

# Reparations for Indigenous Peoples: Why now, why us, and what next?

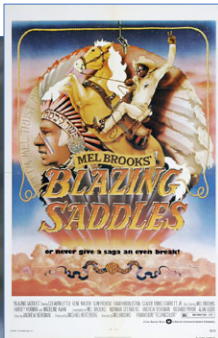
Sara Chandros Hull  
February 22, 2023  
Adat Shalom Reconstructionist Congregation  
via Zoom

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## Disclaimer

*The following presentation was prepared by the speaker in her personal capacity. The views expressed are her own and do not necessarily represent the views of the National Institutes of Health or the United States Government.*

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## Elements of Indigenous Style: “Do no more harm”

### Use:

- American Indian and Alaska (\*not Alaskan) Native (AI/AN)
- Diné (Navajo Nation), Piikáni (Blackfeet Nation)
- Tribe/Tribal, Native, Indigenous, Indian Country
- Native American vs. native American
- Urban Indian

### Avoid:

- chief
- pow wow
- Indian-giver
- circle the wagons
- hold down the fort
- off the rez
- 1<sup>st</sup> Americans
- low man on the totem pole

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### Tribal Nations and the U.S. – A Government-to-Government Relationship

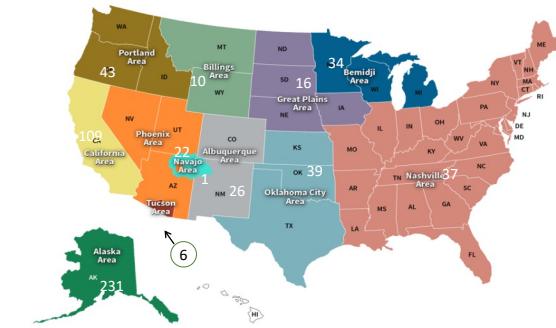


The Treaty of Canandaigua, 1794. Parchment, ink, resin and wafer seals, ribbon. National Archives, Washington, D.C.

- Since the formation of the Union, the U.S. has recognized American Indian Tribes as **sovereign nations**.
  - Executive Order 13175 (2000)
- Resulted in the transfer of land under treaties
- Federal programs and services that benefit American Indians and Alaska Natives (AI/AN) are based on this **unique government-to-government relationship**.
- **The relationship is political and legal.** It is not based on race.
- The Federal government recognizes **574 Tribal Nations**, each with their own culture, language, government, and history.

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### Location of Tribes by Indian Health Service Areas



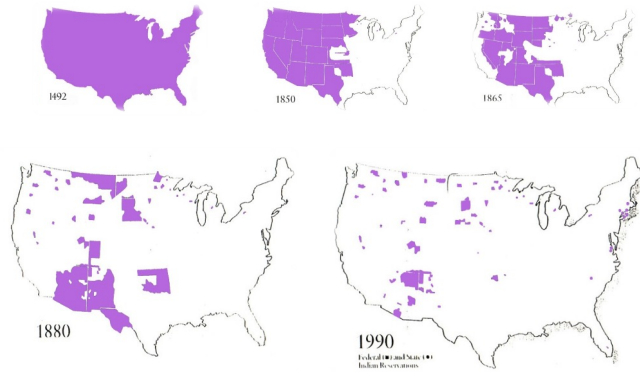
Numbers represent the number of Tribes by Area.

**Indian Health Care System**  
 - 12 Area Offices  
 - 170 IHS and Tribal managed service units

Source: <https://www.ihs.gov/locations/>

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### Native American Lands From 1492 to Present



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Why now?

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BRIEFING ROOM

## Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships

JANUARY 26, 2021 • PRESIDENTIAL ACTIONS

“It is a priority of my Administration to make respect for Tribal sovereignty and self-governance, commitment to fulfilling Federal trust and treaty responsibilities to Tribal Nations, and regular, meaningful, and robust consultation with Tribal Nations cornerstones of Federal Indian policy.”


- President Biden, Presidential Memo, January 26, 2021

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### New NIH Tribal Consultation Policy


Supporting the Health of American Indians and Alaska Natives

[Learn more »](#)




<https://dpcpsi.nih.gov/sites/default/files/NIH-Tribal-Consultation-Policy-March-17-2022-508.pdf>

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EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF SCIENCE AND TECHNOLOGY POLICY  
COUNCIL ON ENVIRONMENTAL QUALITY  
WASHINGTON, D.C.



November 30, 2022

MEMORANDUM FOR HEADS OF FEDERAL DEPARTMENTS AND AGENCIES

FROM: Arati Prabhakar, Ph.D. *Arati Prabhakar*  
Assistant to the President and Director  
Office of Science and Technology Policy

Brenda Mallory *Brenda Mallory*  
Chair, Council on Environmental Quality

SUBJECT: Guidance for Federal Departments and Agencies on Indigenous Knowledge

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### It Shouldn't Take a Pandemic...

[Health Equity](#), 2022; 6(1): 226-229. PMCID: PMC8985526  
Published online 2022 Mar 8. doi: [10.1089/heaq.2021.0129](https://doi.org/10.1089/heaq.2021.0129) PMID: [35402772](https://pubmed.ncbi.nlm.nih.gov/35402772/)

**Disparities Made Invisible: Gaps in COVID-19 Data for American Indian and Alaska Native Populations**

[Alexandra Skinner](#)<sup>1\*</sup>, [Julia Raifman](#)<sup>1</sup>, [Elizabeth Ferrara](#)<sup>1</sup>, [Will Rademan](#)<sup>1</sup> and [Talia M. Quandelacy](#)<sup>2</sup>

Home » American Journal of Public Health (AJPH) » October 2022

**Data Equity in American Indian/Alaska Native Populations: Respecting Sovereign Nations' Right to Meaningful and Usable COVID-19 Data**

Vickie M. MaysPhD, MSPH, Abigail Echo-HawkMA, Susan D. CochranPhD, MS, and Randall AkeePhD

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**It Shouldn't Take a Pandemic**

"However, this...does not begin to capture the long-term consequences for AI/AN persons deriving from the loss of so many elders. Gone are key leaders, including the keepers of unwritten language, and enduring are disruptions of tribes, nations, bands, pueblos, communities, native villages, and families who face complicated waves of grieving. For AI/AN populations, who are especially sensitive to threats of genocide, COVID-19 reawakens awareness of structural racism as a weapon for their destruction."

Alexandra Skinner, PhD


Home » American Journal of Public Health (AJPH) » October 2022

**Data Equity in American Indian/Alaska Native Populations: Respecting Sovereign Nations' Right to Meaningful and Usable COVID-19 Data**

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**October 3, 1995**

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Los Angeles Times

Clinton Apologizes for Radiation Tests : Experiments: Cabinet will study compensation for some victims and their families. About 4,000 secret studies through 1974 were disclosed.

October 04, 1995 | MARLENE CIMONS | TIMES STAFF WRITER

WASHINGTON — President Clinton apologized Tuesday to the survivors and families of those who unknowingly were subjects of government-sponsored radiation experiments, and ordered his Cabinet to devise a system of relief—including financial compensation.

"When the government does wrong, we have a moral responsibility to admit it," Clinton said. "The we owe to one another to tell the truth and to protect our fellow citizens from excesses like these is we can never walk away from."

Saying "our government failed in that duty," he apologized "to all the American people who must be to rely upon the United States to keep its word to tell the truth and to do the right thing."



White House apology ceremony, 16 May 1997. Participants and survivors of the study (first row): Herman Shaw, Fred Simmons, Charles Pollard, Frederick Moss, Carter Howard. White House officials (back row): U.S. Surgeon General David Satcher, President William J. Clinton, Vice-President Albert Gore.

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### U.S. Public Health Service Syphilis Study Timeline

- **1932** Study initiated with 600 black men in Macon County, Alabama (399/201)
- **1940** Efforts to hinder men from getting treatment via draft exemption
- **1945** Penicillin accepted treatment
  - USPHS Rapid Treatment Centers est. ('47)
  - But men in study not treated
- **1948** Nuremberg Code released
- **1968** CDC Blue Ribbon Panel: continue study

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### Belmont Report (1979)

- Respect for persons
  - Voluntary informed consent
- Beneficence/non-maleficence
  - Assessment of risks and benefits
- Justice
  - Fairness in recruitment and selection of subjects

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### “Helicopter Research” with Tribal Communities

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### Arizona State University (ASU) Case Timeline

- **1990-1994** Havasupai Tribe's DNA samples collected for genetic studies on T2D by ASU researchers
- **2003** discovery that samples also used for research on schizophrenia, migration, inbreeding
- **2004** *Havasupai Tribe of the Havasupai Reservation v. Arizona Board of Regents and Therese Ann Markow*
- **2010** settlement (\$770K, funds for clinic and school, return of DNA samples to Tribe)

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OHSRP Education Series: Ethical Conduct of Research with American Indian and Alaska Native Participants: Extending Protections through Respect for Tribal Sovereignty

Thursday, September 2, 2021

Dr. Sara Hull, NIH and Dr. Dave Wilson, NIH

Read more 248 views (206 live, 42 VOD) - Runtime: 01:0

**Beyond Belmont: Ensuring Respect for AI/AN Communities Through Tribal IRBs, Laws, and Policies**

Sara Chandros Hull, National Institutes of Health  
David R. Wilson (Dine), National Institutes of Health

"Thus, if the official governing body of a tribe passes a tribal law that provides additional protections for human subjects, the Common Rule does not affect or alter the applicability of such tribal law."

Federal Policy for the Protection of Human Subjects  
Final Rule 2017, 7158, Executive Summary II.E.2

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HHS.gov Department of Health & Human Services

The Importance of Tribal Perspectives in Research Ethics

June 8, 2017 | By: Sara Hull

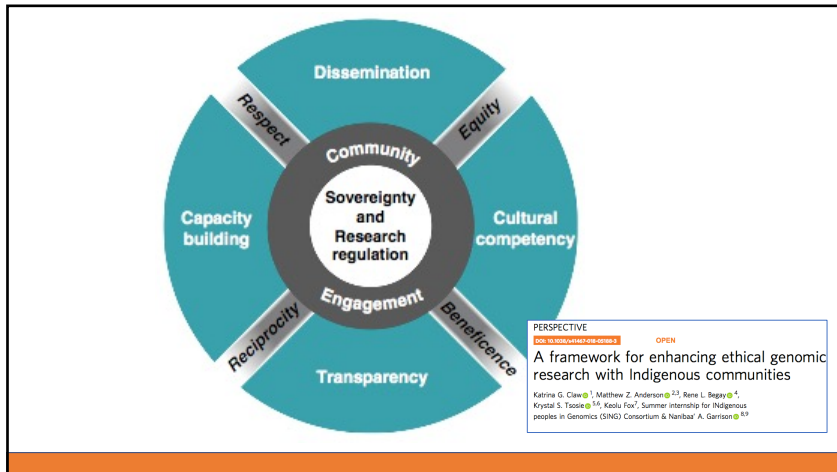
Summary: The importance of tribal perspectives in research ethics is highlighted in a new report from the U.S. Department of Health and Human Services.

When discussions of research ethics are inclusive of tribal perspectives...the likelihood of conducting research in a way that is meaningful, ethical, and appropriate increases.

- Deana Around Him, PhD

Deana Around Him (left) and Sara Hull (right)

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**ASHG Report and Apology: January 24, 2023!**

American Society of Human Genetics  
Facing Our History - Building an Equitable Future Initiative

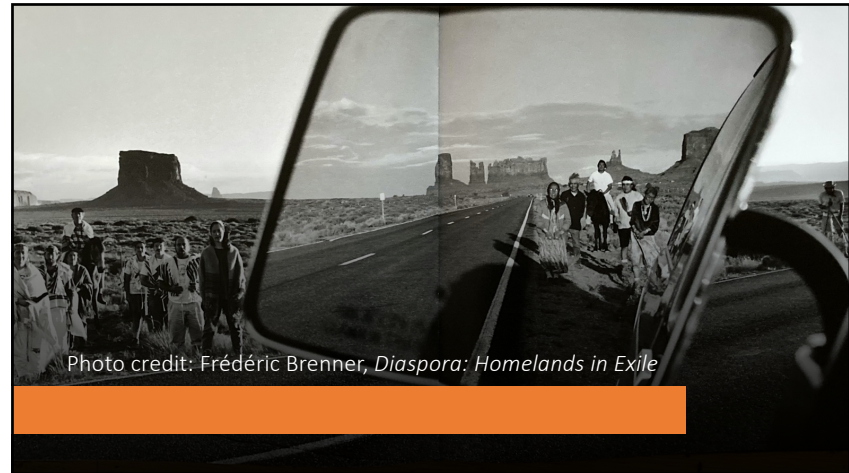
"The ASHG Board of Directors acknowledges and apologizes, deeply and sincerely, for the participation of some ASHG founders, past presidents, and other leaders in promoting eugenic ideals that harmed people of minoritized groups. The Board also apologizes for ASHG's reticence and silence at times when it could have publicly refuted the misuse of genetics to feed discrimination and racism."

<https://www.ashg.org/advocacy/statement-archive/statement-american-society-of-human-genetics-board-of-directors-on-the-report-of-the-ashg-facing-our-history-building-an-equitable-future-initiative/>

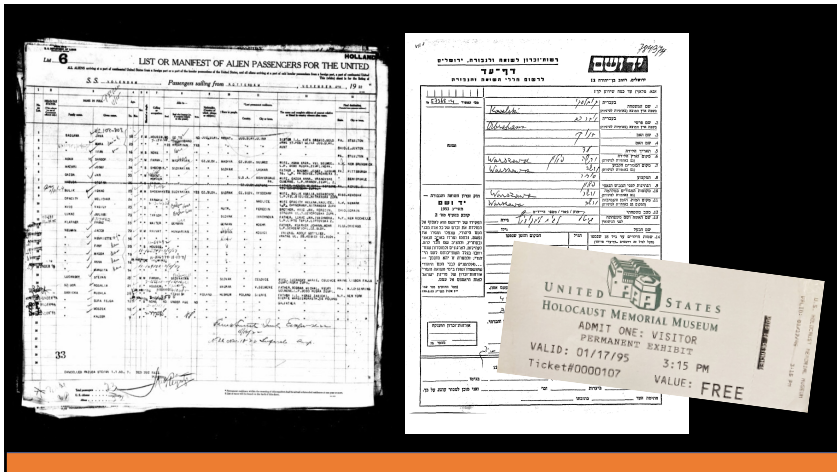
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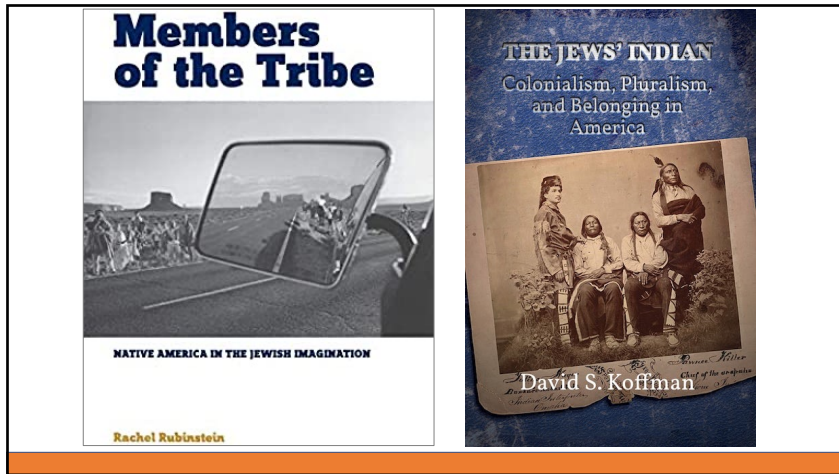
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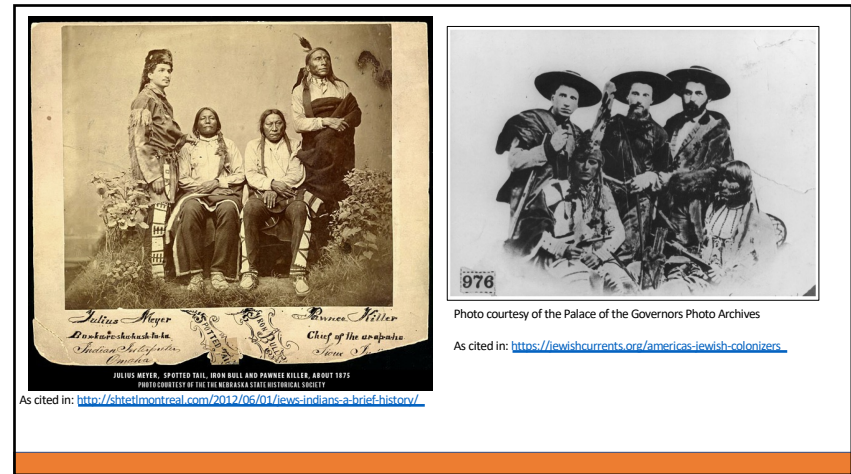
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**Felix S. Cohen (1907-1953): "The Meaning of Americanism"**

Care for the Stranger  
(Hebrew bible)

Spirit of Tolerance  
(Haudenosaunee/Iroquois Confederacy)

FELIX S. COHEN'S  
HANDBOOK OF  
FEDERAL INDIAN  
LAW

UNIVERSAL UNABRIDGED REPRINT OF ORIGINAL 1941 EDITION

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**Intersectional experiences of Jewishness and Indigeneity**

@SarahPodemski  
#reconcilethis

**JEWISH TELEGRAPHIC AGENCY**  
EST. 1917

CULTURE  
For Jewish Indigenous actress Sarah Podemski,  
it's a miracle just to exist

BY EVELYN FRICK | OCTOBER 11, 2021 | 5:23 PM | FROM HEY ALMA

Sarah Podemski in "Reservation Dogs" (Shane Brown/FX)

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Coming soon...



YouTube  
Taika Waititi, Seth Rogen, Danny Devito ...



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What next?

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116TH CONGRESS  
1ST SESSION

# H. R. 40

To address the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and to establish a commission to study and consider a national apology and proposal for reparations for the institution of slavery, its subsequent de jure and de facto racial and economic discrimination against African-Americans, and the impact of these forces on living African-Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes.

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Be it resolved...

...that informed by and working in solidarity with impacted communities, we call for all Reconstructionist movement congregations and affiliated groups to engage in deep reflection on the ways in which we have participated in or benefitted from racial injustices in our communities and to answer the call of Torah to pursue justice and practice *teshuvah* **by taking concrete steps to repair the harm.**

<https://www.reconstructingjudaism.org/reparations/>

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### Land Acknowledgements Through a Jewish Lens

- Offer recognition and respect.
- Counter the “doctrine of discovery” with the true story of the people who were already here.
- Create a broader public awareness of the history that has led to this moment.
- Begin to repair relationships with Native communities and with the land.
- Support larger truth-telling and reconciliation efforts.
- Remind people that colonization is an ongoing process, with Native lands still occupied due to deceptive and broken treaties.
- Take a cue from Indigenous protocol, opening up space with reverence and respect.
- Inspire ongoing action and relationship.
  - <https://ritualwell.org/ritual/land-acknowledgments-through-jewish-lens/>

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### RESJAC Land Acknowledgment

The Racial Equity and Social Justice Advisory Committee acknowledges that we live and work upon the stolen lands of the Piscataway (puh-SKA-tuh-way) Conoy Tribal Nation. We affirm the need to share that history of the rightful past, present, and future inhabitants of the land. This would include the Accohannock (ah-co-han-nock) Indian Tribe; the Assateague (as-uh-teeg) Peoples Tribe; the Nause-Waiwash (nah-soo WAY-wash) Band of Indians; the Piscataway Conoy Confederacy and Sub-Tribes and the Cedarville Band of Piscataway Indians; the Pocomoke (pow-kuh-mowk) Indian Nation; and the Youghioghney (yok-uh-gey-nee) River Band of Shawnee Indians. We acknowledge the thousands of [T]ribal members in our community [who] are displaced from their own homelands and have moved to Montgomery County.

<https://www.montgomerycountymd.gov/boards/sites/RESJ/land-acknowledgement.html>

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### Some Starting Points (Maryland State Arts Council)

- Learning about local tribal histories
- Donating to tribes on whose land you live or work (“land taxes”)
- Returning land to tribes
- Establishing Memoranda of Understanding (MOUs) or contracts with tribes so they can access land or resources owned by institutions free of charge
- Stewarding the lands you own or control

<https://msac.org/resources/land-acknowledgements>

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Jews On Ohlone Land

About Our Work Give Shuumi Resources

Jews On Ohlone Land (JOOL) activates our Jewish communities in solidarity with Indigenous sovereignty.

We root our work in teshuvah, a process of relational repair, moving toward right relationship.

*“Through the practices of rematriation, cultural revitalization, and land restoration, Sogorea Te’ calls on Native and non-native peoples to heal and transform the legacies of colonization, genocide, and patriarchy and to do the work our ancestors and future generations are calling us to do.”*

[Sogorea Te’ Land Trust, Led by Urban Indigenous Women in Huchiun](#)

<https://www.jewsonohloneand.org>

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Paint Branch Unitarian Universalist Church

Sunday Services at 10:00

3215 Powder Mill Road www.phuuc.org

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SUNDAY, OCTOBER 9, 2022 AT 10 AM

We Are Still Here! Through Piscataway Eyes

Online event

Sara's birthday fundraiser for Through Piscataway Eyes TPE Inc

Fundraiser for Through Piscataway Eyes TPE Inc by Sara Chandros Hull

\$438 raised of \$500

Ended

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**Discussion!**

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*Thank you!*

chandrosull@gmail.com

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