oregon student or Tribe. The research was based upon the Washington Redskin's name and the Cleveland Indians mascot. Those are the easy arguments to make. Our mascot issue is different and needs to be addressed as such. Link to her presentation -

<http://www.google.com/url?sa=t&rct=j&q&esrc=s&source=web&cd=3&ved=0CEEQFjAC&url=http%3A%2F%2Fwww.ode.state.or.us%2Fstateboard%2Fpdfs%2Fhandout---stephanie-fry-mascot-powerpoint.ppt&ei=xDtcUdyOEaPR0wHr1YHICQ&usg=AFQjCNH9kf0z7WxPrQU40oImIQFFlaohEw&sig2=93Kdu0p3mO9SCCho10XA9g&bvm=bv.44697112%2Cd.dmQ&cad=rja>

2. A better example of our mascot issue would be the Florida State mascot – the Seminoles. The NCAA banned Native American mascots, Florida State, Utah, Illinois and Central Michigan have kept their names after receiving “waivers” from the NCAA by proving they (currently) have the blessing and written approval of those respective tribes (Seminole, Illini, Ute and Chippewa).

3. NCAA has granted waivers from their mascot policy to five university teams that have obtained official support from individual tribes for the use of their names and images, which is based upon the principle of Tribal Sovereignty. As stated by The National Congress of American Indians (founded in 1944, is the oldest, largest and most representative American Indian and Alaska Native organization serving the broad interests of tribal governments and communities), "In general, NCAI strongly opposes the use of derogatory Native sports mascots. However, in the case where mascots refer to a particular Native nation or nations, NCAI respects the right of individual tribal nations to work with universities and athletic programs to decide how to protect and celebrate their respective tribal heritage.".[6]

4. The Native American Mascots used by Oregon schools are based upon real Oregon Tribes. See the following powerpoint:

<https://www.facebook.com/media/set/?set=a.3033013913131.2117999.1496427857&type=1&l=a173cf00ca>

5. Three federally recognized tribal governments exist in Oregon: the Confederated Tribes of Warm Springs (Treaty of 1855), the Confederated Tribes of Umatilla (Treaty of 1855) and the Burns Paiute Tribe (established by Executive Order in 1972). A federally recognized tribe is an American Indian or Alaska Native tribal entity that is recognized as having a government-to-government relationship with the United States, with the responsibilities, powers, limitations, and obligations attached to that designation, and is eligible for funding and services from the Bureau of Indian Affairs. Furthermore, federally recognized tribes are recognized as possessing certain inherent rights of self-government (i.e., tribal sovereignty) and are entitled to receive certain federal benefits, services, and protections because of their special relationship with the United States. At present, there are 566 federally recognized American Indian and Alaska Native tribes and villages.

6. Tribal governments are separate sovereign nations with powers to protect the health, safety and welfare of their members and to govern their lands. This tribal sovereignty predates the existence of the U.S. government and the state of Oregon. The members residing in Oregon are citizens of their tribes, of Oregon and, since 1924, of the United States of America.

7. Public Law 280 gave the state certain civil and criminal jurisdiction over tribes, with the exception of the Confederated Tribes of Warm Springs and the Confederated Tribes of Umatilla which are “non Public Law 280” tribes. Notwithstanding Public Law 280, all Oregon tribes have the authority to elect their own governments and adopt laws and ordinances. Oregon tribal governments have their own departments dealing with governmental services and programs in the areas of natural resources, cultural resources, education, health and human services, public safety, housing, economic development, administration and other areas. Oregon maintains a government-to-government relationship with the tribal governments as directed in ORS 182.162 to 182.168.

The Molalla Indians are a Nation, not a race. They have the support of The Confederated Tribes of the Grande Ronde (Molalla Indians are part of the confederated Tribes). To state that the sovereign nation has no say in the use of their name is absurd. I encourage you to give the rights over the use of the Molalla Indian name and likeness BACK to the sovereign nation.

Denise Everhart