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Agenda

Sovereignty Symposium 2009

LAND, WIND, AND WATER

June 3 – June 4, 2009

Skirvin - Hilton Hotel

Oklahoma City, Oklahoma

Presented by

The Oklahoma Supreme Court
The Oklahoma Indian Affairs Commission
The Indian Law Section of the Oklahoma Bar Association
The Oklahoma Arts Council
The University of Tulsa College of Law
The University of Oklahoma College of Law
Oklahoma City University School of Law
and
The Sovereignty Symposium, Inc.

16 hours of CLE credit for lawyers will be awarded, including 1 hour of ethics.

NOTE: Please be aware that each state has its own rules and regulations, including the definition of “CLE”; therefore, certain portions of the program may not receive credit in some states.

The Sovereignty Symposium was established to provide a forum in which ideas concerning common legal issues could be exchanged in a scholarly, non-adversarial environment. The Supreme Court espouses no view on any of the issues, and the positions taken by the participants are not endorsed by the Supreme Court.

Wednesday, June 3, 2009

a.m. 4 CLE credits / 1 ethics included

p.m. 3.5 CLE credits / 0 ethics included

Wednesday Morning:

- 7:30 – 4:30 Registration
- 8:00 – 8:30 Complimentary Continental Breakfast
- 10:30 – 10:45 Morning Coffee / Tea Break

8:30 –12:00 PANEL A:

SURFING THE GRID

MODERATOR: HONORABLE CHARLES CHAPEL,
Judge, Oklahoma Court of Criminal Appeals,
Oklahoma City, Oklahoma.

CO- MODERATOR: JIM ROTH, ESQ., Phillips,
Murrah, PC, Oklahoma City, Oklahoma.

Honorable Gregory E. Pyle, Chief, Choctaw Nation,
Durant, Oklahoma.

Honorable Bobby Wegener, Oklahoma Secretary of
Energy, Oklahoma City, Oklahoma.
Oklahoma.

Ben Jackson, Esq., General Counsel, Oklahoma Corporation Commission, Oklahoma City, Oklahoma.

Wayne Walker, Director of Business Development, Oklahoma Gas and Electric, Oklahoma City, Oklahoma.

Ken Bellmard, Esq., Rubenstein, McCormick and Pitts, Edmond, Oklahoma.

8:30 –5:30 **PANEL B:** [This panel will continue in the afternoon.]

WATER LAW IN THE TWENTY- FIRST CENTURY AND BEYOND

MODERATOR: HONORABLE DREW EDMONDSON, Attorney General of Oklahoma.

THE LEGAL UNDERPINNINGS OF WATER LAW:

Lindsay Robertson, Professor of Law, University of Oklahoma College of Law.

Stephen Greetham, Esq., Special Counsel, Water and Natural Resources, Chickasaw Nation, Ada, Oklahoma.

Judith Royster, Professor of Law, University of Tulsa College of Law, Tulsa, Oklahoma.

THE ISSUES OF WATER LAW IN THE TWENTY- FIRST CENTURY- OKLAHOMA AND THE WEST:

Miles Tolbert, Esq., Crowe and Dunlevy, Oklahoma City, Oklahoma.

Honorable J. D. Strong, Oklahoma Secretary of the Environment, Oklahoma City, Oklahoma.

Duane A. Smith, Executive Director, Oklahoma Water Resources Board, Oklahoma City, Oklahoma.

Dr. Will Focht, Director, The Oklahoma Water Resources Research Institute, Stillwater, Oklahoma.

David Gover, Esq., Native American Rights Fund, Boulder Colorado.

Susan Work, Esq., Hobbs, Straus, Dean and Walker, Oklahoma City, Oklahoma.

Gordon Yellowman, Traditional Cheyenne Peace Chief, El Reno, Oklahoma.

THE SUPERHEROS OF ENFORCEMENT:

Honorable Darrell R. Matlock, Jr., Chief Justice, Cherokee Nation Supreme Court, Tahlequah, Oklahoma.

Jeannine Hale, Esq., Attorney/Advisor for the United States Environmental Protection Agency, Region VI, Dallas, Texas, “The Intersection of Federal Indian Law and Environmental Law.”

Trevor Hammons, Esq., Attorney, Environmental Protection Unit, Office of the Oklahoma Attorney General, Oklahoma City, Oklahoma, “State Jurisdiction on Tribal Land.”

Barbara Rauch, Esq., Attorney, Oklahoma Department of Environmental Quality, Oklahoma City, Oklahoma, “Delegation of Environmental Programs to Tribes in Oklahoma.”

Diane Hammons, Esq., Attorney General, Cherokee Nation, Tahlequah, Oklahoma, “The Tribal Perspective on Environmental Law.”

8:30 –12:00 PANEL C:

**LANGUAGES, THE ARTS AND CULTURAL
PRESERVATION: THE LINCHPINS HOLDING
PEOPLES TOGETHER**

MODERATOR: HONORABLE TOM COLBERT,
Justice, Supreme Court of Oklahoma, Tulsa,
Oklahoma.

Kevin Gover, Director, National Museum of the
American Indian, Smithsonian Institution, Washington,
D.C.

Honorable Walter Echo-Hawk, Justice, Pawnee
Nation Supreme Court, former Senior Counsel, Native
American Rights Fund, Chairman, Board of Directors,
Native Arts and Culture Foundation, Of Counsel,
Crowe and Dunlevy, Tulsa, Oklahoma.

Dr. Mary Jo Watson, Director and Regents Professor,
School of Art and Art History, University of Oklahoma,
Norman, Oklahoma.

David Campbell, Red Earth, Oklahoma City,
Oklahoma.

Ben Harjo (*Seminole-Shawnee*), Artist, Oklahoma City,
Oklahoma.

Dr. Duane King, Director, Gilcrease Museum, Tulsa,
Oklahoma.

Mr. Crosslin Smith, Cherokee Elder, Vian, Oklahoma.

8:30 –12:00 PANEL D: TRIBAL COURTS – JURISDICTION

MODERATOR: HONORABLE PHILLIP LUJAN,
Presiding Judge, Citizen Potawatomi Nation Tribal
Court, Shawnee, Oklahoma.

Honorable Elbridge Coochise, Phoenix, Arizona.
Joseph Little, Associate Director, United States Department of the Interior, Bureau of Indian Affairs, Office of Justice Services, Albuquerque, New Mexico.
Kelly Stoner, Director of the Native American Resource Center, Oklahoma City University School of Law, Oklahoma City, Oklahoma.
Christopher Chaney, Deputy Director, Office of Tribal Justice, United States Department of Justice, Washington, D.C.

8:30 – 12:00 PANEL E:

COMMERCIAL LAW

MODERATOR: ALVIN HARRELL, Professor of Law, Oklahoma City University, Oklahoma City, Oklahoma.

Frederick H. Miller, Professor of Law Emeritus, University of Oklahoma College of Law, Norman, Oklahoma.

Duchess Bartmess, Esq., Oklahoma City, Oklahoma.
John Parris, Esq. (Cherokee), Attorney General Pawnee Nation, Pawnee, Oklahoma.

Diane Hammons, Esq., Attorney General, Cherokee Nation, Tahlequah, Oklahoma.

Wednesday Afternoon:

1:15 – 2:30 Opening Ceremony and Keynote Address

- **Master of Ceremonies – Honorable Rudolph Hargrave**, Justice, Supreme Court of Oklahoma, Wewoka, Oklahoma.
- **Presentation of Flags by Tribal Leaders.**
- **Honor Guards:**
 - Vietnam Era Veterans Intertribal Association
 - Kiowa Black Leggings.
- **Drum: Southern Nation Singers.**
- **Invocation: Honorable Lawrence Hart** (Cheyenne), Traditional Cheyenne Peace Chief, Clinton, Oklahoma.
- **Welcome: Chief Justice James Edmondson**, Chief Justice, Oklahoma Supreme Court, Muskogee, Oklahoma.
 - **Welcome: Honorable Bill Follis**, Chairman, Oklahoma Indian Affairs Commission, Oklahoma City, Oklahoma.
- **Welcome: Jon K. Parsley**, President, Oklahoma Bar Association, Oklahoma City, Oklahoma.

- **Welcome: Honorable Jari Askins**, Lieutenant Governor, State of Oklahoma, Oklahoma City, Oklahoma.

- **Welcome: Honorable Steven Taylor**, Vice-Chief Justice, Oklahoma Supreme Court, McAlester, Oklahoma,

- **Address: T. Boone Pickens.**

- **Closing Prayer: The Right Reverend William C. Wantland** (*Seminole*), Seminole, Oklahoma.

3:30 – 3:45 Tea / Cookie Break for all Panels

2:30 - 5:30 **PANEL A:**

**WATER LAW IN THE TWENTY- FIRST CENTURY
AND BEYOND**

This is a continuation of the morning panel.

2:30 – 5:30 **PANEL B:**

WORKERS' COMPENSATION LAW

MODERATOR: HONORABLE MARY BLACK, Judge,
Workers' Compensation Court, Oklahoma City,
Oklahoma.

Jay L. Jones, Esq., Walls, Walker, Harris and Wolfe,
Oklahoma City, Oklahoma.

Bryce Hill, Esq., Tulsa, Oklahoma.

2:30 – 5:30 PANEL C:

ALIGNMENT OF EDUCATION AND THE ECONOMY

MODERATOR: HONORABLE MARIAN P. OPALA, Justice, Supreme Court of Oklahoma, Oklahoma City, Oklahoma.

CO-MODERATOR: HONORABLE CHAD SMITH, Principal Chief of the Cherokee Nation, Tahlequah, Oklahoma.

Dr. Paul Risser, Chair and Chief Operating Officer, University of Oklahoma Research Cabinet, Norman, Oklahoma.

Mr. Cal Hobson, Executive Director of Operations, University Outreach, University of Oklahoma, Norman, Oklahoma.

Sanders Mitchell, Administrator, Mid-America Industrial Park, Pryor, Oklahoma.

Dr. Henrietta Mann, President, Cheyenne and Arapaho Tribal College, Southwestern Oklahoma State University, Weatherford, Oklahoma.

2:30 – 5:30 PANEL D:

THE CLIMATE CRISIS: TRIBAL GOVERNMENTS AND THE GREEN ENERGY REVOLUTION

MODERATOR: HONORABLE JAMES GOODMAN, Oklahoma Court of Civil Appeals, Tulsa, Oklahoma.

Dean Suagee, Esq., Hobbs, Straus, Dean and Walker, LLP., Washington, D.C.

Elliott Milhollin, Esq., Hobbs, Straus, Dean and Walker, Washington, D.C.

Oscar Codopony, Caddo Electric Cooperative,
Binger, Oklahoma.

2:30 – 5:30 PANEL E:

THE 2010 CENSUS IN INDIAN COUNTRY

Connie Hart Yellowman, Partnership Specialist,
United States Census Bureau, Oklahoma City,
Oklahoma.

Susan Arkeketa, Partnership Specialist, United States
Census Bureau, Sand Springs, Oklahoma.

Tina Tucker-Sims, Partnership Specialist, United
States Census Bureau, Wilburton, Oklahoma.

2:30 – 5:30 PANEL F:

INDIAN GAMING: A REGULATORY PERSPECTIVE

MODERATOR: MATTHEW MORGAN, ESQ.,
Chickasaw Nation Gaming Commissioner, Ada,
Oklahoma.

Jeff Keel, General Counsel for the Chickasaw Nation
Gaming Commission, Ada, Oklahoma.

Elizabeth Homer, Homer Law, Chartered,
Washington, D.C.

Joe Smith, Director of Audits for the National Indian
Gaming Commission, Washington D.C.

Jamie Hummingbird, Executive Director of the
Cherokee Nation Gaming Commission, Tahlequah,
Oklahoma.

Richard Chissoe, Osage Nation Gaming
Commissioner, Pawhuska, Oklahoma.

Thursday, June 4, 2009

a.m. 4.5 CLE credits / 0 ethics included

p.m. 4 CLE credits / 0 ethics included

Thursday Morning:

7:30 – 4:30 Registration

8:00 – 8:30 Complimentary Continental Breakfast

8:30 – 12:00 PANEL A:

INTER-GOVERNMENTAL ECONOMIC CO-OPERATION

MODERATOR: DR. JAMES C. COLLARD,
Director of Planning and Economic Development,
Citizen Pottawatomi Nation, Shawnee, Oklahoma.

Honorable John “Rocky” Barrett, Chairman,
Citizen Potawatomi Nation, Shawnee, Oklahoma,
(Invited).

Honorable Natalie Shirley, Oklahoma Secretary of
Commerce, Oklahoma City, Oklahoma.

Honorable Jeff Houser, Chairman, Ft. Sill Apache,
Apache, Oklahoma.

Barney Uhart, Chief Executive Officer of the
Chugach Alaska Corporation, Anchorage, Alaska.

Kay Bills, United States Department of
Commerce/MBDA Office of Native American
Business Development, Oklahoma City, Oklahoma.

Dr. William F. Kittredge, Director, National
Programs and Performance Evaluation, United States
Department of Commerce, Washington, D.C.

Gavin Clarkson, Associate Professor, University of Houston Law School, Houston, Texas.

Kristi Coker, Executive Director, Citizen Potawatomi Nation Community Development Corporation, Shawnee, Oklahoma.

8:30 – 10:30 PANEL B:

HEALTHCARE ISSUES

INDIAN HEALTHCARE IN AN ERA OF CHANGE

MODERATOR: KEVIN GORDON, ESQ., Crowe and Dunlevy, Oklahoma City, Oklahoma.

Dr. Robert Roswell, Assistant Dean, University of Oklahoma College of Medicine, Chair, Oklahoma Health Information Security and Privacy Council, Oklahoma City, Oklahoma.

Mike Ridgeway, General Counsel, Oklahoma Department of Insurance, Oklahoma City, Oklahoma.

Jody Westby, Esq., CEO, Global CyberRisk, LLC, Chair, American Bar Association Privacy Committee.

Dr. Charles Knife Chief, Medical Director, Oklahoma Blue Cross and Blue Shield, Oklahoma City, Oklahoma.

10:45 – 12:45

INDIAN HEALTH SERVICE - ENVIRONMENTAL HEALTH AND ENGINEERING

MODERATOR: HANKIE ORTIZ, Director, Office of Tribal Self-Governance, Indian Health Service, Rockville, Maryland.

Michael D. Mahsetky, Esq., Director, Legislative Affairs, Indian Health Service, Rockville, Maryland.

Raho Ortiz, Esq., Director, Division of Regulator Affairs, Indian Health Service, Rockville, Maryland.

Capt Kevin Meeks, P.E., Area Director, Oklahoma City Area Office, Indian Health Service, Oklahoma City, Oklahoma.

Mickey Peercy, Executive Director of Health Services, Choctaw Nation of Oklahoma, Durant, Oklahoma.

P. Benjamin Smith, M.A., Policy Analyst, Office of Tribal Self-Governance, Indian Health Service, Rockville, Maryland.

8:30 – 12:00 PANEL C: TRANSPORTATION ISSUES FOR OKLAHOMA’S PRESENT AND FUTURE

MODERATOR: GARY RIDLEY, Director, Oklahoma Department of Transportation, Oklahoma City, Oklahoma.

Tim Gatz, Director of Capital Programs, Oklahoma Department of Transportation, Oklahoma City, Oklahoma.

David Streb, Director of Engineering, Oklahoma Department of Transportation, Oklahoma City, Oklahoma.

Jay Adams, Director for Tribal Coordination, Oklahoma Department of Transportation, Oklahoma City, Oklahoma.

Linda Koenig, Long Range Plan Coordinator, Oklahoma Department of Transportation, Oklahoma City, Oklahoma.

8:30 – 12:00 PANEL D:

TRAFFICKING IN TRIBAL MEMBERSHIP

MODERATOR: DR. C. BLUE CLARK

Brent Anderson, Esq., Assistant United States Attorney, Wichita, Kansas.

Susan Shown Harjo, (*Cheyenne & Hodulgee Muscogee*), President, The Morning Star Institute, Washington, D.C.

Tonia Williams (*Cherokee*), Web Manager, Cherokee Nation, Tahlequah, Oklahoma.

Andrew Warrior, Preservation Officer, Absentee Shawnee Nation, Shawnee, Oklahoma.

8:30 – 12:00 PANEL E:

THE SCIENCE AND STRUCTURE OF ENVIRONMENTAL PROTECTION

MODERATOR: CARA COWAN WATTS, Cherokee Nation Tribal Council, Tahlequah, Oklahoma.

Dr. Daniel E. Storm, Professor, Oklahoma State University, Stillwater, Oklahoma.

Dr. Michael D. Smolen, Professor, Oklahoma State University, Stillwater, Oklahoma.

Dr. Garey A. Fox, Professor, Oklahoma State University, Stillwater, Oklahoma.

Diane Hammons, Esq., Attorney General, Cherokee Nation, Tahlequah, Oklahoma.

Dean Suagee, Esq., Hobbs, Straus, Dean and Walker, LLP., Washington, D.C.

Dr. Kim Winton, District Chief, United States Geological Survey, Oklahoma City, Oklahoma.

8:30–12:00 **PANEL F:**

CHILDREN’S ISSUES

MODERATOR: HONORABLE HOWARD HENDRICK, ESQ., Director, Oklahoma Department of Human Services, Oklahoma City, Oklahoma.

Honorable Tom Walker (*Wyandotte/Cherokee*), District Judge, Ardmore, Oklahoma.

Honorable Vince Barefoot, Associate District Judge, Fairview, Oklahoma.

Ann Davis, Tribal Relations, Division of Family and Children’s Services, Oklahoma Department of Human Services, Oklahoma City, Oklahoma.

Honorable Gary Miller, Director of the Children and Family Services Division, Department of Human Services, Oklahoma City, Oklahoma.

Thursday Afternoon:

3:30 – 3:45 Tea / Cookie Break for all Panels

1:30 – 5:00 **Panel A:**

GAMING

MODERATOR: JESS GREEN, ESQ., (*Chickasaw*), Ada, Oklahoma.

Elizabeth L. Homer, Esq. (*Osage*), Homer Law Firm, Washington, D.C., “The Washington Report.”

Philip Hogen (*Oglala Sioux*), Chairman, National Indian Gaming Commission, Washington, D.C., “Legal Issues and New Regulations.”

Norman H. DesRosiers, Executive Director, National Indian Gaming Commission, Washington, D.C., “Legal Issues and New Regulations.”

Mark Van Norman, (*Cheyenne River Sioux Tribe of South Dakota*), Executive Director, National Indian Gaming Association, Washington, D.C., “Indian Gaming on the National Scene.”

Graydon Dean Luthey, Jr., Hall, Estil, Tulsa, Oklahoma, “Hot Game Classification Issues.”

D. Michael McBride III, Esq. and **H. Leonard Court**, Crowe and Dunlevy, Tulsa, Oklahoma, “Hot Topics in Labor Law.”

Gary Pitchlynn, Esq. (*Choctaw*), Pitchlynn and Williams PLLC, Norman, Oklahoma, “IGRA’s Indian Land and Trust Issues and Other Hot Topics.”

1:30 – 5:00 **PANEL B:**

CRIMINAL LAW

MODERATOR: John C. Richter, Esq., U.S. Attorney - Western District of Oklahoma, Oklahoma City, Oklahoma.

Arvo Mikkanen, Esq. (*Kiowa/Comanche*), Assistant United States Attorney for the Western District of Oklahoma, Oklahoma City, Oklahoma, “Federal Prosecution of Unauthorized Hunting, Dumping and Timber Harvesting on Indian Lands.”

Robert Don Gifford, Esq., Assistant United States Attorney for the Western District of Oklahoma, Oklahoma City, Oklahoma. “Implementation of Tribal Sex Offender Registration Programs.”

Trent Shores, Esq. (*Choctaw*), Assistant U.S. Attorney - Northern District of Oklahoma, Tulsa, Oklahoma, “Prosecution of Gun Crimes and Domestic Violence in Indian Country.”

Edward Snow, Esq., Assistant U.S. Attorney – Eastern District of Oklahoma, Muskogee, Oklahoma, “Prosecution of Gun Crimes and Domestic Violence in Indian Country.”

Nick Carson (*Chickasaw*), Chickasaw Nation Rangers, Ada, Oklahoma, “Protection of Tribal Lands from a Tribal Ranger’s Perspective.”

Linda Epperley, Esq. (*Creek*), Assistant U.S. Attorney Eastern District of Oklahoma, Muskogee, Oklahoma, “Filling Jurisdictional ‘Loopholes’ in Indian Country - The Cockfighting Cases.”

Lisa Otipoby, Esq. (*Comanche*), Tribal Prosecutor, Tonkawa Tribe of Oklahoma & Judge - Court of Indian Offenses, Anadarko Area Tribes, “Tribal Prosecution Issues in Indian Country.”

1:30 – 5:00

PANEL C:

RIGHTS OF WAY, LAND OWNERSHIP AND INHERITANCE OF LAND

MODERATOR: G. WILLIAM RICE, Associate Professor of Law, University of Tulsa, College of Law.

Leah Harjo Ware, Esq., Department of the Interior, Oklahoma City, Oklahoma.

Angie Hamilton, (*Kiowa*), Department of the Interior, Office of Hearings and Appeals, Aberdeen, South Dakota.

Henry Ware, Esq., Fiduciary Trust Officer, Office of Special Trustee, Concho Agency. Oklahoma City, Oklahoma.

Tracey LeBeau, Esq., Red Mountain Energy, Henderson, Nevada.

M. Alexander Pearl, Esq., Kilpatrick, Stockton, Washington, D.C.

Rupert Nowlin, Tribal Land Ranger, Cheyenne and Arapaho Tribes, Concho, Oklahoma.

1:30 – 5:00

**PANEL D: THE HUMAN REALITY OF TODAY'S
NATIVE AMERICAN ISSUES**

MODERATOR: DR. JOHN EDWARDS (*Absentee Shawnee*), Shawnee, Oklahoma.

CO-MODERATOR: TEWANNA EDWARDS (*Chickasaw/Choctaw*), Shawnee, Oklahoma.

Richard Monette (*Turtle Mountain Chippewa*), Associate Professor of Law, University of Wisconsin School of Law; Director, Great Lakes Indian Law Center, Madison, Wisconsin.

Elizabeth Lunsford Duncan (*Muscogee*), Columbus, Georgia, "Selected Congressional Federal Agency And Native American Initiatives Involving Renewable Resources."

John C. Duncan, Jr., Associate Professor, Florida A&M University College of Law, Tallahassee, Florida, "Riparian Rights."

Ken Adams, Mattaponi Indian) Chief of the Upper Mattaponi Indian Tribe in King William County, Newport News, Virginia, "Land and Water Rights in Virginia."

Cedric Sunray, (MOWA Band of Choctaw Indian),
Shawnee Oklahoma, "Land and Pollution."

Rick Moore, Esq., Norman, Oklahoma, "Litigation on
Pipeline Ruptures and the Human Cost."