

Faculté de philosophie, arts et lettres

Native American rights: A comparison of US politics on tribal nations in Washington and Montana

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Promoteur(s) : Katherine Opello

Année académique 2022-2023

Master en communication multilingue, finalité spécialisée en langues
des affaires

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Abstract

Since the arrival of Europeans in the Americas, Native Americans have been negatively impacted and, today, due to previous U.S. policies, struggle to have a decent quality of life. This study aims at answering this following question: Is there a correlation between party affiliation and quality of life when comparing Montana and Washington? The comparison encompasses the political landscape of Montana and Washington, particularly which parties dominated throughout history and who is currently in power. I will evaluate different measures of Native Americans' quality of life, based on government websites, census data and reports, such as wealth, employment, housing, education, crime and violence, and health. The results indicate that Montana's laws have had a more negative impact on Native Americans compared to Washington. The data reveals overall worse performances with respect to the above indicators in Montana when compared to Washington. Washington has demonstrated efforts in implementing favorable policies and exhibits a better quality of life than Montana. However, both states fall short in providing a high quality of life for Native Americans. This study highlights the persisting disparities between White population and other minorities in both states and U.S.. It provides valuable insights into the different factors of the quality of life and support for Native American affairs. Furthermore, it underscores the significant impact of previous policies on Native Americans.

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1. Introduction

“A few of the whites that I’m around make Indian jokes... I’ve been called a basket weaver, blanket Indian, blanket ass, skin, breed, which I don’t let bother me, you know. ‘cause I just look at the person that’s doing the talking and the so-called name calling, and a lot of that shows ignorance, the way I look at it. I laugh at it and go on and try not to let it deter me.”

- Will - Chickasaw
(Dwanna L. Robertson, 2015)

The concept of color-blind racism, which allows White individuals to rationalize current inequalities in educational attainment, wages, health outcomes, and wealth without considering historical context, has contributed to the persistent political and economic inequality experienced by people of color (Dwanna L. Robertson, 2015).

Native Americans, a minority group that has experienced significant historical trauma, continue to face ongoing struggles in their efforts to thrive and live dignified lives. In order to explore the legal policies that impact Native American communities, this study compares the approaches of two states in the USA, Washington and Montana.

I will first present a brief history of Native Americans and their reservations, and I will demonstrate the major changes that impacted them due to federal and state policies. To provide the reader with a clearer temporal context, a chronological timeline can be found in Annex 1. The comparison will encompass the political landscape of Montana and Washington, particularly which parties dominated throughout history and which party is currently in power.

In addition, I will evaluate different measures of Native Americans’ quality of life such as wealth, employment, housing, education, crime and violence and health. Relevant data was collected from both states and organized using master tables that allowed easy comparison of data and laws. The two tables can be found in annex 5 and annex 6 respectively. The data was obtained from various sources, including government websites, census data and reports. During the course of this thesis, I discovered that there was a lack of information, particularly regarding Native American reservations. This might be due to the fact that the Native American community is more likely to be undercounted compared to any other population group in statistics. The 2020 census recorded a 5.64% undercount of Native people living on reservations, which is considerably higher than any other group. The consequences of this

undercount have resulted in hundreds of thousands of Indigenous citizens being denied representation in non-tribal governments, as well as limited appropriations for resources like infrastructure, housing, education, and community development programs administered by tribal governments. This highlights the necessity for more accurate data collection and allocation of resources to support the Native American community (Mitrovich & Glascock, 2023).

The goal of this thesis is to answer the following questions: Are the approaches of these two states the same? Is there a difference in the way they treat Native Americans, considering that one state is governed by Republicans and the other by Democrats? What are the short-term and long-term plans regarding native populations and their rights as US citizens?

My hypothesis is that differences in legal policies and political decisions between the two states will result in varying levels of support for Native American causes. Montana, a solidly Republican state, is expected to be less sympathetic to these causes compared to Washington. Furthermore, I expect that the quantitative data will indicate a quality of life that is worse in Montana than in Washington. Furthermore, my research leads me to hypothesize that Montana faces greater challenges in areas such as Missing Natives and Native education, whereas Washington has made more progress towards supporting the Native American cause, as evidenced by actions such as banning the use of Indian names and symbols in schools.

2. Brief history of Native Americans

The origins of the Indigenous people of the Americas are still unclear. It is estimated that they crossed the Bering Strait, by sea and ice 20,000 years ago and established themselves all over the continent, from Alaska to Chile (Hodžić, 2023).

When Europeans “discovered” the land that is today the USA, it was estimated that the Indigenous population totaled five million people, a number that will drastically decrease in the following centuries due to disease, displacement, and violence. The encounter between the two populations was marked by vast differences in mentalities and cultures. For example, Native Americans operated village by village, with each having a council of respected elders that would make recommendations for the group. Some tribes even had multitribal organizations, such as the Five Nations confederacy of the Iroquoians in New York, the Powhatans confederation in Virginia and the chiefdoms in the southeast. On the opposite side, Europeans would follow guidelines established by their own governments, conservative religious groups and well-structured social classes (Harjo 2014). The relationship with nature is something that is often mentioned to differentiate Natives from Europeans. Native Americans had a traditional ancestral way of life: they were hunters and gatherers which may explain why the land is sacred to them. Therefore, all nature had a spirit that should be respected (M. Johnson and Johnson 1999). On the other hand, Europeans saw nature as something to be explored and to dominate (Beckert 2015).

Throughout American colonization, different European groups had a unique impact on the history and experiences of the Native American peoples. Among these groups, the Spanish were among the first to explore and colonize the Americas. A big part of their obsession for the New World was motivated by the desire for power and wealth. Their main objectives were the search of gold, spreading Christianity and expanding Spanish influence. This would result in enslaving and forcing Indigenous to work in mines and plantations, and decimating entire populations through disease and violence (Nichols 2003). The Spanish established a system of *encomiendas*, which granted Spanish settlers, explorers, and military personnel the right to extract resources and labor from native populations in exchange for protection and the promotion of Christian conversion as a means of “civilizing” them (Cartwright 2022). Concerning settlements in the US, they established themselves in the southwest, in what is now Florida (Nichols 2003).

Regarding the French, they established themselves in current day Quebec and the territory of Louisiana. While the Spanish were focused on extracting resources and enslaving Indigenous, the French took a different approach. They developed a trading relationship with Native American communities, establishing a fur system that had a significant impact in the economies of Native Americans. In addition, French were more likely to intermarry with native communities than the Spanish (Nichols 2003).

In the 17th century, the Dutch joined the colonial expansion in North America, but in smaller settlements than other European groups. Nonetheless, the Dutch posed a threat to the tribes that lived by the coast, especially in the region that is now New York, New Jersey and Delaware. Like the French, they developed close relationships with different tribes and established a lucrative fur trade. However by the 1630s, their relationship underwent a shift with the arrival of hundreds of farmers in the new world. These new settlers would claim lands and would use violence and destroy tribal crops. Eventually, the Dutch colonies would fall into British hands (Nichols 2003).

In the late 16th century, the English arrived to North America establishing themselves along the eastern coast of the United States, in what is today Massachusetts, Virginia, and the Carolinas. The English became one of the most important and most dangerous of the invaders. The English, like other European groups, pursued a policy of violent territorial expansion viewing tribes as impediments to settlement. However, this was a failure. Instead, the English used various tactics, such as burning their resources, spreading diseases like smallpox, and using alcohol as a weapon to destabilize Native Americans. One of the most brutal tactics was a program called scalp hunting, which offered bounties for Indigenous scalps. This led to the origin of the name “Redsk*n”, which makes reference to the left mutilated bodies and bloody corpses. To this day, this word remains a racist and a stereotype to describe Native Americans (Dunbar-Ortiz 2014).

2.1. French and Indian war (1754–1763)

During the 18th century, North America experienced a tumultuous period marked by violence and warfare instigated by the colonial powers, especially between Great Britain and France. The main contention between these two countries was the control of the entire upper Ohio River Valley, whose strategic location could lead to the domination of the fur trade, and the fight to expand their borders (Dunbar-Ortiz, 2014). Consequently, the British and the French

turned to the tribes and asked for their alliance. This conflict gave Native leaders three choices: join one of the combatants, stay neutral, or move (Nichols, 2003). This disrupted trade, brought devastation and relocated tribes (Dunbar-Ortiz, 2014).

Following a series of notable victories¹ against France, in 1762, French King Louis XV issued an official plea for peace. The outcome of the conflict favored Britain, granting them an extensive territorial acquisitions. This encompassed the eastern regions of Canada and all lands situated east of the Mississippi River. France ceded its claims to all territories in mainland North America. Moreover, the French transferred half of its Louisiana holdings to its ally, Spain. Great Britain eventually gained control over Florida and later Cuba, which were two Spanish colonies (Department Of State. The Office of Electronic Information, 2007).

During the negotiations leading up to the Treaty of Paris of 1763, the Spanish monarch, Charles III, expressed reluctance to agree to a treaty that would require Spain to cede Cuba to Great Britain. Simultaneously, the British government was hesitant to ratify a treaty that did not fully reflect the territorial gains it had made during the conflict. As a result, the negotiations were protracted, with both sides seeking to secure the best possible outcome for their respective nations (Department Of State. The Office of Electronic Information, 2007).

French negotiator Choiseul suggested a plan to redistribute American territories between France, Spain, and Great Britain to end this war in a peaceful way. Under Choiseul's proposal, Britain would receive all French land situated east of the Mississippi River, while Spain would keep Cuba and transfer Florida to British hands. In turn, France would cede its Louisiana lands, including the port of New Orleans, which would become part of Spanish territory (Department Of State. The Office of Electronic Information, 2007).

The Treaty of Paris of 1763 thus represented a significant turning point in the history of Anglo-American colonization because colonists no longer needed to worry about French invasions. However, this had been fatal to Native Americans, since they were using a strategy of playing the French and the British against each other, in order to maintain their independence and preserve their lands (Nichols, 2003).

Despite the appearance of a successful outcome, the Treaty engendered a discord between Anglo-American colonists and the British government due to the misalignment of their

¹ French Canada, India and French Islands colonies in the Caribbean.

interests in North America. The British empire would levy taxes to pay for wartime expenditures. Consequently, the colonists were on the path of seeking independence (Office of the Historian n.d.).

2.2. American Revolution (1775 – 1783)

The American Revolution marked the birth of the United States and a new era of global politics. The Cherokee Nation and the Haudenosaunee or as the English called them Six Nations³ were crucial in deciding who would win the war. The settlers and the British fought for the support of these nations. The Haudenosaunee formed alliances with the British, with the exception of the tribe Oneidas who supported the separatist settlers. General George Washington ordered Major General John Sullivan to destroy all settlements of the Five Nations Iroquois, resulting in devastating consequences for the Seneca Nation. After the settlers achieved victory in the conflict, the Treaty of Paris of 1783 transferred the thirteen colonies to United States possession without any consideration for Native Americans and their treaties. The removal of British forces did not end military actions, but instead marked the beginning of the colonization of the rest of the continent that lasted for another century, profoundly impacting Indigenous populations (Dunbar-Ortiz, 2014).

2.3. Main laws and treaties (1783 – 1861)

The treaties that were signed between Natives and the federal government were marked by misunderstandings² and broken promises (Harjo 2014). During the 18th century, these agreements were imposed upon Native American tribes as a means for European colonial powers or the United States government to assert control over land and resources in North America. These treaties dealt with issues such as land ownership, boundaries, and sovereignty (Nichols, 2003).

In the period between 1783-1860, several treaties were signed between Native American tribes and the United States government. For instance, the Treaty of Fort Stanwix (1784), the Treaty of Hopewell (1785), Treaty of Greenville (1795) and Fort Laramie (1851). Many of these treaties reflect a pattern of land cessions where Native American tribes relinquished their land

² Differences in beliefs about the power of language, with Native Americans valuing spoken communication while Europeans perceived it as less meaningful, often led to misunderstandings during treaty-making (Harjo 2014).

to the colonial powers or the United States government in exchange for certain guarantees, such as protection or compensation (Nichols, 2003).

Throughout American history, nearly 600 treaties have been signed between Native American tribes and the United States government. These agreements underwent a notable shift in nature from the American Revolution to the turn of the twentieth century. Earlier treaties were characterized by serious diplomacy and sympathy for Native American interests, while those signed after 1825 were marked by the United States' growing military, political, and economic power, leading to more severe and less favorable terms for the tribes (Spirling, 2012).

Andrew Jackson and the Trail of Tears (1838)

The vision of President Andrew Jackson played a pivotal role in shaping the growth and westward expansion of the United States. Jackson, who served as the seventh President from 1829 to 1837, held the belief that Native Americans posed obstacles to his vision. His presidency is characterized by his harsh policies and treatment of Native Americans, making him a controversial figure in American history. Jackson was renowned for his assertive personality, expansionist policies, and strong advocacy of democracy. Additionally, he was a prominent Tennessee land speculator, politician, and affluent owner of a plantation called the Hermitage, which relied on enslaved labor (Dunbar-Ortiz, 2014).

In 1803, the Jefferson administration made the Louisiana Purchase from France, which expanded significantly the territory of the United States. This land acquisition encompassed various Indigenous nations, including the Sioux, Cheyenne, Arapaho, Crow, Pawnee, Osage, and Comanche. The annexation of Louisiana led to the emergence of fifteen new states, which included present-day Arkansas, Missouri, Iowa, Oklahoma, Kansas, and Nebraska, among others (Dunbar-Ortiz, 2014).

After assuming presidency, Jackson promptly began the process of removing Indigenous people and destroying their towns throughout the Southern United States. His administration encouraged the state of Georgia to appropriate the Cherokee Nation's lands as state property. The Georgia legislature declared that the Cherokee constitution and laws were invalid, and that the Cherokees were under the jurisdiction of Georgia law (Dunbar-Ortiz, 2014).

In response, the Cherokee Nation appealed to the US Supreme Court. The Court ruled in favor of the Cherokee, upholding their sovereignty as protected by federal law. However, despite the

Court's ruling, Jackson chose to disregard it, arguing that the Court lacked the power to enforce its decision, and that his administration would pursue its own policies, backed by the military if necessary. Meanwhile, in 1829, the discovery of gold in northern Georgia attracted an influx of around forty thousand gold seekers, who illegally invaded Cherokee lands, causing destruction and perpetrating violent crimes against the Cherokee people with impunity (Dunbar-Ortiz, 2014).

In 1830, President Andrew Jackson signed into law the Indian Removal Act, which consisted of the forced relocation of Native Americans from the east of the Mississippi River to the lands in the west, the so-called "Indian Territory". It is estimated that at least seventy thousand people were forced off their lands (Dunbar-Ortiz, 2014).

The first treaty was signed with the Choctaw Nation in 1830, and in 1838 the Cherokee Nation were forced to leave their lands. This tribe was divided: some wanted to move west and some wanted to stay and fight for their land. Without the Cherokee government's consent, some Indigenous chiefs signed the treaty, and this was immediately protested by the Cherokee government. The latter protested this treaty and gathered enough signatures to prove that the majority did not agree. However, the president of the U.S. ordered the US Army to attack and forced the Cherokee to depart. The forced relocation, known as the Trail of Tears, led to an estimated death toll of 4,000 to 5,000 Cherokee. This resulted in similar death rates for the Muskogees and Seminoles tribes. Furthermore, the Chickasaws and Choctaws experienced a significant population decline of approximately fifteen percent over the course of this forced transfer (Dunbar-Ortiz, 2014).

Forced removals and land cessions characterized the Jacksonian era, leading to the negotiation of 86 treaties between the United States and 26 Tribal nations. Consequently, certain Indigenous communities chose to escape to Canada or Mexico instead of settling in the designated "Indian Territory." (Dunbar-Ortiz, 2014).

Expansion of the West

The 19th century witnessed substantial expansion of the United States' military presence and territorial control, notably through its campaigns in Mexico and California. The United States marines orchestrated a sea attack on the city of Vera Cruz as part of their strategic objective to conquer Northern Mexico. Simultaneously, the US initiated the colonization of California by

crossing the southernmost point of South America, thereby establishing a presence on the Pacific coast (Dunbar-Ortiz, 2014).

Despite these military successes, a significant portion of the territory between the Mississippi River and the Rocky Mountains remained under the control of Tribal nations who had not succumbed to European conquest or colonization. Although the United States government successfully annexed northern Mexico, the unrestricted influx of settlers to the gold-rich Northern California goldfields in the Pacific Northwest required the presence of military regiments for their protection and access. This demonstrated the ongoing challenges and resistance faced by the US government in its westward expansion, particularly in relation to the Indigenous peoples who were affected by this process (Dunbar-Ortiz, 2014).

In the mid-1840s, the United States government undertook a significant expansion of its territory in the Western region. This expansion began with the annexation of Texas in 1845, followed by acquisition of the Oregon Country that belonged to the British. Within a mere two years, the US asserted its claim over California and the Southwest region of Mexico. Consequently, this geographical transformation inevitably brought about encounters between the incoming settlers and the Indigenous populations, as a continuous influx of settlers arrived in search of fertile lands (Nichols, 2003).

The events that unfolded on the American plains were emblematic of the recurring cycle of violence that plagued the region for decades. This pattern persisted well into the 1850s, as numerous miners and farmers migrated to the Pacific Northwest and California. The miners, driven by a fervent desire for gold, exhibited sought to eradicate nearby Native American communities, even forming local militias known as the “California volunteer Militia” to pursue this end. While the miners appropriated vital resources, the Indigenous communities experienced further marginalization as their territories were taken over by farmers, pushing them far from society. In an attempt to address these issues and gain political control of the region, the U.S. government dispatched agents to negotiate with the California tribes and convince them to accept reservations. These efforts resulted in the signing of eighteen treaties, which allocated approximately 7.5 million acres of land for Indigenous peoples (Nichols, 2003).

2.4. American Civil War (1861-1865)

During the Civil War, violence was rampant in various Native communities. In particular, the major southern tribes residing in the so called Indian Territory, which is now known as Oklahoma, suffered greatly following the withdrawal of federal troops in 1861. Owing to their past experience with the U.S. government, some of these tribes had affiliations with the south, which led their leaders to side with the Confederacy in the pursuit of better treatment. Approximately five thousand Native men comprising four different troops served the Confederacy throughout the Civil War. However, not all members of each tribe supported the south (Nichols, 2003).

Throughout the war, Native groups frequently raided Union forces, while U.S. troops retaliated by attacking tribal communities. As a consequence, by 1865, over ten thousand people in Indian Territory were displaced and forced to seek refugee camps, while the governments and economies of all major tribal groups faced complete devastation. Following the conclusion of the war, tribal support for the Confederacy provided the United States with another pretext to demand more territory. These lands were sought as compensations for wartime damages allegedly inflicted by Native Americans (Nichols, 2003).

2.5. Post-Civil War (1865-1890)

Following the conclusion of the Civil War, a renewed influx of settlers headed westward, leading to intermittent conflicts on the plains for over a decade. The discovery of gold in Montana during the war prompted camp suppliers to establish the Bozeman or Powder River Trail, running from the Platte River northward to the mines. Unfortunately, this route traversed through the prime hunting grounds of the Lakota or Teton Sioux, resulting in numerous attacks on travelers in the area (Nichols, 2003).

In response to the appeals for protection from miners, the U.S. Army constructed three forts along the Bozeman Trail, with the intention of securing the route. However, the Lakota Sioux, under the leadership of Oglala chief Red Cloud, prevented the troops from leaving their forts through a series of attacks and raids. Even prior to this confrontation, the American public had grown weary of ongoing conflicts with Native American tribes, prompting the government to pursue negotiations for relocating the tribes to reservations throughout the Great Plains. Thus, the government sent representatives to meet with leaders from major tribes at Fort Laramie in the north and Medicine Lodge Creek in the south. At this stage, many tribal leaders had

reluctantly recognized the necessity for peace and acquiesced to the relocation onto reservations (Nichols, 2003).

Despite the various tactics employed by tribal leaders to resist the encroaching American pioneers, by 1890 these efforts had proven unsuccessful. Consequently, the surviving Native Americans were left with little choice but to accept reservation life and to contend with ongoing pressure from federal agents to conform to white American culture. In particular, government officials demanded that all tribes abandon their traditional ways of life and assimilate into American society (Nichols, 2003).

Indigenous peoples had encountered such demands for generations and often managed to deflect or avoid the most harmful consequences. However, once a group lost its independence and relocated to a reservation, its options were severely limited. As part of its program to force Native Americans to adopt agrarian lifestyle, the government relied heavily on the church and the school. Regrettably, this approach proved impossible in numerous western reservations due to unfavorable soil conditions, water scarcity, and considerable distances from markets, impeding even the most determined agricultural endeavors (Nichols, 2003).

Consequently, the tribes remained marginalized and excluded from the American society as a result of the mistaken and obsolete approaches employed by reformers to address "The Indian Problem". This resulted in their isolation from the broader society and the escalation of racial discrimination across the different regions. (Nichols, 2003).

This isolation, however, would undergo a profound transformation in the following years as Native Americans were forced into accepting the American culture. The Federal policy would oblige Native Americans to adhere to a set of regulations. Notably, cutting their hair, adopting western attire, practicing monogamy, speaking English, living in a regular house, and practicing small-scale agriculture on often arid and unproductive land. Despite these measures, Native Americans persisted in their efforts to maintain their cultural identities and resist assimilation (Nichols, 2003).

Moreover, the government understood that the implementation of forced assimilation would be more efficient if started with the younger generation. Consequently, in 1860 the United States government established boarding schools specifically for Native American children, with the first school opening in the State of Washington. The primary objective of these institutions was to assimilate Native American children into white American culture by means

of eradicating their native language, cultural traditions, and practices (Native Partnership, n.d.-c).

These boarding schools were administered by the Bureau of Indian Affairs (BIA) and were frequently situated far from the reservations where the children resided, resulting in their forcible removal from their families. Upon enrollment, students were expected to conform to western standards of dress and grooming and were forbidden from speaking their Indigenous language or partaking in cultural customs (Dunbar-Ortiz, 2014).

The conditions within these boarding schools were often characterized by harsh discipline and institutional abuse, with numerous children falling victim to physical, emotional, and sexual violence perpetrated by school staff and administrators. Moreover, inadequate funding often led to subpar educational standards and insufficient access to healthcare. By the 1880s the US counted 60 boarding schools with 6200 Native American students (Native Partnership, n.d.-c).

The boarding school system persisted until the 1970s when the Indian Child Welfare Act was passed, when Native American activists began to voice opposition to the practice and advocate for change. Presently, the legacy of the boarding school system continues to adversely impact numerous Native American communities, as the trauma and loss of culture incurred have been transmitted from generation to generation. In recent years, there has been a movement towards acknowledging the harmful effects of the boarding school system and supporting efforts aimed at preserving Native American languages and cultural traditions (Native Partnership, n.d.-c).

The latter half of the 19th century was characterized by violent relationship between Native tribes and the United States government, exemplified by a series of massacres such as the Sand Creek Massacre of 1864 and the Wounded Knee Massacre of 1890, as well as the violation of treaties such as the Fort Laramie Treaty of 1868 and the emergence of religious resistance movements such as the Ghost Dance³ (Dunbar-Ortiz, 2014).

General Allotment Act or Dawes Act (1887)

After half century of violence between the two governments, the United States Congress passed the General Allotment Act, commonly referred to as the Dawes Act, in 1887, with the goal of integrating Native American populations into the broader American society. It was thought that

³ Space limitations prevent me from discussing these important events, but I acknowledge their significance.

this act would prevent the extinction of Native Americans. Despite this intention, the allotment act had profound impact on land ownership of Native tribes (Native Partnership, n.d.-a).

More precisely, the Dawes Act stipulated that each family had the opportunity to possess 160 acres of land, while individuals were granted 80 acres. However, the government would assume the title of the land in trust for a duration of 25 years. Following this period of time, individuals became eligible to obtain both the official land title and United States citizenship (Native Partnership, n.d.-a). The lands that were not allocated to Native Americans under the Dawes Act were intended to be sold to the United States. Prior to the allotment period, the total land ownership of Native American tribes on reservations was approximately 138,000,000 acres. However, this had reduced significantly to just 48,000,000 acres (Native Partnership, n.d.-a). Annex 2 contains a map allowing for a visual understanding of the extent of the territories removed.

This era is commonly referred to as the reservation era, characterized by the forced displacement of tribes from the eastern half of the United States and a growing reliance of the tribes on the United States government (Howard University, 2023).

2.6. Policies since 1945

In the aftermath of World War II, the federal government of the United States enacted policies towards Native American communities that were consequential in their lives. These policies were designed to redress past injustices and promote tribal self-determination, although some were met with resistance and criticism. The period was marked by the implementation of several policies and programs, including the Termination Policy, Relocation Program, Indian Civil Rights Act, Self-Determination and Education Assistance Act, and Indian Gaming Regulatory Act 1988.

Termination policy (1945-1960)

In 1947, certain congress members perceived Native American policies as requiring abolition. Their objective was to dismantle the Bureau of Indian Affairs (BIA) along with its associated programs. Thus, the Senate Civil Service Committee requested a compilation of reservations capable of achieving self-sufficiency without dependence on federal assistance (Nichols, 2003).

Subsequently, in 1953, the enactment of House Concurrent Resolution 108 by Congress marked a significant turning point. This resolution called for the discontinuation of tribal governance and essential services, including educational and healthcare provisions. Instead, Native American communities were subjected to new property taxes and building codes, resulting in adverse consequences for approximately 108 tribes and nearly 13,000 Native Americans. This termination policy inflicted severe economic hardships and contributed to the erosion of cultural identity within these communities (American Archive of Public Broadcasting, n.d.).

A notable aspect of the termination policy was the absence of meaningful consultation between federal officials and tribal members prior to its implementation. As a result of this lack of communication, Native Americans had limited access to pertinent information regarding the policy once they became aware of it. According to historian John Wunder, the process can be characterized as the “most efficacious legal assault on Indian rights and sovereignty” since the inception of the Constitution by the founding fathers (Nichols, 2003).

Indian Relocation Act (1956)

In addition to the termination policy, the United States government implemented the Indian Relocation Act, which facilitated the relocation of Native Americans from reservations to urban areas. Initially aimed at providing employment opportunities for Native American veterans returning from World War II, the policy later expanded as a means to alleviate poverty in reservations. In exchange for leaving the reservations, Native Americans were assured access to employment, temporary housing, and educational opportunities (American Archive of Public Broadcasting, n.d.).

Despite the promises that were made, the available jobs were predominantly seasonal or manual labor, which provided little opportunity for long-term employment. This dearth of job opportunities, compelled several Native Americans to leave their reservations. Consequently, both the termination and relocation policies led to the relocation of over 200,000 Native Americans to urban areas between 1950 and 1968 (American Archive of Public Broadcasting, n.d.).

Self-Determination and Education Assistance Act (1975)

Rejecting previous policies that emphasized government control over Native American people, the Indian Self-Determination and Education Assistance Act was enacted by Congress in 1975, marking a significant turning point.

This Act granted tribal governments increased autonomy through agreements or contracts with the federal government. In exchange for service, tribes would assume responsibility of services, such as healthcare and education that were previously only handed by the United States. A good example of the impact of this act is the education service. For instance, tribes gained the ability to manage their own schools, fostering cultural preservation and self-determination by integrating Indigenous languages and cultures into the classroom (Native Partnership, n.d.-b).

Indian Gaming Regulatory Act (1988)

Although the passage of the Self-determination act marked a significant landmark in the ongoing pursuit of independence by tribal leaders, controversial issues arose in the mid-70s.

Defying state-imposed constraints, the Seminole tribe in Florida boldly challenged the \$100 prize limit stipulated by Florida law, revolutionizing the scene by offering extraordinary \$10,000 bingo rewards. State authorities vehemently sought to suppress these tribal gaming activities, prompting the Seminoles to assert their legal rights. Ultimately, a federal court ruling favored the tribe, solidifying the principle that state jurisdiction does not extend to the determination of bingo prize sizes (Nichols, 2003).

Inspired by the Seminoles' success, other tribal groups across the country followed suit, establishing their own gambling facilities to generate much-needed revenue and employment opportunities. Similarly, during the 1980s, the state of California engaged in protracted battles against existing Indian gaming establishments and attempted to impede the development of new ones (Nichols, 2003).

However, these efforts proved futile in the face of legal challenges. In the seminal 1987 case of *California v. Cabazon Band of Mission Indians*, a tribal band challenged the state's authority, resulting in a landmark decision that affirmed the absence of California's jurisdiction over reservation activities (Nichols, 2003).

These developments culminated in the Indian Gaming Regulatory Act of 1988, which established the legal framework for the operation of Native gaming and created a regulatory

agency entrusted with overseeing the industry. Since its inception, this law has played an instrumental role in generating substantial revenue and fostering robust economic development for numerous tribes across the United States (Nichols, 2003).

2.7. Movement for Native American Civil Rights

The 1960s in the United States witnessed a transformative era characterized by significant social and political changes, as various racial and minority groups fought for their civil rights. Notably, Dr. Martin Luther King Jr. emerged as a prominent figure who grabbed the nation's attention towards the pervasive discrimination faced by African Americans. Inspired by the successes and methods of the civil rights movement, Native American groups strategically embraced several techniques of the Black Power movement, increasing their visibility and gaining support for their own struggle for equality and justice (Johnson, 2007).

In response to the poor treatment by the federal government, Native Americans began to protest the violation of their civil rights. As a result, the federal government enacted The Indian Civil Rights Act (ICRA) 1968, which is a federal law that protect the civil rights of Native Americans living on reservations. The ICRA applies many of the protections of the Bill of Rights to Native American tribes, including the rights to free speech, freedom of religion, and the right to due process. The ICRA also requires tribal governments to adhere to certain procedural requirements when imposing penalties, such as providing notice and an opportunity to be heard and ensures that individuals are not subject to unreasonable searches and seizures (Northwest Justice Project, 2018a).

Despite its important protections, the ICRA has been criticized for not providing Native Americans with the same level of civil rights protections as other U.S. citizens. For example, the ICRA does not include the right to a trial by jury, and there are no provisions for enforcing the law. Additionally, tribal governments are not subject to the same level of scrutiny and accountability as state and federal governments, which can make it difficult to enforce the law and protect individuals' civil rights (Northwest Justice Project, 2018a).

Fish-ins

One important way that Native Americans have protested their lack of civil rights is by staging fish-ins, particularly in the Pacific Northwest. When Washington territory was established in 1853 a series of treaties between the Governor Isaac Stevens and the Native Americans were

established. These treaties were based on the assumption among White settlers that the Native Americans were not exploiting the land to its full potential, which was unacceptable to them. The settlers believed that the land needed to be used for farming and other purposes. Consequently, the treaties facilitated the transfer of a significant portion of Indigenous lands to Governor Stevens, resulting in a notable reduction in tribal territories. Thus, Native Americans were left with a mere six million acres, which were divided into reservations (Chrisman 2008).

In the mid-1800s, the White settlers established themselves and were mainly preoccupied with farming, logging, mining, and shipbuilding, while fishing was not a priority. However, they would occasionally trade with the Native Americans for fish (Chrisman 2008). Conflicts regarding the rights reserved for Native Americans by early treaties began to arise in the early twentieth century. The tribes located on the Northwest coast relied deeply on sea life, especially salmon. By the 1890s salmon became a valuable product for the settlers, and they prohibited tribes from going further than their reservations to fish. As a consequence, a lot of Native people did not have the means to provide for their families. In 1905, the Yakama Nation filed a lawsuit defying the Washington through the federal courts. The Supreme Court reaffirmed that the tribes had the right to fish in their usual sites, but the State of Washington ignored the federal Courts. However, refusing to tolerate injustice, the tribal nations came together and started the Fish Wars that lasted decades (Shana Brown, n.d.).

The tribes continued fishing in their usual sites as a sign of protest. The Fish Wars gained momentum in the 60s, when a group of Native American fishermen, led by Nisqually tribal member Billy Frank Jr., were arrested for fishing without a license. Frank and others argued that they were exercising their treaty rights, but the state disagreed and continued to arrest them. In response, Frank and other activists organized protests, where they fished in areas where they knew they would be arrested, in order to bring attention to their cause (Chrisman, 2008).

The protests grew over the years, with hundreds of Native Americans and non-Native supporters participating. The protesters faced violence and harassment from law enforcement and locals, but they continued to fight for their rights. The legal battles that followed were long and complex, but in 1974, the Boldt's decision ruled in favor of the tribes and affirmed their treaty rights to fish. Tensions over tribal treaty fishing rights continue to this day (Shana Brown, n.d.).

Alcatraz

In addition to fish ins, Native Americans also protested their situation by occupying Alcatraz. It all started when a group of Sioux men claimed Alcatraz island situated in San Francisco, invoking the provisions of the Fort Laramie Treaty of 1868. This treaty stipulated that all unused lands could be reclaimed by Native Americans. One men from the Sioux group initiated a legal process within the federal court system to establish ownership rights to the island. Despite its efforts, the case was quickly dismissed stating that the treaty could only be claimed in the Great Sioux Reservation in South Dakota and not in California, eliminating any possibility of alternative interpretation (Johnson, 2007).

Even though the case was dismissed, in 1969, a group of Native American students from several California universities occupied the island for 19 months. The occupation of Alcatraz Island holds a prominent place in the history of Native Americans' struggle, being viewed as one of the most important events that sparked the Red Power movement (Johnson, 2007).

2.8. The racist appropriation of Native American images and symbols

One aspect of the civil rights struggle waged by Native Americans has been their cultural appropriation. Cultural appropriation is not a new phenomenon, it has been present throughout history. The Boston Tea Party is a well-known event in American history, where rebels dumped tea into the harbor to protest British taxes. One aspect of this event that is less talked about is that the rebels dressed up as Native Americans to hide their identities. This is considered an example of cultural appropriation, where they borrowed aspects of Native American culture for their own purposes (Gilio-Whitaker & Dunbar-Ortiz, 2016).

It was not until the 20th century that cultural appropriation of Native American culture became a more prominent issue. There have been cases of individuals and organizations selling counterfeit Native American art, which is illegal under the Indian Arts and Crafts Act of 1990 (U.S. Department of the Interior, 2022).

One example of cultural appropriation is the use of Native American headdresses as a fashion accessory. These headdresses have deep spiritual and cultural significance for many Native American tribes, and their use by non-Native individuals or groups is often viewed as disrespectful and appropriative. This is comparable to someone who uses military uniform and use medals when it has never been in the military (Kansas City Chiefs, n.d.).

The fascination with Native American culture has been romanticized in the USA, but it has also spread in countries like Germany⁴. Pop culture has been one of the main actors in portraying this romanticized and stereotyped image of Native Americans. Indigenous men are portrayed as savages and bloodthirsty warriors in Hollywood movies, and native women portrayed as beautiful objects of desire like Pocahontas (Gilio-Whitaker & Dunbar-Ortiz, 2016).

Team mascots

The appropriation of Native American names and symbols as team mascots has also been a major source of controversy in the United States. Throughout the 20th century, many high schools, universities, and professional athletic teams adopted such names and symbols (Nichols, 2003). In response, the National Indian Youth Council and the National Congress of American Indians (NCAI), the most important organization for Native American representation and advocacy in the United States, launched campaigns in the 1960s to eliminate these sports stereotypes on college campuses. The primary goal of these campaigns was to put an end to the use of Native Americans as mascots. One example of this is the Washington Commanders football team that, since their foundation, had adopted the name Redsk*n, even though Native Americans have found this offensive for decades. Luckily, the NFL pressured this team to change their name (Gilio-Whitaker & Dunbar-Ortiz, 2016).

⁴ Karl May is an example of that. He was a German novelist who had a deep fascination with the American Old West, despite having only visited the region once in his lifetime. His books, which often featured an Apache warrior named Winnetou and his white German blood brother Old Shatterhand, were wildly successful in Germany and became an important part of the country's cultural heritage. However, this popularity also led to cultural appropriation and a romanticized view of Native American culture. For example, some Germans today organized "Indian Camps" where they try to emulate Native American lifestyles all without ever having any contact with actual Native Americans (Eddy, 2014).

3. Federal laws affecting Native Americans

In the previous chapter, it was brought to attention that a significant number of treaties between the United States federal government and various Native American tribes were dishonored and disregarded. This breach of trust and violation of agreements by both the federal government and individual states has had a lasting impact on the Native American population. In light of this historical background, this chapter aims to analyze old and current laws that have had a continued effect on the lives of Native Americans today.

It is essential to understand the implications of such laws and their effects on the social, political, and economic status of Native Americans. Moreover, this analysis can provide insights into the mechanisms through which the federal government and states can uphold their commitment to honoring treaties and establishing policies that promote the well-being and rights of Native Americans. Through an in-depth exploration of some of these laws, it is possible to gain a better understanding of the complexities and nuances of contemporary Native American issues and take steps towards fostering positive change.

In order to analyze the subject, I prepared a detailed table that encompasses the federal laws concerning Native Americans. This table includes information on the presidents who signed each law and their respective political party. Additionally, the table highlights the consequential impacts of these laws as well as any occurrences of civil rights violations. (see Annex 5)

3.1. Federal Indian law

The relationship between federal and Indian law has undergone significant changes over time. The federal government has oscillated in its position and policies on how to engage with Native Americans. On the one hand, there have been policies that aimed to work with tribal governments and support Indian self-determination. On the other hand, there have been policies, such as the Termination policy, which sought to dissolve the recognition and status of Indian tribes and assimilate them into American society (The University of Alaska Fairbanks (UAF), 2022).

Federal Indian law establishes a set of fundamental principles that define the relationship between the federal government, Indian tribes, and the states. These doctrines are crucial to

understanding the legal framework governing the rights and powers of Indian tribes within the United States (University of Alaska Fairbanks n.d.).

The first basic doctrine of federal Indian law is the recognition of Native tribes as distinct sovereign entities with fundamental powers of self-government. This principle acknowledges the historical and cultural significance of Indian tribes and their right to govern themselves independently (Clinton & Canby, 1983).

The second doctrine highlights the unlimited power of Congress to regulate or limit the powers of Indian tribes. This means that the legal independence of Indian tribes is subject to the authority of the federal government, which can enact laws to restrict or expand tribal powers as deemed necessary (Clinton & Canby, 1983).

The third doctrine establishes the exclusive federal authority over Indian affairs. In other words, the power to regulate and deal with Indian tribes is vested solely in the federal government, and states have no authority in this area unless explicitly delegated by Congress (Clinton & Canby, 1983).

Finally, the fourth doctrine recognizes the federal government's trust responsibility to protect Indian tribes and their properties. This means that the government has an obligation to safeguard the interests of Indian tribes, including their rights to self-determination, lands, resources, and culture, from encroachment by states and their citizens (Clinton & Canby, 1983).

3.2. Main laws and restrictions

Federal laws have had significant impacts on all tribes within the US territory, with some of these laws dating back to the 20th century and still affecting Americans to this today. The following is a compilation of major federal laws that had a profound influence on Native communities and their relationship with the U.S. government.

One of the earliest laws that established a relationship between Federal government and tribal nations was the Wheeler-Howard Act or most commonly known for the Indian Reorganization Act (IRA) signed into law by President Franklin D. Roosevelt in 1934, who was a member from the Democratic Party. IRA was designed to grant Native American tribes greater autonomy and self-determination by encouraging the formation of tribal governments and facilitating ownership of land. However, this Act pressured tribal governments to adopt U.S.

style governance, which led to the erosion of many customs and traditions that were integral to the experience of self-government. Despite its promise to support tribal sovereignty and self-determination, it has been criticized for never being fully realized. While many tribes were able to form successful governments and maintain their cultural traditions, many others struggled to adapt to the U.S. style of governance and lost key aspects of their cultural identity (Native Voices, n.d.-a).

Subsequently, the Indian Civil rights Act (ICRA) was enacted in 1968 by President Lyndon Johnson, member of the Democratic party. The act was intended to address some of the civil rights issues that Native Americans were facing, including discrimination and violations of due process rights. ICRA is similar to the United States Constitution Bill of rights, which includes provisions that guarantee Native Americans the right to free speech, freedom of assembly, and freedom of religion, among other things (Northwest Justice Project, 2018b). Like the IRA, this Act has been subjected to extensive criticism. This Act allows federal courts to intervene in tribal disputes, which was something unprecedented (Native Voices, n.d.-b).

A few years later, President Richard Nixon, who was a member of the Republican Party signed Indian Self-Determination and Education Assistance Act in 1975. This represented a recognition of the unique status of tribes and their right to self-governance. This allowed tribes to venture into health care, education, housing, etc. This was a marking point in Tribal affairs since Native Americans would be in control over their own destinies (Native Voices, n.d.-c).

Afterwards, the Indian Child Welfare Act (ICWA) was signed by President Jimmy Carter (Democratic Party) in 1978. This act addressed the problem with high rates of Indian families losing their children to non-native agencies. This law aimed to protect the best interests of Native children and promote the stability and security of Indian tribes and families. By keeping Native American children within American Indigenous families, the law recognized the importance of preserving the cultural identity and heritage of these communities (Native Voices, n.d.-d).

Recognizing the importance of Native American arts and crafts, the Indian Arts and Crafts Act of 1990 was signed by President George H. W. Bush, member of the Republican Party. This law was passed to protect Native cultural objects from fraud and misrepresentation. It forbade non-Natives and businesses from profiting off counterfeit goods (U.S. Department of the Interior, 2022).

In 1996, the Native American Housing Assistance and Self-Determination Act (NAHASDA) is a federal law that provides funding and regulatory freedom to tribes to develop and manage their own housing assistance programs. This law was signed by President Bill Clinton. This legislation allows tribes to tailor their housing programs to the specific needs of their communities. The funds provided by NAHASDA can be used to provide housing assistance to tribal members, including rental or ownership options for low-income tribal members, as well as housing for certain community members, such as elders or those recovering from drug or alcohol addiction. To receive NAHASDA funding, a tribe must create plans that fit into specific categories and follow federal guidelines for income requirements. Most NAHASDA funding is for families with low incomes and requires spending no more than 30% of income on housing (Washington Law Help, n.d.).

Recently, the Keystone XL Pipeline Project has been the subject of controversy. In 2020, the administration of Donald Trump approved the Keystone XL Pipeline project, which would build an oil pipeline system from Canada to the US, crossing ancestral lands and pollute water resources in South Dakota and Montana. Many Native organizations filed lawsuits against this project, because it disregarded their rights and their sovereignty. President Obama had previously refused this project in 2015, and President Biden rejected it as well in 2021 (Native American Rights Fund, n.d.-b).

Most recently, President Joe Biden, a member of the Democratic Party, signed into law the violence Against Women Reauthorization Act (VAWA) of 2022. This law is inspired by the original VAWA, which was signed in 1994, but was not expanded to tribal jurisdiction. With the new Special Tribal Criminal Jurisdiction, tribal courts jurisdiction is expanded over non-native perpetrators. This is a step forward in addressing the issue of violence against Native American Women that has become a serious problem in the United States. This law also provides funding and resources for tribal programs to address this issue (U.S. Department of Justice, 2023).

In conclusion, this section reveals that federal laws had a significant impact on the lives of Native Americans. Most of the laws discussed in this section, with the exception of the Trump administration's Keystone XL Pipeline Project, were aimed at protecting Native American rights and improving their quality of life. The Indian Reorganization Act of 1934, the Indian Civil Rights Act of 1968, the Indian Self-Determination and Education Assistance Act of 1975, the Indian Child Welfare Act of 1978, the Indian Arts and Crafts Act of 1990, the Native

American Housing Assistance and Self-Determination Act of 1996 and the Violence Against Women Reauthorization Act of 2022 have all played a vital role in preserve Native American sovereignty, cultural heritage, civil rights, education, and housing needs.

3.3. Quantitative data (general)

In this section, I have gathered key data about the following factors: wealth, employment, housing, education, crime and violence and health of Native Americans living in the United States. Before continuing to the next chapter on Montana, I will provide a data overview on national level describing how Native Americans are performing in these factors. In addition, the most up-to-date information available on each of these factors has been assembled with a comparison between the results of Native Americans and those of White Americans, as shown in Table 1.

Table 1 - US Data key trends : comparison between Natives and Whites

| US Data | | Native | White |
|--------------------|---|-----------------------|-----------------------|
| Wealth | Income per capita (2022) | \$23 019 ⁵ | \$44 199 ⁶ |
| | Poverty rates (2015-2019) ⁷ | 25% | 9.8% |
| Employment | Unemployment (2021) ⁸ | 8.6% | 4.7% |
| Education | Grade 4 Reading scores (2007) ⁹ | 206 | 230 |
| | Graduation rates (2021) ¹⁰ | 74.3% | 89.4% |
| | Dropout rates (2019) ¹¹ | 9.6% | 4.1% |
| Crime and violence | Prisoners (2019) ¹² | 547 per 100 000 | 214 per 100 000 |
| | Police brutality (2013-2023) ¹³ | 40 per one million | 24 per one million |
| Housing | Severe housing problems (2013-2017) ¹⁴ | 24.2% | 13.4% |

⁵ (United States Census Bureau, n.d.-g)

⁶ (United States Census Bureau, n.d.-d)

⁷ (America's Health Rankings | AHR, n.d.-b)

⁸ (U.S. BUREAU OF LABOR STATISTICS, 2023)

⁹ (National Caucus of Native American State Legislators, 2008)

¹⁰ (Kids Count Data Center n.d.)

¹¹ (Sarette 2022)

¹² (Initiative, n.d.)

¹³ (Mapping Police Violence n.d.)

¹⁴ (America's Health Rankings, n.d.-a)

| | | | |
|--------|--|------------------|------------------|
| Health | Cardiovascular (2017-2019) ¹⁵ | 13.8% | 9.6% |
| | Suicide ¹⁶ | 28.1 per 100 000 | 17.4 per 100 000 |

A quick glance at the data for these two populations at the national level, shows that there are significant disparities between White individuals and Native Americans across all factors, with the latter group experiencing a much poorer quality of life.

¹⁵ (America's Health Rankings | AHR, n.d.-a)

¹⁶ (Stone et al., 2023)

4. Montana

The history of Montana can be traced back to more than 12,000 years ago, but some of that history can be known from Native American oral tradition (Malone & Roeder, 1976). It is not certain when the tribes of this region first came into contact with settlers. However, the first recorded description of what is today Montana was written by the Lewis and Clark expedition, which crossed the area in 1805. However, even before the settlers came into contact with Native Americans, the European invasion was already having consequences in the west, as it disrupted trades and dislocated tribes. These tribes moved across the Mississippi to the Great Plains and to the Rocky Mountains, and many of these tribes found a home in Montana (Malone & Roeder, 1976).

The region remained relatively peaceful until the discovery of gold, in the 1860s, attracted a significant number of people to settle in the area. Consequently, Native Americans lost their lands, leading to growing conflicts and a clash of cultures. The discovery of gold in southern Montana led to the establishment of the Bozeman Trail, which served as a route for miners to access gold deposits. However, this trail intersected the hunting lands of the Lakota and Cheyenne tribes, disregarding the treaties that had been previously signed. In response, the Sioux, Cheyenne, and Arapaho tribes formed an alliance to block the trail leading to the goldfields. The US Army arrived to protect the miners, but the tribal alliance led them into an ambush and were victorious. Ultimately, the strength of the US Army overpowered the Indigenous alliance's efforts (Montana's Official State Website, n.d.).

Two decades after the gold discovery, Montana became a state in 1889, intensifying the influx of White settlers into the region, which subsequently led to the gradual erosion of Indians' traditional hunting grounds. Ultimately, Native Americans would be confined to reservations (Montana's Official State Website, n.d.).

Nowadays, Montana, commonly referred as the “treasure state”, encompasses twelve tribes, eight of which have federal recognition¹⁷. It is estimated that Natives account 6.6% of Montana's total population, according to 2022 census (Montana State Legislature, n.d.). A map

¹⁷ Including : Assiniboine and Sioux Tribes of Fort Peck, Blackfeet Tribe, Chippewa Cree Tribe of Rocky Boy's Reservation, Confederated Salish and Kootenai Tribes of Flathead Reservation, Crow Tribe, Fort Belknap Indian Community, and Little Shell Tribe of Chippewa Indians and Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation (Indian Affairs Bureau, 2023)

is provided in Annex 3 to facilitate the identification of the tribes and enable the observation of their territories both before and after the colonization.

Shifting to the political landscape, Montana has demonstrated a consistent tendency to vote for Republican presidential candidates in recent elections, with only two Democrats winning the state since 1952. Interestingly, prior to 1952, Montana had a streak of five consecutive Democratic victories, with four of those victories going to Franklin Roosevelt and one to Harry Truman. The state has a diverse history of electing governors from both major political parties. Since statehood, Montana has had 27 governors, with 15 being affiliated with the Democratic Party and 12 with the Republican Party. From 1988 until the present, Montana has had an equal number of Democratic and Republican governors, with three governors from each party. In the most recent election of 2020, the Republican candidate Greg Gianforte won the governance over the state (270 to Win, n.d.-a).

4.1. Main laws and restrictions

Montana has passed several important laws that affect Native Americans. I will first examine two articles from the Montana constitution as they address important topics such as access to natural resources and education for Native Americans, both dating back to the twentieth century. Additionally, I will review seven bills signed into law by Montana's current governor, Gregg Gianforte, who is affiliated with the Republican party. These bills cover various issues, including voting rights and addressing the critical issue of missing and murdered Indigenous people.

Article IX – Environment and natural resources – Section 3. Water rights of the Constitution of Montana

Starting with the issue of access to natural resources, Montanans has been engaged in a multitude of disputes pertaining to water rights, employing the state constitution as a legal foundation for their claims. There has been an ongoing struggle by Native American tribes in Montana to secure and protect their water rights, leading to many legal battles.

The constitution of Montana was established in 1972 by a vote of the people. One of the main points of contention between Montana and Native American tribes has been the state's claim to the authority to regulate its resources, including rivers that flow through Native reservations. Article IX, Section 3 of the Montana Constitution, titled Environment and Natural Resources,

addresses water rights and states that “All surface, underground, flood, and atmospheric waters within the boundaries of the state are the property of the state for the use of its people and are subject to appropriation for beneficial uses as provided by law”. This has been used to justify the state's control over water resource (Water Rights, 1972). However, Native Americans have been relying on rivers and other resources to have clean water. The lack of investment in infrastructure to provide clean water has had a significant impact on the health and wealth of Native Americans, who rely on these resources for cultural, economic, and subsistence purposes. Furthermore, many of the water resources have become contaminated due to intensive agricultural practices and the use of arsenical pesticides, as well as uranium mining extraction (Martin et al., 2021).

One example of a tribe fighting for water rights in Montana is the Confederated Salish and Kootenai Tribes (CSKT). They have been trying to secure federally quantified water rights for their reservation in Montana for over 30 years. In 1979, the Montana legislature created the Reserved Water Rights Compact Commission (RWRCC) to negotiate water rights agreements between the federal government, the state, and Native American tribes. However, disputes over water rights continue to this day, highlighting the ongoing struggle for equitable access to this essential resource (Stephen A. Walker & Keri-Ann C. Baker, 2013).

Article X, Section 1 of the Montana Constitution

Continuing the analysis of the Montana constitution, in 1972, representatives of Native American communities throughout the state assembled at the Montana Constitutional Convention to offer testimony highlighting the need for improvement of public school education that addresses Native Americans and that includes Native culture and history in school curriculum. After several months several Montana legislators heard about this issue. Delegate Dorothy Eck’s proposed that this amendment to become part of the state Constitution, which was passed with near unanimous vote (Native American Rights Fund, n.d.-a). In particular, Article X, Section 1 of the Montana Constitution states that “the state recognizes the distinct and unique cultural heritage of the American Indians and is committed in its educational goals to the preservation of their cultural integrity” (Montana Legislation, n.d.).

After several years, it was noted that this amendment was not implemented or was not implemented well. Since the state was not following its constitutional promise, the legislature

enacted the Indian Education for All Act (IEFA) in 1999 and it was signed into law by Montana republican Governor Marc Racicot. This law requires that state agencies and officials implement the constitutional mandate for schools in Montana to promote “cultural understanding and respect for the sovereignty of American Indian nations” (Native American Rights Fund (NARF), n.d.).

The following years saw the IEFA implementation minimal, until it was noted that there was a lack of funding. After the decision of the Montana Supreme Court in 2005, IEFA started to be funded annually until today. Nonetheless, according to NARF, 3.5 million invested in IEFA implementation remained insufficient and lacking across the state over a decade (Symons, 2023).

In response to this failure, in 2021, a lawsuit called *Yellow Kidney, et al. v. Montana Office of Public Instruction, et al.* was filed by a group of Montana guardians of public school, eighteen students, and the following tribes: Assiniboine and Sioux Tribes of the Fort Peck Reservation, Confederated Salish and Kootenai Tribes of the Flathead Reservation, Fort Belknap Indian Community, Little Shell Tribe of Chippewa Indians of Montana, and Northern Cheyenne Tribe. The defendants were the Montana Office of Public Instruction (MOPI), Montana Superintendent of Public Instruction (SPI) Elsie Arntzen, the Montana Board of Public Education (MBPE), and Chairperson of the Montana Board of Public Education Darlene Schottle, IEFA. Montana requested this case to be thrown out, but court denied their request. In 2023, the case was still being litigated (Native American Rights Fund, n.d.-a).

Montana election laws (House Bill 176, Senate bill 169 House bill 530)

Looking at more recent policies, in 2021, Gregg Gianforte from the GOP Party introduced the House Bill 176, Senate bill 169 House bill 530 these group of election laws were restricting the access to vote to some groups of people, especially Native Americans. More specifically, House Bill 176 abolished same-day voter registration, which is particularly disadvantageous for people residing in remote areas. Then, Senate bill 169 added stringent voter ID requirements which affects people that do not have the means to have the required forms of identification and that may not pay their utilities under their own name. Lastly, House bill 530, which made it illegal to offer or receive any financial benefit for distributing or collecting ballots. This is criticized because it restricts the access to vote to vulnerable populations, like Native Americans and the elderly (Sakariassen, 2021).

These laws restrict the vote of marginalized communities and infringe citizens to vote. In 2022, after several lawsuits and months of litigation in the Montana Supreme Court, the latter decided that these laws were unconstitutional (Sakariassen, 2022).

Laws on missing, murdered Indigenous people – Senate Bill 4, House Bill 35 and 98

In relation to the crisis of missing and murdered Indigenous persons in Montana, Governor Gianforte signed three bills in 2021. The goal of the Senate Bill 4 was to extend the Missing and Murdered Indigenous Persons Task Force for another two years. This task force was established previously, in 2019, to gather crucial data and drawing attention to the issue. Additionally, Governor Gianforte signed House Bill 35 and 98 into law that reinforce the Senate Bill 4. HB 98 includes more funding for tribal colleges to establish a platform for reporting missing Indigenous people. Moreover, HB 35 establish a new state commission, which will review cases of missing people and investigate any factors that hindered the investigation (Ambarian 2021).

4.2. Quantitative Data

In this section, I will present data related to Montana, with a specific focus on various factors including wealth, employment, education, crime and violence, housing, and health. The data sources used for this analysis are primarily reports, government websites, and census records. Please refer to Annex 6 for the table containing the quantitative data.

4.2.1. Wealth

Firstly, the analysis will commence by examining the aspect of wealth, wherein it will focus on evaluating key indicators such as income per capita, median household income, child poverty rates, and food insecurity.

In 2021, the income per capita for Native Americans living in Montana was \$17,005, which is less compared to the United States income of \$23,019 for the same group (United States Census Bureau, n.d.-h). When compared to White population living in Montana income per capita is \$37,640, which is significantly higher than the income per capita for Native Americans (United States Census Bureau, n.d.-e). This disparity indicates a significant inequality in income distribution in Montana.

Regarding the median household income for Native Americans, it elevates to \$36,501, which is significantly lower than the United States average and than Washington (United States Census Bureau, n.d.-c).

When it comes to poverty rates for Native Americans, Montana ranked fourth among all states in the US in 2023 (World Population Review, n.d.-a). Looking at the figures from the past 12 months 22,097 people lived below the level of poverty in Montana, which corresponds to a percentage of 36.6% the highest among all groups (United States Census Bureau, n.d.-m). In 2019, child poverty in Montana was 35.9%, being the highest rate among other populations, but compared to 2010 it has been decreasing (America's Health Rankings, United Health Foundation, 2019).

A study made in 180 houses in reservations revealed that 43% were food insecure, which is alarmingly high (Jernigan et al., 2017). This situation worsened during the COVID-19 pandemic. Many of these reservations are situated in remote areas where there is no access to stores that provide nutritious foods and produce. Despite these alarming information, the Montana healthcare Foundation has been working on projects to help different reservations with food sovereignty, their goal is to reduce the health disparities on tribal lands (Buchheit, 2021).

4.2.2. Employment

Regarding employment, the most recent data from the United States Census Bureau, retrieved in 2021, indicates that nearly half of the Native American population in Montana, or approximately 47.7%, are employed, while 13.9% are unemployed (United States Census Bureau, n.d.-n). Nevertheless, it is important to note that the rates of unemployment vary considerably when examining the data at the county and reservation levels. Specifically, according to a report on Montana Reservation Economies by Nick Holom (2020), the reservations exhibit the highest rates of unemployment among all regions in Montana (Nick Holom, 2020).

4.2.3. Education

As for Education, Montana currently has approximately 60,698 students recorded in its education system, according to recent data. 18,946 of those are enrolled in school and University, while 41,752 students, equivalent to 68% are not enrolled (United States Census

Bureau, n.d.-a). Also, there exists a notable disparity in academic achievement between non-native and native students, particularly in regards to reading proficiency. Specifically, in 2021, when analyzing students in grades 3-8 who were assessed using the SBAC¹⁸ exam, non-Native students had a reading proficiency score of 51%, which was 31% higher than that of their Native American counterparts. Similarly, when considering the ACT¹⁹ assessment results for grade 11 students, it was observed that native students had a proficiency or advanced score of 18%, while non-native students had a much higher score of 48% (Montana Office of Public Instruction, 2022a).

In relation to the graduation rates, Native American students in 2020-2021 achieved a graduation rate of 68.30% representing a decrease from the previous year. As a result, there has been an achievement gap between Native Americans and the state average of 17.8% (Montana Office of Public Instruction, 2022b).

In terms of school dropouts, Native Americans are more likely to drop out of school than White people in Montana. The dropout rate has increased from 4.70% in the 2019-2020 school year to 5.87% in the 2020-2021 school year, a 25% increase. This represents a significant jump in the number of students who are leaving school before completing their studies. However, the overall school dropout in 2019-2020 school year was 2.91% and in the following year was 3.75%, a slight increase (Montana Office of Public Instruction, 2022c).

4.2.4. Crime and violence

Regarding the number of people convicted of a crime, Native Americans counted 23% of the state prison population, though they make less than 7% of the statewide population. The most common felony offenses resulting in conviction are largely the use of drugs for Native Americans, but also for White populations (Justice Reinvestment in Montana, 2022). The data from 2021 reveals that from all violent crimes offenders, 62% are White people, and the second population with most offenders was Native Americans with 22%. When analyzing the victims for all violent crimes, a large majority were White with 72%, and the second group with the most victims was Native Americans with 18% (Federal Bureau of Investigation, n.d.-b).

¹⁸ Smarter Balanced Assessment Consortium

¹⁹ ACT test

Considering the prevalence of police brutality and the affected victims, Montana is not among the states with the highest rates of such incidents. Between 2013 to 2023 there have been 390 killings of African Americans per one million people living in Montana. They are the group of people that are 7.9 times more likely to be killed than White people. Native Americans are the second most affected group, counting 120 deaths per one million. From the beginning of the year 2023 until February 28th there was no killings reported (Mapping Police Violence, 2023).

Within the context of missing Indigenous people, this issue poses a substantial problem in the United States, with particular emphasis on Montana. Between 2017 to 2019, around 25% of Native Americans were reported missing. When comparing with data from 2021, the number of missing people increased for 30%. In this percentage, more than 80% were young people under the age of 18, 67% women and 33% men (Schubert et al., 2022). Native Americans are four times more likely to go missing in Montana (MMIP Montana, n.d.).

A report from 2020 revealed that in Montana Native American women are 2.5 times more likely to be victim of violent crime and twice more likely to be victim of rape or sexual assault when compared to other groups (Strategic Prevention Solutions, 2020). Data from 2021 suggests that 16% of Native Americans are victims of rape (Federal Bureau of Investigation Crime Data Explorer (CDE), n.d.-a). Regrettably, the reports of sexual violence are almost never prosecuted. This can be explained by gender-based discrimination and legal loopholes that fail to provide adequate protection (Angeline Cheek & Lucy Simpson, 2021).

4.2.5. Housing

When examining the factor of housing, it becomes evident that Montana faces significant challenges in terms of severe housing problems, particularly impacting African Americans and Native Americans. The most affected group was African Americans with 26.5% closely followed by Native Americans with 24.2% (America's Health Rankings, n.d.-l). Specifically, in Montana, 365 Native households report 200 lacking complete kitchen facilities. (United States Census Bureau, n.d.-k). In addition to this 223 households reported having deficient or lacking plumbing facilities (United States Census Bureau, n.d.-i).

While comprehensive data on overcrowding within Native American households on reservations is currently unavailable, it is clear that certain reservations, such as Blackfeet and Fort Peck, continue to experience significant challenges related to overcrowding and other physical housing problems (Murray, n.d.).

4.2.6. Health

Concerning to access to healthcare 25.4% of Native Americans do not have health insurance, which makes them the most affected group in 2021 (America's Health Rankings, n.d.-k).

Regarding the avoided care to cost, Hispanics are the group with more care to the cost with a percentage of 14.3%, and Native Americans the second most affected with 9% (America's Health Rankings, n.d.-e).

As seen before, a lot of the reservations are miles away from the shops with nutritious foods and nearest establishments are Fast food chains. This contributes to serious health problems and deaths. Looking at the percentage of diabetes, Native Americans were the most affected group for 10 years straight and in 2021, 16.3% had diabetes (America's Health Rankings, n.d.-i).

From 2015 until 2019, Native Americans were the most affected group reporting cardiovascular problems, but starting from 2020 until 2021 White people were at the top with a percentage of 8%, and close by were Natives with 7.9% (America's Health Rankings, n.d.-f).

When looking at the percentage of Depression, Multiracial were the most affected group with 28.7%, followed by Natives with 27.7% that reported being told that they had depression (America's Health Rankings, n.d.-g).

Depression carries the risk of suicide. In 2019, Native Americans reported to have 37.4 suicide deaths per 100,000 population, which was the most affected group. This number skyrocketed to 51.6% in 2020 (America's Health Rankings, n.d.-j). This high percentage might be linked with the COVID-19 pandemic hardships.

To sum up the quantitative section, the data highlights that Native Americans in Montana experience the most unfavorable living conditions when compared to other demographic groups.

5. Washington

Even before the first contact between the tribes of the Pacific Northwest and Europeans in the 1774, the effects of colonialism were already felt across North America (Aderkas, 2005). It is estimated that Indigenous communities in the Pacific Northwest had already experienced significant population decline as a result of diseases like smallpox. Roughly 80% of the Indigenous population in the Pacific Northwest was lost due to European colonization and its associated impacts (Deloria 2012). Subsequently, the arrival of White settlers and explorers driven by the pursuit of gold and the desire to dominate the fur trade had profound repercussions on the Indigenous communities of the Pacific Northwest (Aderkas, 2005).

As seen in section 1.7, fishing played a crucial role in the cultural identity and way of life of the tribes of the Pacific Northwest. For many years, European settlers did not prioritize fishing as an economic activity. Instead, they established a trade relationship with the Indigenous tribes, with whom they engaged primarily in the exchange of salmon. For decades fishing was not a significant cause of conflict; however, as settlers began to recognize the commercial value of salmon, conflicts over access to fishing sites and resources became increasingly frequent in the 1960s (Chrisman, 2022).

Nowadays, Native Americans in Washington accounted about 2% of the total population (Stacker, 2021), with 29 federally recognized tribes²⁰ as seen in the annex 4. Leading the state's governance is Jay Inslee, who is a member of the left-wing Democratic party. Nicknamed the Evergreen State, Washington is considered as being one of the most solidly Democratic states, having had only one Republican governor since the mid-1980s (270 to Win, n.d.-b). Prior to that time, the state's political leadership was more balanced between the two major parties. Washington has traditionally leaned towards the Democratic Party in presidential elections, with the last Republican candidate to win the state's electoral votes being Ronald Reagan. However, a shift towards Republican support that began during the Reagan presidency grew

²⁰ These tribes include the Confederated Tribes of the Chehalis Reservation, Confederated Tribes of the Colville Reservation, Cowlitz Indian Tribe, Hoh Tribe, Jamestown S'Klallam Tribe, Kalispel Tribe, Lower Elwha Klallam Tribe, Lummi Nation, Makah Tribe, Muckleshoot Indian Tribe, Nisqually Indian Tribe, Nooksack Indian Tribe, Port Gamble S'Klallam Tribe, Puyallup Tribe of Indians, Quileute Nation, Quinault Indian Nation, Samish Indian Nation, Sauk-Suiattle Indian Tribe, Shoalwater Bay Tribe, Skokomish Indian Tribe, Snoqualmie Tribe, Spokane Tribe of Indians, Squaxin Island Tribe, Stillaguamish Tribe of Indians, Suquamish Tribe, Swinomish Indian Tribal Community, Tulalip Tribes, Upper Skagit Indian Tribe, and Yakama Nation (Washington Office of Superintendent of Public Instruction, 2023).

under the administration of George W. Bush and seems to have continued into the present day, including during the presidency of Donald Trump (Elway, n.d.).

5.1. Main laws and restrictions

In this section, I will examine several key laws and restrictions found in Washington. One significant legal decision that will be explored is the Boldt decision from the 1970s, which specifically addresses access to resources, particularly fishing rights, which continue to be a prominent and ongoing issue. In addition, I will discuss seven bills that have been signed into law by the current governor of Washington, impacting Native communities. These bills encompass a range of important topics, including measures to address the prevention of missing and murdered Indigenous individuals, the establishment of mandatory Native education, the prohibition of the use of Native images or symbols, initiatives for health improvement and suicide prevention, and efforts to protect and promote Native voting rights.

Boldt's decision

As discussed in section 1.7, fishing rights hold significant cultural importance to Native American communities in Washington. In response to decades of activism aimed at fighting for fishing rights, the decision in *United States v. Washington* from 1974 provided a resolution. The presiding judge, Boldt, upheld tribal fishing rights as outlined in several treaties. The treaty stipulated an equal sharing of resources between the tribes and the Washingtonians. Boldt's ruling determined that the tribes that signed the treaties were entitled to harvest up to 50% of the fish passing through their recognized fishing grounds (Dougherty, 2020).

Despite this decision that helped Native Americans continue to fish in their usual sites the fishing rights are still an issue in Washington. In 2016, a judge reaffirmed the decision brought by 21 tribes against Washington for violating their treaty rights by building and maintaining barrier culverts that blocked salmon from procreating in streams, resulting in a decreased in the fish population. The supreme court decision stated that the state must replace hundreds of culverts to restore fish habitat and allow for sustainable fishing rights for tribes (Chasan, n.d.).

Native American Voting Rights Act

Proceeding to the following policy, in 2019, Governor Jay Inslee signed the Native American Voting Rights Act, making it law. The bill passed in Senate, but with 13 people that opposed,

all of them Republicans. The act is aimed at ensuring that Native Americans residing on reservations or Indian lands have equal access to voter registration and the voting process.

One of the key provisions of the act is the modification of the minimum information required for voter registration, which allows for nontraditional residential addresses and unmarked homes to be used on voter registration forms. This is particularly important for Native Americans living on reservations, as they often do not have traditional street addresses. Specifically, this act allows tribes to select a building within their area as their official home address, which will ensure that Native Americans are able to vote without difficulty (Epperly, 2019). This provision is especially significant because many Native Americans face barriers to voting, including lack of transportation, and lack of access to polling places.

House Bill 1725 and House Bill 1571

In Washington, a considerable number of Native American individuals, especially women, have been reported missing. In response to this problem, a bill was signed into law as an effort to address and tackle this issue.

In March 2022, Washington Governor Jay Inslee signed into law House bill 1725, which establishes the first statewide alert system for missing Indigenous people in the United States. This system, operated for 24h, receives a report of a missing Indigenous person and then it will notify law enforcement by displaying messages on highway reader boards, on social media and to the news media (T. A. Press, 2022). Moreover, this bill will help to provide accurate information, raise awareness and engage the public to better locate the missing Indigenous people (Kalliber, 2022). This law was implemented in July 2023 and is showing good results with respect to how the community is engaged in finding Indigenous people (Chavez, 2023).

In addition, Governor Jay Inslee signed House Bill 1571 into law a few days after signing House Bill 1725. The new law is designed to offer crucial services for Indigenous women who are survivors of human trafficking. The bill aims to provide comprehensive protection and support for Indigenous women who have experienced the trauma of trafficking. The new law represents a crucial step towards ensuring that survivors receive the care they need to heal and recover from these experiences (Kalliber, 2022).

Senate Bill 5433

When it comes to Education, the Senate Bill 5433 was signed by Governor Jay Inslee into law in 2015. It mandates the education of students in the state about the history and governance of Indigenous nations. There was already a previous law to encourage the teaching of native American culture in schools, but this new law makes it mandatory for all schools.

House Bill 1356

Expanding on the topic of Native American names, symbols and images such as school mascots, logos and team names, it is worth noting that they are prevalent in the United States and Washington is no exception. It is estimated that more than 30 schools in Washington use Native American names, symbols or images as seen in Annex 4. Some of these names and images can be considered racist and contribute to negative stereotypes. Therefore, in 2021, the Governor Jay Inslee signs a new bill to ban precisely the use of Native American names and symbols. This means that all items need to be replaced, including uniforms, flags, banners, equipment, and so on. However to mitigate the financial costs on schools, this law includes a support grant program that provides funding for the expenses associated with the new law (A. Press, 2021).

Washington Indian health improvement act

Further delving into the health status of Native Americans, data obtained from Northwest Tribal Epidemiology Center and the Department of Health reveals that Native Americans experience disproportionately high rates of various health issues compared to other groups in Washington. Washington Indian health improvement act was signed by Governor Jay Inslee in 2019 to provide an investment of \$3-\$5 million to improve health of Native Americans and Alaska Natives. Through Medicaid, the federal government will cover some services 100% (Washington State Wire, 2019).

House Bill 1477 and the Creation of 988

Expanding upon the issue of suicide, it is evident that suicide rates in Washington are high among Native Americans, and, as a response, the government decided to implement a new law. Governor Jay Inslee signed into law the 988 bill, which will establish a tribal behavioral health and suicide prevention line in Washington. The legislation includes \$1 million in funding to develop and operate the line, as well as the creation of a tribal 988 subcommittee (Epperly, 2019). This establishes an unprecedented 988 crisis line, prioritizing mental and behavioral

health support for Indigenous people nationwide, managed exclusively by a Native team (Jimenez, 2022).

5.2. Quantitative Data

In addition to using qualitative data to gain insights into the status of Native Americans in Washington, I also examined quantitative data, with a specific emphasis on factors such as wealth, employment, education, crime and violence, housing, and health. In annex 6 includes the table presenting the quantitative data. The data utilized for this analysis primarily originates from reports, government websites, and census records.

5.2.1. Wealth

Regarding wealth, Native Americans had 46% more income than three decades ago (Washington Tribes, n.d.). Nonetheless, in 2021, according to the United States Census Bureau (n.d.), the income per capita for Native Americans was \$26,165, which is approximately half the income of the White population (\$49,903). This income disparity highlights a significant gap between the two groups (United States Census Bureau, n.d.-f).

According to data from 2021, the median household income in Washington was \$64,044. It is important to note, however, that there are significant disparities in household income across racial and ethnic groups (United States Census Bureau, n.d.-c). For instance, the median household income for White Americans in 2021 was \$85,698, which is significantly higher than the national median (United States Census Bureau, n.d.-b)

In addition, 15.2% of the Native American population lived below the poverty line. However, it is worth noting that Native Americans were not the most affected group, with African Americans having the highest percentage of individuals living below the poverty line at 19.2%, followed by some other race, Hispanic, and Native Americans, respectively (United States Census Bureau, n.d.-m). It is also important to note that, as of 2023, poverty rates for Native Americans in this state rank 28th among all states in the U.S (World Population Review, n.d.-b).

When it comes to child poverty rates, Washington presents a rate of 22.9%, with Native American children being the third most affected group, in 2019. African American children

had the highest poverty rate at 27.8%, followed by Hispanic children at 25.1%, and Native American children at 22.9% (America's Health Rankings, n.d.-b).

Moreover, based on the 2021 WA State Tribal Food Survey Report, which surveyed 196 Washington residents with tribal affiliation, it was determined that 67% of households experienced food insecurity. This high rate of food insecurity underlines the persistent challenges faced by many Native American households in accessing healthy and affordable food. Additionally, the report notes a substantial increase in the request of food assistance among tribal communities during the COVID-19 pandemic, which was already disproportionately high prior to the pandemic. These findings highlight the ongoing need for targeted efforts to address food insecurity among Native American communities in Washington (School of Public Health - University of Washington, 2021).

5.2.2. Employment

In conjunction with food insecurity, employment data for Native Americans in the United States also reveals a concerning trend. In 2021, the employment ratio for Native Americans in the United States was 53.2%, while the unemployment rate for the same group was 9.3% (United States Census Bureau, n.d.-n).

However, there have been some positive developments in recent years. According to a 2022 report, there has been a significant reduction in unemployment rates on reservations in Washington, with a decline of 31% over the past three decades. This positive trend can be attributed to a variety of factors, including increased investment in economic development, job training programs, and expanded access to education and healthcare (Washington Tribes, n.d.).

5.2.3. Education

The education landscape for Native American students in Washington reveals several concerning trends. In the 2021-22 academic year, 6.5% of students in Washington public schools identified as Native. Over the past three decades, the college attainment rate for Native Americans in the state has increased by more than 65% ago (Washington Tribes, n.d.). Of the 97,753 Native American students in Washington, 28,661 are currently enrolled in school, while

approximately 69,092 are not enrolled, representing a non-enrollment rate of 41% (United States Census Bureau, n.d.-a).

Pertaining to reading assessment, in 2021, 2,167 Native American students in grades K-4 were identified as reading below grade level, indicating that 59.5% of all Native American students in the state struggle with reading, making them the most affected group in this area (Deb Came, 2022). Furthermore, the academic performance of third, eighth, and 10th grade students with SBAC has shown a decline in both Mathematics and English, with Native Americans and Native Hawaiian and other Pacific Islander students being among the lowest performing groups (Washington JLARC, 2023).

In 2019, the overall grades average reading score for Native American students was 38 points lower than that of their White peers, placing them second-to-last in terms of reading proficiency, behind African American students (The Nation's Report Card, 2019).

Additionally, in 2022, the graduation rate for Indigenous students in Washington was approximately 67.8%, indicating that they are the group with the lowest likelihood of graduating. However, there has been a significant improvement in high school disparities since 2012 (Results Washington, 2023).

Moreover, the academic years from 2018 to 2020 witnessed a slight reduction in dropout rates, fluctuating between 24.1% and 15.9%. However, in 2021-22, there was a 5% increase in the proportion of dropouts (Washington State Report Card, n.d.). Furthermore, Native American students had the highest dropout rate among all student groups in 2022, with a percentage of 20.8% (Results Washington, 2023). These statistics highlight the ongoing challenges facing Native American students in Washington and the need for continued efforts to address disparities in educational outcomes.

5.2.4. Crime and violence

When examining the issue of crime and violence in Washington, it is noteworthy that Native Americans, despite constituting only 1.9% of the population, make up nearly 5% of individuals incarcerated in state prisons (Brown n.d.). Additionally, as of 2017, African Americans were incarcerated at a rate 4.4 times higher than White people, and Native Americans were incarcerated at a rate 3.6 times higher than White individuals (Vera Institute of Justice, n.d.).

The 2021 data on all violent crimes offenders reveals that Native Americans accounted for only 2%, placing them at the bottom of the chart, while White individuals topped the chart with 52%. In terms of victims of all violent crimes, Native Americans are at the bottom of the chart with 2%, while White people are at the top with 65% (Federal Bureau of Investigation Crime Data Explorer (CDE), n.d.-b).

In the current year of 2023, there have been no reported incidents of police brutality resulting in the death of Native Americans. However, over the past decade (2013-2023), Native Americans have experienced the highest rate of police killings, with 130 killings per 100,000 individuals, followed by African Americans with 120 per 100,000. The rate of police killings for Native Americans is four times higher than that of the White population. These findings highlight the ongoing issue of police brutality towards marginalized communities, particularly Native Americans and African Americans (Mapping Police Violence, n.d.).

The issue of missing and murdered Indigenous peoples (MMIP) is a significant concern in Washington, particularly in the cities of Seattle and Tacoma. According to the Urban Indian Health Institute, among the analyzed states, Washington ranks second in terms of the highest number of MMIP cases, with only New Mexico reporting a higher number among the 71 cities analyzed in the report. To address this issue, Washington has responded by introducing two distinct bills, as seen in section of Main laws and restrictions (Urban Indian Health Institute, 2018). In 2022, the cases of active missing Indigenous individuals showed a gender distribution of 52% female and 48% male. However, when examining the victims of murder, Indigenous women are more likely to be victims (Equality for Boys and Men, 2022). When comparing with White women they are four times to be missing or murdered (Oron, 2023).

In terms of incidents of rape or sexual assault, which is a prevalent issue both nationally and at the state level, Native Americans accounted for 2% of the total victims in Washington in 2021. The highest number of reported incidents involved Caucasians, who were both more likely to be perpetrators and victims (Federal Bureau of Investigation, n.d.-a). Calculating the exact number of Native American victims of rape or sexual assault is difficult due to underreporting, as not all victims make a formal complaint.

5.2.5. Housing

Detailed studies about housing are difficult to retrieve, with the most recent data dating back from a study from 2017. Nonetheless, in 2015 to 2019, the most affected population with severe housing problems was African Americans with 28.3%, then Hispanics with 26.9% followed by Native Americans with 20.7% (America's Health Rankings, n.d.-l). When taking a closer look at the issue of severe housing problems faced by Native American households in Washington state, it was reported that 365 households have inadequate kitchen facilities. (United States Census Bureau, n.d.-l). Additionally, 383 Native households have reported lacking complete plumbing facilities (United States Census Bureau, n.d.-j).

According to a 2022 report by the Washington Department of Commerce, nearly 40% of Native American households in Washington experience overcrowding and cost-burden, where more than 30% of their income goes towards housing expenses. Overcrowding can have negative effects on health (Reyna & Snyder, n.d.).

5.2.6. Health

When it comes to health, Native Americans in Washington continue to face significant challenges. Disparities in healthcare access, higher rates of chronic diseases, and limited resources contribute to the ongoing health issues within this community.

Between 2010 and 2019, there was a notable reduction of approximately 10% in the proportion of uninsured Native Americans. As of the end of 2019, 14.2% of Native Americans were without health insurance. However, the number of uninsured Native Americans increased to 16.1% during the COVID-19 pandemic. Other racial groups were the most significantly affected, followed by Hispanic and Native American populations (America's Health Rankings, n.d.-m).

When observing the avoided care to cost, Hispanics are the most likely to not pay a visit to the doctor because of cost, followed by Multiracial and Native Americans. Specifically, the proportion of Natives who abstain going to the doctor was 16.6% (America's Health Rankings, n.d.-c).

Regarding the percentage of people with diabetes, Native Americans were the most affected population with a percentage of 14.4% in 2021. Moreover, for eight years Indigenous were the leading group with the disease (America's Health Rankings, n.d.-d).

Observing the data from 2021 related to cardiovascular diseases, Native Americans were also the top leading group with a percentage of 16.4%. This number has been increasing since 2011. During the years of 2014 to 2016, Natives experienced their highest incident of depression. However, the numbers have been decreasing. As of 2021, Native Americans still are second most affected group with a rate of 31.5%, and Multiracial group was leading the chart with 35.2% (America's Health Rankings, n.d.-h).

Furthermore, the data on suicide rates reveals another pressing concern for Native Americans. In 2021, suicide rates were highest among the Native Americans with 28.1 per 100 000 population than the general population. In addition, it was also observed that they had the highest change with an increase of 26% during 2018 to 2021 (Stone et al., 2023).

To summarize the quantitative section, the data clearly highlights that Native Americans experience substantial struggles in Washington, making them one of the most affected populations. Therefore, disparities between minority groups and the White majority pose significant challenges for the state.

6. Discussion

In this section, I will compare the different policies and data that define the situation of Native Americans in Montana and Washington. My primary objective is to cross-reference and analyze the information in order to assess the impact of the laws and policies implemented in each state. Additionally, I would like to determine whether these laws and policies align with the proposed hypotheses. As mentioned at the outset of my thesis, my first hypothesis is that differences in legal policies and political decisions between the two states will result in varying levels of support for Native American causes. I expected that Montana, a solidly Republican state, to be less sympathetic to these causes compared to Washington, a state that leans to the left. Furthermore, I hypothesize that the quantitative data will indicate a quality of life that is worse in Montana than in Washington. To determine the validity of my hypotheses, I will compare various key aspects such as access to natural resources, voting rights, wealth and unemployment, education, crime and violence, housing, and health. By examining each of these areas, we can gain a comprehensive understanding of the impact of legal policies and political decisions taken in each state on Native American communities.

Access to natural resources

When examining the issue of resource rights for Native Americans, it is evident that there are significant challenges faced in both Montana and Washington. In Montana, the primary issue pertains to water resources and the associated conflicts with established treaties between the federal Government and Native American tribes. Conversely, in Washington, the primary challenge pertains to fishing rights, with conflicts arising between the state and Native American tribes regarding their treaty-protected rights to fish and the conservation of their associated habitats.

Upon closer examination, Article IX, Section 3 of the Montana Constitution, which pertains to water rights and natural resources, poses a significant issue regarding the rights of Native Americans. At the time of its implementation, Montana was a predominantly Republican state, and although the constitution was adopted through a popular vote, its provisions were primarily aimed at non-Native American residents outside of reservations. This law is in direct conflict with the treaties that were signed between the federal government and the Indigenous people, which specifically define the boundaries of their reservations. Ongoing disputes over water resources highlight the disregard of some Montana residents and officials towards the treaties that were established with Native Americans.

Regarding the disputes over fishing rights in Washington in the 60s and 70s, it is important to note that the issue may not be solely related to political party affiliation. In the past, Washington's political landscape shifted from Republican to Democrat almost every four years. However, after Boldt's decision in the 1980s, things improved to some extent. Nonetheless, fishing rights have remained a contentious issue for several decades, with officials and residents often disregarding Native Americans' fishing lands and even subjecting them to fines and imprisonment.

Voting rights

The voting rights of Native Americans in both states are approached from divergent perspectives. The Montana election laws, namely House Bill 176, Senate Bill 169, and House Bill 530, raise concerns regarding the attention given to marginalized populations by Governor Greg Gianforte and his Republican party. This apprehension stems from the potentially restrictive nature of the laws, which may restrict the participation of certain groups (such as Native Americans) in the electoral process. In contrast, in Washington the Native American Voting Rights Act represents an important step forward in the effort to ensure that Native Americans are able to exercise their right to vote. By allowing for nontraditional residential addresses and other accommodations, the Act will help to ensure that Native Americans are not disenfranchised due to logistical barriers. This is a significant achievement for Native American communities in Washington and serves as an example for other states to follow in their efforts to promote fair and equal voting access for all.

Wealth and Unemployment

When comparing Montana to Washington in terms of wealth and employment opportunities for Native Americans, Montana presents worse numbers. The poverty rate in Montana is 36.6%, or the fourth-worst state in the US, while Washington has a rate of 15.2%²¹.

Income is a key factor that can contribute to poverty. In Montana Natives have less income and more poverty when compared to Washington. The latter has reported better income levels, surpassing the average of Native American populations in the US. The income levels also have a connection to unemployment, which is higher in Montana than in Washington. Even though,

²¹ The food security survey report only covers a number of people and not all Native Americans, thus limiting the relevance of the data and not providing a comprehensive picture.

Washington has been improving income and unemployment for Natives for the past 30 years, efforts should be made by both states to improve the economic opportunities for Native Americans and close the racial gap with better economic outcomes.

Education

Data on education is presented differently for each state, particularly in Montana where it is difficult to find average grades for Native Americans. However, it is possible to conclude that Native American students in both states tend to have lower academic achievement than their non-Native peers. This can have long-term effects and could adversely impact Native Americans' college or university applications in the future. Despite the fact that both states have a significantly high number of students, the non-enrollment rate in Montana stands at 68%, which is substantially higher compared to Washington, where 41% of students are not enrolled. This disparity can be linked to various obstacles that impede Native students from enrolling, such as household income limitations or significant distances between their homes and schools. Further studies are needed.

Graduation rates for Native American students in Montana and Washington are relatively similar, with Montana reporting slightly higher graduation rates. Conversely, the dropout rate for Native American students in Washington is significantly higher at 20.8% compared to Montana's rate. The reasons behind this discrepancy may be due to various factors, such as poor academic performance, lack of engagement in education, or external circumstances. Overall, more comprehensive data is needed to fully assess the academic performance of Native American students in both states.

The Indian Education for All (IEFA) law was enacted with the aim of improving public school education for and about Native Americans in Montana. However, despite 30 years of funding, the law has been deemed unsuccessful, as evidenced by the high dropout rates and low graduation rates, which are comparable to those of Washington. The IEFA law is intended to enhance education for Native American students and inspire them to remain in school and learn more about their heritage. Nonetheless, it is evident that the law has not been effective in meeting its objectives. According to several native organizations, it has been proven that Montana is not assuming its constitution promise of ensuring that Natives have proper education and that Native education is taught in schools. This could involve revising the IEFA

law to better address the needs of Native American students, as well as implementing additional programs and policies aimed at improving educational results for this population.

Since 2016, Native culture education has been made mandatory in Washington schools, yet despite good intentions, this measure alone has not been sufficient to address the persistent problem of low attendance and academic performance among Native students. Further efforts and additional legislation may be needed to achieve better outcomes.

On a positive note, Washington has taken steps to ban the appropriation of Native names, symbols, and mascots in schools. This policy helps to prevent Native students from feeling as if their culture is being mocked and avoids the development of harmful stereotypes at a young age.

Crime and violence

When examining the number of incarcerated individuals in Montana and Washington, it becomes evident that Native American populations are overrepresented in the prison population compared to other groups. In Montana, these individuals account for 23% of the prison population, compared to 5% in Washington. However, the rate of incarceration for Native American populations is higher than that of the White population in both states. In terms of offending rates, Native individuals in Montana are more likely to be offenders than those in Washington, with 22% of the offenders in Montana being Native, compared to 2% in Washington.

The statistics on police brutality against Native Americans indicate a high incidence in both Montana and Washington, with a particularly surprising prevalence in Washington. This alarming trend could be attributed to various factors, including racism and inadequate training within law enforcement agencies. This pattern of violence constitutes a violation of the civil rights of Native Americans.

Concerning missing Indigenous women, data collected from a report reveals that the two main cities of Washington, Seattle and Tacoma, are the second-worst in the country when compared to the 71 cities²². It is challenging to obtain data on missing Indigenous women in the entire Washington, but evidence suggests that it is a prevalent issue. Similarly, Montana faces similar

²² Montana did not have any city included in this study

struggles. To address this, both states have passed laws aimed at preventing the disappearance of Indigenous women.

The laws pertaining to missing and murdered Indigenous people in Montana, specifically Senate Bill 4, House Bill 35 and 98, were designed to address the issue of violence against Native Americans. Despite the good intentions behind these laws from the republican party, their efficacy in solving this problem remains uncertain. In fact, the number of missing Indigenous people has continued to rise in 2021, as seen in the data section for Montana, indicating potential shortcomings in the implementation of these laws. However, it is worth noting that these laws do represent a step forward in addressing the long-standing issue of violence against Native Americans.

In contrast, Washington enacted House Bill 1725 and House Bill 1571 in July 2022, resulting in positive outcomes in locating missing individuals. The bill that was signed by Jay Inslee saw quick results, as within just six months, 22 out of 31 people were successfully found alive. This alert system uses radio, television, cable, satellite systems, and social media platforms to engage the public in recovery efforts (Reyna, 2022). This proactive approach has significantly improved the ability to locate missing Indigenous people and ensure their safe return. These measures demonstrate Washington's commitment to addressing the issue of missing individuals and supporting its Native American communities.

When examining sexual violence, Indigenous women in both Montana and Washington are at a higher risk. Montana demonstrates a much higher prevalence of rape victims, accounting for 16% of reported cases, in contrast to Washington, where the percentage stands at 2%. Nationally, the number of Indigenous victims reporting experiencing sexual violence is high, with 56.1% having been subjected of such violence, which is more than twice the average rate of sexual assault. And while consistent state-level data is difficult to come by, there is still work to be done when it comes to protecting Indigenous women in both states.²³

²³ The complete extent of violence against Native American women in the United States is challenging to establish due to the absence of comprehensive and disaggregated data. Government agencies responsible for collecting data on violence against indigenous women lack coordination, resulting in sporadic data collection efforts. This absence of accurate and up-to-date data hinders a thorough comprehension of the extent to which Indigenous women are impacted by violence (Amnesty International USA 2022).

Housing

In terms of housing conditions, Washington exhibits worse outcomes than Montana with regard to the lack of kitchen and plumbing facilities. However, when examining severe housing problems that encompass various factors from 2007-2019, Montana has worse results, with 24.2%, compared to 20.7% for Washington. Notably, when considering overcrowding and cost burden together, Washington has a rate of 40% of houses affected, indicating a significant problem. While such data is currently unavailable for Montana, it would be worthwhile to explore these two. It is possible that Montana's slightly higher rate of severe housing problems is due to better performance in certain areas, such as kitchen and plumbing facilities, but worse outcomes in other factors, such as overcrowding and cost burden.

It is important to note that while the federal Native American Housing Assistance and Self-Determination Act (NAHASDA) aims to enhance housing conditions for Native American communities and has demonstrated a positive impact on the living conditions of this population, its effectiveness has been questioned, as some tribes have experienced significant delays in receiving housing assistance, with critics arguing that funds are not being efficiently implemented. For instance, the Blackfeet Indian Reservation suffers from severe housing conditions, partly due to the lack of a strong political voice in Washington, D.C., and decreased funding for Native American housing (MURRAY, n.d.).

Health

When it comes to the health of Native Americans, they are more likely to experience health disparities than other population groups. In general, the two states have reported similar health data, with the exception of suicide.

It is noteworthy that although Montana has a higher rate of uninsured individuals, Natives are more likely to abstain from seeking medical care in Washington.

Moreover, Montana has a higher prevalence of diabetes, while cardiovascular diseases and depression are more prevalent in Washington. The health disparities listed above might be linked to other factors such as inadequate education, poverty, lack of access to healthy food and so on. Further research and data are necessary to reach a definitive conclusion. While there has been a decrease in the number of cases of cardiovascular diseases, diabetes, and depression in Washington since 2019/2020, it can not be definitively attributed to the Washington Indian

Health Improvement Act. Time and further research are necessary to determine the extent to which the Act has contributed to improving the health outcomes of Native Americans in the state.

In Montana, there exists a suicide prevention hotline that provides resources for suicide prevention to both the general public and Native Americans. While the hotline offers resources to Native Americans, it does not provide a dedicated line exclusively for this population. Conversely, recently in Washington, the first crisis line that offers culturally-specific and dedicated services to Native Americans is available. This crisis line is operated by a native team and reflects a unique approach compared to other states, as it specifically delivers to the needs of a minority group with services provided by individuals who possess an intimate understanding of their culture and needs.

The data collected reveals that suicide rates in Montana are significantly higher compared to those in Washington. Multiple factors, including economic and health issues, may contribute to this trend. Despite previous efforts to introduce bills aimed at investing millions of dollars in suicide prevention in Montana, these initiatives have been deemed unsuccessful. As a result, there is an urgent need for greater collaboration between state and tribal leaders to prioritize suicide prevention efforts in Montana (Montana Budget & Policy Center (MBPC), n.d.). While the new law in Washington represents a positive step in addressing high suicide rates among Native Americans, it is too early to determine its efficacy based on available data. Further time is required to assess the effectiveness of this new law. Nonetheless, this approach is a promising one in preventing suicide among the native population.

To conclude this discussion, the comparison of the laws passed in Montana and Washington reveals that, on the whole, Montana's laws have had more negative consequences than those of Washington, which supports my hypotheses: Montana, is expected to be less engaged in Native affairs compared to Washington. In addition, when examining the current governors of each state it can be seen that Governor Jay Inslee of Washington appears to be more invested in addressing the concerns of Native American populations than Governor Gregg Gianforte of Montana. Furthermore, the quantitative data indicates a quality of life that is worse to Montana than in Washington. This disparity may be linked to the political affiliations of each state, as Washington is solidly Democratic while Montana leans towards the Republican Party.

7. Conclusion

This thesis has shown that the situation of Native Americans is different in Montana and in Washington as seen in Table 2. As we can see in this table, the key factors reveal that Native American communities face challenges in both states.

Table 2 – Comparison between Montana and Washington with summary of findings with respect to the key factors of quality of life.

| Key factors | Summary of findings | |
|------------------------------------|--|--|
| | Montana | Washington |
| Access to natural resources | - Access to water resources as a major concern. | - Fishing rights as a key issue. |
| Voting rights | - Restriction of voting rights for Natives. | - Implementation of laws to encourage voting. |
| Wealth and unemployment | - Higher unemployment rates and lower income levels. | - Better income levels, even compared to the national data, and lower unemployment rates. |
| Education | - Higher graduation rates - Non-fulfillment of constitutional promises regarding Native education for all. | - Higher dropout rates - Implementation of mandatory Native education - Prohibition of the use of Native images and symbols in schools |
| | - Incomplete data available on overall average grades - Native American students in both states score lower compared to other groups | |
| Crime and violence | - Higher number of Native American offenders, victims, and prisoners - Higher number of rape victims - Inefficient Task force when looking at the data | - Higher incidents of police brutality - Implementation of an effective alert system for missing Indigenous people |
| | - Inconclusive data on missing and murdered Indigenous people | |
| Housing | - More severe housing problems than Washington | - Persisting challenges in the area of severe housing problems |

| | | |
|---------------|---|---|
| | <ul style="list-style-type: none"> - Further analysis required for a comprehensive assessment in factors such as overcrowded, etc. | |
| Health | <ul style="list-style-type: none"> - Higher rates of uninsured individuals - Higher prevalence of diabetes - Alarming rates of suicide | <ul style="list-style-type: none"> - More avoided care to cost - Higher cardiovascular diseases - Higher depression rates - Implementation of a dedicated suicide prevention helpline for Native Americans, the first of its kind |
| | <ul style="list-style-type: none"> - Need for further evaluation of other diseases and health conditions | |

The above table, presenting a summary of the findings, provides clear evidence of the ongoing challenges faced by Native Americans of past errands caused by state and federal Governments. In recent years, there has been increasing recognition of the need for the United States to acknowledge and take responsibility for past actions that have negatively impacted marginalized groups. While some may argue that individuals today are not responsible for the actions of their predecessors, it is important to recognize that the past has played a significant role in shaping the world we live in today. The ongoing challenges faced by Native Americans serve as a stark reminder of the enduring impact of historical injustices.

In my introduction, I started with the concept of color-blind racism that has been proposed to explain the persistence of racial disparities. This framework allows White individuals to rationalize current disparities without acknowledging the historical context of marginalized groups. The impact of color-blind racism is particularly evident in the ongoing challenges faced by Native Americans, who continue to experience disproportionately high rates of poverty, limited access to education and healthcare, and a range of other issues.

This can be seen in the data collected from the federal government. The overall data reveals that there are still challenges from the federal government in fixing the disparities between minorities and White populations. Native populations have worse results in every category compared to White. However, when it comes to federal laws, this study reveals that the majority of the laws do not affect negatively Native Americans, except the Keystone XL Pipeline project approved by Donald Trump. When examining the data, it becomes clear that the efficacy of federal laws needs to be questioned.

While there have been several studies suggesting that Republicans in general are less attentive to minority issues and more likely to perceive minorities as receiving preferential treatment over Whites, these findings are confirmed by state-level analysis. In fact, Native Americans are one of the most disadvantaged groups in both Montana and Washington.

The impact of previous laws from both states regarding access to natural resources, such as fishing and water rights, continues to be a significant issue today. In the Montana constitution, the absence of a clear specification for reservations regarding water rights creates ambiguity and has led to conflicts between Montanans and tribal communities. Similarly, in Washington, despite the landmark Boldt decision that recognized Native American fishing rights, authorities today often impede tribes from accessing their traditional fishing sites, which is seen as a violation of their civil rights. These issues highlight the need for continued attention and efforts to address the legal and practical barriers that hinder Native Americans' access to and exercise of their rights regarding natural resources.

Nonetheless, when comparing the policies in both states, Gregg Gianforte, current Governor of Montana appears to be less invested in supporting minority groups, particularly Native Americans. This is evident from the fewer number of bills directed towards Native Americans in Montana as compared to Washington, which has a relatively higher number. On the other hand, Washington Governor Jay Inslee has demonstrated through his policies a strong commitment to addressing the issues faced by Native American communities in Washington. His administration has introduced several laws intended to help Native communities, which suggests a concern for this particular minority group.

As shown above, Montana's laws restrict the voting rights of Native Americans and fail to fulfill the constitutional promise of improving education and incorporate their history into school curriculums. These findings support the hypothesis that Montana is expected to be less involved in native affairs compared to Washington.

When comparing data between Native Americans in Washington and Montana, it is evident that Montana face greater challenges in terms of income, poverty rates, and unemployment. However, Montana exhibit better results in education with Washington register lower graduation rates and higher dropout rates, although more studies are needed. Montana has more Native prisoners, more Native offenders but also a greater number of Native victims, with the exception of police brutality, which is surprisingly higher in Washington. Montana has also

more severe housing problems, even though Washington does not score well in this field. In terms of health outcomes, Natives in Washington are more likely to have depression and cardiovascular diseases, in contrast, Montana experienced high rates of diabetes and disproportionately higher rates of suicide than Washington.

Furthermore, the analyzed data indicates that, in general, Montana has inferior results when compared to Washington. This supports my hypotheses that the quantitative data will indicate a quality of life that is worse for Native Americans in Montana than in Washington.

This difference could be attributed to previous political decisions that have shaped the current socio-political landscape of the state. Since Washington is majority a Democratic state it can be assumed that the positive trend is the result of policies aimed at Natives. However, there are still a lot of challenges ahead. Both states need to have a more equitable collaboration with the different tribes that reside the states to establish a fair society.

7.1. The future for Native Americans

A Master's thesis alone cannot fully capture the complexity of the living conditions of Native Americans in these two states. A more comprehensive study is required to gain a deeper understanding of the landscape, including factors such as adult literacy, overcrowded housing, commuting times between homes and schools, cost burdens, alcoholism, drugs, access to healthcare, etc. It would also be relevant to analyze hate crimes against Native Americans, particularly those who leave reservations and live in urban areas.

In addition to these factors, it would also be revealing to explore the qualitative data, such as the impact of historical trauma and oppression on mental health as well as the psychological toll of discrimination and racism in different sectors, such as health, housing, education and employment.

Lastly, it is necessary to examine both quantitative and qualitative data. Quantitative data will provide insights of the living conditions and access to resources, but qualitative data will give a more comprehensive understanding of the experiences of Native American communities. By combining both types of data, we can better understand the impact of policies aimed at improving the wellbeing of Native Americans in both states, but also on federal level.

8. Bibliography

- 270 to Win. (n.d.-a). *Montana Presidential Election Voting History*. 270 to Win. Retrieved May 3, 2022, from <https://www.270towin.com/states/Montana>
- 270 to Win. (n.d.-b). *Washington Presidential Election Voting History*. 270 to Win. Retrieved November 3, 2022, from <https://www.270towin.com/states/Washington>
- Aderkas, E. von. (2005). *American Indians of the Pacific Northwest*. Osprey.
- American Archive of Public Broadcasting. (n.d.). *Termination, Relocation, and Restoration*. American Archive of Public Broadcasting. Retrieved May 5, 2023, from <https://americanarchive.org/exhibits/native-narratives/termination-relocation-restoration>
- America's Health Rankings. (n.d.-a). *America's Health Rankings USA General/ AHR*. America's Health Rankings. Retrieved May 11, 2023, from <https://www.americashealthrankings.org/explore/disparity/measure/sevhous/state/ALL>
- America's Health Rankings. (n.d.-b). *America's Health Rankings Washington Child poverty*. America's Health Rankings. Retrieved May 1, 2023, from <https://www.americashealthrankings.org/explore/disparity/measure/childpov/state/WA>
- America's Health Rankings. (n.d.-c). *Avoided Care Due to Cost in Washington*. America's Health Rankings. Retrieved May 21, 2023, from <https://www.americashealthrankings.org/explore/disparity/measure/avoided-care/state/WA>
- America's Health Rankings. (n.d.-d). *Diabetes in Washington*. America's Health Rankings. Retrieved May 21, 2023, from <https://www.americashealthrankings.org/explore/disparity/measure/diabetes/state/WA>

America's Health Rankings. (n.d.-e). *Explore Avoided Care Due to Cost in Montana | AHR*.

America's Health Rankings. Retrieved April 28, 2023, from

https://www.americashealthrankings.org/explore/measures/costburden/MT?population=costburden_AmIndian

America's Health Rankings. (n.d.-f). *Explore Cardiovascular Diseases in Montana | AHR*.

America's Health Rankings. Retrieved April 29, 2023, from

https://www.americashealthrankings.org/explore/measures/CVD/MT?population=CVD_AmIndian

America's Health Rankings. (n.d.-g). *Explore Depression in Montana*. America's Health

Rankings. Retrieved March 29, 2023, from

https://www.americashealthrankings.org/explore/measures/Depression_a/MT?population=Depression_AmIndian

America's Health Rankings. (n.d.-h). *Explore Depression in Washington*. America's Health

Rankings. Retrieved March 30, 2023, from

https://www.americashealthrankings.org/explore/measures/Depression_a/WA?population=Depression_AmIndian

America's Health Rankings. (n.d.-i). *Explore Diabetes in Montana | AHR*. America's Health

Rankings. Retrieved April 29, 2023, from

https://www.americashealthrankings.org/explore/measures/Diabetes/MT?population=Diabetes_AmIndian_C

America's Health Rankings. (n.d.-j). *Explore Suicide in Montana*. America's Health

Rankings. Retrieved April 29, 2023, from

https://www.americashealthrankings.org/explore/measures/Suicide/MT?population=suicide_aian_s

America's Health Rankings. (n.d.-k). *Explore Uninsured in Montana | AHR*. America's Health Rankings. Retrieved April 29, 2023, from https://www.americashealthrankings.org/explore/measures/HealthInsurance/MT?population=uninsured_aian

America's Health Rankings. (n.d.-l). *State Comparison*. America's Health Rankings. Retrieved May 1, 2023, from https://www.americashealthrankings.org/explore/measures/severe_housing_problems/WA/compare/MT?population=shp_AIAN

America's Health Rankings. (n.d.-m). *Uninsured in Washington*. America's Health Rankings. Retrieved May 21, 2023, from <https://www.americashealthrankings.org/explore/measures/HealthInsurance/WA>

America's Health Rankings | AHR. (n.d.-a). *Cardiovascular diseases*. America's Health Rankings. Retrieved May 11, 2023, from <https://www.americashealthrankings.org/explore/disparity/measure/cvd/state/ALL>

America's Health Rankings | AHR. (n.d.-b). *Poverty rates in the US*. America's Health Rankings. Retrieved May 11, 2023, from <https://www.americashealthrankings.org/explore/disparity/measure/hhpov/state/ALL>

America's Health Rankings, United Health Foundation. (2019). *America's Health Rankings | AHR*. America's Health Rankings. https://www.americashealthrankings.org/explore/disparity/measure/childpov/population/AI_AN/state/ALL

Angeline Cheek & Lucy Simpson. (2021). *We Need Accountability for Those Who Commit Violence Against Native Women*. ACLU of Montana. <https://www.aclumontana.org/en/news/we-need-accountability-those-who-commit-violence-against-native-women>

- Buchheit, M. (2021, November 30). Food Sovereignty. *Montana Healthcare Foundation*.
<https://mthcf.org/news/food-sovereignty/>
- Chasan, D. J. (n.d.). *Will the state learn from another loss on tribal fishing rights? | Crosscut*.
 Retrieved April 30, 2023, from <https://crosscut.com/2018/06/will-state-learn-another-loss-tribal-fishing-rights>
- Chavez, N. (2023, May 5). *The nation's first alert system for missing Indigenous people is bringing a crisis to the forefront in Washington state*. CNN.
<https://www.cnn.com/2023/05/05/us/missing-indigenous-people-washington-reaj/index.html>
- Chrisman, G. (2008). *The Fish-in Protests at Franks Landing*. Seattle Civil Rights and Labor History Project. <https://depts.washington.edu/civilr/fish-ins.htm>
- Clinton, R. N., & Canby, W. C. (1983). Review of American Indian Law in a Nutshell, William C. Canby, Jr. *Journal of Legal Education*, 33(2), 377–381.
- Deb Came. (2022). *UPDATE: K–4 Reading Levels* [Report to the legislature]. Washington Office of Superintendent of Public Instruction.
<https://www.k12.wa.us/sites/default/files/public/communications/2022docs/12-22-UPDATE-K-4-Reading-Levels.pdf>
- Department Of State. The Office of Electronic Information, B. of P. A. (2007, August 10). *Treaty of Paris, 1763*. Department Of State. The Office of Electronic Information, Bureau of Public Affairs. <https://2001-2009.state.gov/r/pa/ho/time/cp/90615.htm>
- Dougherty, P. (2020). *United States District Court Judge George H. Boldt (1903-1984)*. HistoryLink.Org. <https://www.historylink.org/file/21084>
- Dunbar-Ortiz, R. (2014). *An Indigenous People's History of the United States*. Beacon Press Books.

Dwanna L. Robertson. (2015). Invisibility in the Color-Blind Era: Examining Legitimized Racism against Indigenous Peoples. *American Indian Quarterly*, 39(2), 113.

<https://doi.org/10.5250/amerindiquar.39.2.0113>

Eddy, M. (2014, August 17). Lost in Translation: Germany's Fascination With the American Old West. *The New York Times*.

<https://www.nytimes.com/2014/08/18/world/europe/germanys-fascination-with-american-old-west-native-american-scalps-human-remains.html>

Elway, H. S. (n.d.). *How Washington state turned blue: Three decades of data explain our partisan shift* | *Crosscut*. Retrieved May 3, 2023, from

<https://crosscut.com/2019/08/how-washington-state-turned-blue-three-decades-data-explain-our-partisan-shift>

Epperly, E. (2019, March 18). *Native American Voting Rights Act signed into law*. Seattle Weekly. <https://www.seattleweekly.com/news/native-american-voting-rights-act-signed-into-law/>

Equality for Boys and Men. (2022, August 23). *Washington MMIWP Task Force: Focus More on Victimized Males*. Equality for Boys and Men.

<https://equalityforboysandmen.org/attorney-general-fergusons-mmiwp-task-force-recommends-more-attention-on-victimized-men-and-boys/>

Federal Bureau of Investigation. (n.d.-a). *Rape CDE*. Retrieved May 1, 2023, from

<https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/explorer/crime/crime-trend>

Federal Bureau of Investigation. (n.d.-b). Federal Bureau of Investigation Crime Data

Explorer (CDE). Retrieved March 29, 2023, from

<https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/explorer/crime/crime-trend>

Federal Bureau of Investigation Crime Data Explorer. (n.d.). [Government]. Federal Bureau of Investigation Crime Data Explorer (CDE). Retrieved April 28, 2023, from <https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/explorer/crime/crime-trend>

Federal Bureau of Investigation Crime Data Explorer (CDE). (n.d.-a). *CDE*. Federal Bureau of Investigation Crime Data Explorer (CDE). Retrieved May 15, 2023, from <https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/explorer/crime/crime-trend>

Federal Bureau of Investigation Crime Data Explorer (CDE). (n.d.-b). Federal Bureau of Investigation Crime Data Explorer. Retrieved May 1, 2023, from <https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/explorer/crime/crime-trend>

Gilio-Whitaker, D., & Dunbar-Ortiz, R. (2016). *“All the real Indians died off”: And 20 other myths about Native Americans*. Beacon Press.

Hodžić, J. (2023, January 31). Ancient migration: Bering Strait land bridge from Asia to North America was not a one-way road. *Big Think*. <https://bigthink.com/the-past/ancient-migration-north-america-asia-two-ways/>

Howard University. (2023). *A Brief History of Civil Rights in the United States*. Howard University. <https://library.law.howard.edu/civilrightshistory/indigenous/reservation>

Indian Affairs Bureau. (2023, January 12). *Indian Entities Recognized by and Eligible To Receive Services From the United States Bureau of Indian Affairs*. Federal Register. <https://www.federalregister.gov/documents/2023/01/12/2023-00504/indian-entities-recognized-by-and-eligible-to-receive-services-from-the-united-states-bureau-of>

Initiative, P. P. (n.d.). *The U.S. criminal justice system disproportionately hurts Native people: The data, visualized*. Retrieved May 11, 2023, from <https://www.prisonpolicy.org/blog/2021/10/08/indigenouspeoplesday/>

Jernigan, V. B. B., Huyser, K. R., Valdes, J., & Simonds, V. W. (2017). Food Insecurity among American Indians and Alaska Natives: A National Profile using the Current

- Population Survey–Food Security Supplement. *Journal of Hunger & Environmental Nutrition*, 12(1), 1–10. <https://doi.org/10.1080/19320248.2016.1227750>
- Jimenez, E. (2022, November 10). *A first-in-the-nation 988 line for Native people goes live in WA*. The Seattle Times. <https://www.seattletimes.com/seattle-news/mental-health/a-first-in-the-nation-988-line-for-native-people-goes-live-in-wa/>
- Johnson, T. R. (2007). *Red power: The Native American civil rights movement*. Chelsea House.
- Jonathon Ambarian. (2021, April 23). *Montana leaders gather to mark signing of bills on missing, murdered indigenous people*. KTVH. <https://www.ktvh.com/news/montana-leaders-gather-to-mark-signing-of-bills-on-missing-murdered-indigenous-people>
- Justice Reinvestment in Montana. (2022). *Racial Equity in Montana’s Criminal Justice System: An Analysis of Court, Corrections, and Community Supervision Systems*. <https://csgjusticecenter.org/wp-content/uploads/2022/06/JR-MT-Racial-Equity-in-Montana-Criminal-Justice-System-1-1.pdf>
- Kalliber, K. (2022, April 6). *New Washington State bills help protect tribal citizens, and honor tribal sovereignty*. Tulalip News. <https://www.tulalipnews.com/wp/2022/04/06/new-washington-state-bills-help-protect-tribal-citizens-and-honor-tribal-sovereignty/>
- Kansas City Chiefs. (n.d.). *Understanding Symbolic & Spiritual Treasures of American Indian Culture*. Kansas City Chiefs. Retrieved May 5, 2023, from <https://www.chiefs.com/americanindianheritage/understanding>
- Leshikar, M. (2021, February 6). *Bill would ban Native mascots, logos and symbols in Washington public schools*. The Seattle Times. <https://www.seattletimes.com/seattle-news/politics/bill-to-ban-native-mascots-logos-and-symbols-in-public-schools-is-debated-in-the-washington-state-legislature/>

Malone, M. P., & Roeder, R. B. (1976). *Montana: A history of two centuries*. University of Washington Press.

Mapping Police Violence. (n.d.). *Mapping Police Violence*. Mapping Police Violence. Retrieved May 1, 2023, from <https://mappingpoliceviolence.org/>

Mapping Police Violence. (2023). *Mapping Police Violence*. <https://mappingpoliceviolence.org/>

Martin, C., Simonds, V. W., Young, S. L., Doyle, J., Lefthand, M., & Eggers, M. J. (2021). Our Relationship to Water and Experience of Water Insecurity among Apsáalooke (Crow Indian) People, Montana. *International Journal of Environmental Research and Public Health*, 18(2), 582. <https://doi.org/10.3390/ijerph18020582>

Mitrovich, S., & Glascock, S. (2023). *Why Collecting Disaggregated Data for Native Communities Matters*. The Leadership Conference on Civil and Human Rights. <https://civilrights.org/blog/why-collecting-disaggregated-data-for-native-communities-matters/>

MMIP Montana. (n.d.). *Collecting accurate data about Missing Persons in Indian Country is the only way we can begin to combat the Missing & Murdered issue plaguing Native Communities in North America*. MMIP Montana. Retrieved May 7, 2023, from <https://www.mmipmt.com/learn-more>

Montana Budget & Policy Center (MBPC). (n.d.). *Suicide Rates in Montana are Unacceptably High, Especially Among American Indians*. Montana Budget and Policy Center. Retrieved May 6, 2023, from <https://montanabudget.org/post/suicide-rates-in-montana-unacceptably-high-especially-among-american-indians>

Water rights, IX M.C. § 3 (1972). <https://courts.mt.gov/External/library/docs/72constit.pdf>

Montana Legislation. (n.d.). *Montana Constitution, Article X, Section 1. Educational goals and duties*. Retrieved April 23, 2023, from

<https://leg.mt.gov/bills/mca/CONSTITUTION/X/1.htm>

Montana Office of Public Instruction. (2022a). *American Indian Student Achievement Gap Report*.

<https://ewscripps.brightspotcdn.com/86/77/69e518694c649209b5273d8146d5/ai-report-2022.pdf>

Montana Office of Public Instruction. (2022b). *Superintendent Elsie Arntzen Announces Graduation Rates and Dropout Rates with Proposed Solutions*. Montana Office of Public Instruction.

<https://content.govdelivery.com/accounts/MTOPI/bulletins/307a666>

Montana Office of Public Instruction. (2022c). *Superintendent Elsie Arntzen Announces Graduation Rates and Dropout Rates with Proposed Solutions*. Montana Office of Public Instruction.

<https://content.govdelivery.com/accounts/MTOPI/bulletins/307a666>

Montana State Legislature. (n.d.). *American Indian Legislators*. Montana State Legislature. Retrieved May 20, 2022, from <https://leg.mt.gov/civic-education/facts/american-indian-legislators/>

Montana State University. (2019). *Tribal Territories in Montana*. Montana State University.

<https://www.montana.edu/iefa/introductiontomtribalnations/tribalterritories.html>

Montana's Official State Website. (n.d.). *BRIEF HISTORY OF MONTANA*. Montana's Official State Website. Retrieved May 5, 2023, from

https://mt.gov/discover/brief_history.aspx

Murray, D. (n.d.). *Great Falls Tribune*. GreatFalls. Retrieved May 21, 2023, from <http://www.greatfallstribune.com/story/news/local/2016/03/31/crisis-backyard-montanas-reservation-housing/82466032/>

MURRAY, D. (n.d.). *Great Falls Tribune*. GreatFalls. Retrieved May 7, 2023, from <http://www.greatfallstribune.com/story/news/local/2016/03/31/crisis-backyard-montanas-reservation-housing/82466032/>

National Caucus of Native American State Legislators (Ed.). (2008). *Striving to achieve: Helping Native American students succeed*. National Caucus of Native American State Legislators.

Native American Rights Fund. (n.d.-a). Montana Indian Education for All (Yellow Kidney v. Montana). *Native American Rights Fund*. Retrieved February 23, 2023, from <https://narf.org/cases/montana-indian-education-for-all/>

Native American Rights Fund. (n.d.-b). Rosebud Sioux and Fort Belknap file suit against Keystone XL. *Native American Rights Fund*. Retrieved May 13, 2023, from <https://narf.org/cases/keystone/>

Native American Rights Fund (NARF). (n.d.). *Montana Statutes Related to Tribal Education Departments*. National Indian Law Library (NILL). Retrieved April 23, 2023, from <https://narf.org/nill/resources/education/education-laws-state-mt.html>

Native Partnership. (n.d.-a). *History and Culture: Allotment Act—1887*. Native Partnership. Retrieved May 4, 2023, from http://www.nativepartnership.org/site/PageServer?pagename=airc_hist_allotmentact

Native Partnership. (n.d.-b). *History and Culture: Indian Self-Determination and Education Act—1975*. Native Partnership. Retrieved May 5, 2023, from http://www.nativepartnership.org/site/PageServer?pagename=airc_hist_selfdeterminationact

- Native Partnership. (n.d.-c). *Native American History and Culture: Boarding Schools*. Native Partnership. Retrieved May 16, 2022, from http://www.nativepartnership.org/site/PageServer?pagename=airc_hist_boardingschools
- Native Voices. (n.d.-a). *1934: President Franklin Roosevelt signs the Indian Reorganization Act*. Retrieved April 26, 2023, from <https://www.nlm.nih.gov/nativevoices/timeline/452.html>
- Native Voices. (n.d.-b). *1968: President Johnson signs the Indian Civil Rights Act*. Native Voices. Retrieved April 26, 2023, from <https://www.nlm.nih.gov/nativevoices/timeline/516.html>
- Native Voices. (n.d.-c). *1975: Indian self-determination becomes the law of the land*. Native Voices. Retrieved May 12, 2023, from <https://www.nlm.nih.gov/nativevoices/timeline/539.html>
- Native Voices. (n.d.-d). *1978: Congress passes the Indian Child Welfare Act*. Native Voices. Retrieved May 15, 2023, from <https://www.nlm.nih.gov/nativevoices/timeline/547.html>
- Nichols, R. L. (2003). *American Indians in U.S. history*. University of Oklahoma Press.
- Nick Holom. (2020). Montana's Reservation Economies. *Montana Economy at a Glance*, 1–7.
- Northwest Justice Project. (2018a). *Indian Civil Rights Act*. Washington Law Help. <https://www.washingtonlawhelp.org/resource/indian-civil-rights-act>
- Northwest Justice Project. (2018b). *Indian Civil Rights Act*. Washington Law Help. <https://www.washingtonlawhelp.org/resource/indian-civil-rights-act>

- Oron, G. (2023). *Washington state taking action to address MMIWP crisis*. Real Change News. <https://www.realchangenews.org/news/2023/01/18/washington-state-taking-action-address-mmiwp-crisis>
- Press, A. (2021, April 26). *Gov. Jay Inslee signs ban on Native American school mascots*. MyNorthwest.Com. <https://mynorthwest.com/2845497/inslee-ban-native-american-school-mascots/>
- Press, T. A. (2022, March 31). *Washington is the first state to create an alert system for missing Indigenous people*. NPR. <https://www.npr.org/2022/03/31/1090085138/missing-indigenous-women-alerts-washington-state>
- Results Washington. (2023, February 22). *Disparities in High School Graduation Rates & Student Success*. https://results.wa.gov/sites/default/files/HighSchoolGraduationRatesPPR_022223.pdf
- Reyna, L. (2022). *WA's missing Indigenous persons alert system saw a strong start*. Crosscut. <https://crosscut.com/equity/2022/12/was-missing-indigenous-persons-alert-system-saw-strong-start>
- Reyna, L., & Snyder, A. (n.d.). *Suquamish use federal cash to build housing, bring citizens back* / Crosscut. Retrieved May 1, 2023, from <https://crosscut.com/news/2023/04/suquamish-use-federal-cash-build-housing-bring-citizens-back>
- Sakariassen, A. (2021, March 26). *House forwards contentious voter ID bill*. Montana Free Press. <http://montanafreepress.org/2021/03/26/house-forwards-contentious-voter-id-bill/>

- Sakariassen, A. (2022, October 6). *What the judge said about Montana's now-blocked election laws*. Montana Free Press. <http://montanafreepress.org/2022/10/06/montana-election-laws-ruling-guide/>
- School of Public Health - University of Washington. (2021). *WA State Tribal Food Survey Report – Food Insecurity and Food Access in Washington State Tribal Communities During the COVID-19 Pandemic | Nutritional Sciences Program*. School of Public Health - University of Washington. <https://nutr.uw.edu/resource/wa-state-tribal-food-survey-report-food-insecurity-and-food-access-in-washington-state-tribal-communities-during-the-covid-19-pandemic/>
- Schubert, K., August 1, D. M., & 2022. (2022, August 1). Indigenous Montanans made up 30% of missing people in 2021, per report. *Daily Montanan*. <https://dailymontanan.com/2022/08/01/indigenous-montanans-made-up-30-of-missing-people-in-2021-per-report/>
- Shana Brown. (n.d.). *Treaties in the Pacific Northwest: Promises Made and Broken*. Native Knowledge 360°. Retrieved May 5, 2023, from <http://nmai.si.edu/nk360/pnw-fish-wars/>
- Spirling, A. (2012). U.S. Treaty Making with American Indians: Institutional Change and Relative Power, 1784–1911. *American Journal of Political Science*, 56(1), 84–97.
- Stacker. (2021). *Washington has the #8 largest Native American population in the U.S.* Stacker. <https://stacker.com/washington/washington-has-8-largest-native-american-population-us>
- Stephen A. Walker & Keri-Ann C. Baker. (2013). Law & Water: The Confederated Salish and Kootenai Tribes Fight for Quantified Federal Water Rights in Montana: A Contentious History. *Journal (American Water Works Association)*, 105(6), 12–16. JSTOR.

Stone, D. M., Mack, K. A., & Qualters, J. (2023). *Notes from the Field: Recent Changes in Suicide Rates, by Race and Ethnicity and Age Group—United States, 2021*. *MMWR. Morbidity and Mortality Weekly Report*, 72(6), 160–162.

<https://doi.org/10.15585/mmwr.mm7206a4>

Strategic Prevention Solutions. (2020). *Sexual Violence Prevention in Missoula, Montana*. Strategic Prevention Solutions.

<https://static1.squarespace.com/static/55deb16de4b091a6836e1cc0/t/60ac1badb11f1d5ce33152ca/1621892016549/Sexual+Violence+Prevention+in+Missoula+MT++Community+Needs+Assessment+-+December+2020.pdf>

Symons, C. (2023). *Mont. Is Told To Face Claims Of Indigenous Education Failures*.

Law360. <https://www.law360.com/articles/1594079/mont-is-told-to-face-claims-of-indigenous-education-failures>

The Nation's Report Card. (2019). *2019 Reading State Snapshot Report*. The Nation's Report Card.

<https://nces.ed.gov/nationsreportcard/subject/publications/stt2019/pdf/2020014WA8.pdf>

United States Census Bureau. (n.d.-a). *B14007C: SCHOOL ENROLLMENT BY DETAILED LEVEL OF SCHOOL FOR THE POPULATION 3 YEARS AND OVER (AMERICAN INDIAN AND ALASKA NATIVE ALONE)*. United States Census Bureau. Retrieved March 1, 2023, from

[https://data.census.gov/table?q=B14007C:+SCHOOL+ENROLLMENT+BY+DETAILED+LEVEL+OF+SCHOOL+FOR+THE+POPULATION+3+YEARS+AND+OVER+\(AMERICAN+INDIAN+AND+ALASKA+NATIVE+ALONE\)&g=040XX00US30,53&tid=ACSDT1Y2021.B14007C&moe=false](https://data.census.gov/table?q=B14007C:+SCHOOL+ENROLLMENT+BY+DETAILED+LEVEL+OF+SCHOOL+FOR+THE+POPULATION+3+YEARS+AND+OVER+(AMERICAN+INDIAN+AND+ALASKA+NATIVE+ALONE)&g=040XX00US30,53&tid=ACSDT1Y2021.B14007C&moe=false)

United States Census Bureau. (n.d.-b). *B19013A: MEDIAN HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2021 INFLATION-ADJUSTED DOLLARS) (WHITE ALONE HOUSEHOLDER)*. United States Census Bureau. Retrieved March 1, 2023, from [https://data.census.gov/table?q=B19013A:+MEDIAN+HOUSEHOLD+INCOME+IN+THE+PAST+12+MONTHS+\(IN+2021+INFLATION-ADJUSTED+DOLLARS\)+\(WHITE+ALONE+HOUSEHOLDER\)&g=040XX00US30,53&tid=ACSDT1Y2021.B19013A&moe=false](https://data.census.gov/table?q=B19013A:+MEDIAN+HOUSEHOLD+INCOME+IN+THE+PAST+12+MONTHS+(IN+2021+INFLATION-ADJUSTED+DOLLARS)+(WHITE+ALONE+HOUSEHOLDER)&g=040XX00US30,53&tid=ACSDT1Y2021.B19013A&moe=false)

United States Census Bureau. (n.d.-c). *B19013C: MEDIAN HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2021 INFLATION-ADJUSTED DOLLARS) (AMERICAN INDIAN AND ALASKA NATIVE ALONE HOUSEHOLDER)*. United States Census Bureau. Retrieved March 1, 2023, from [https://data.census.gov/table?q=B19013C:+MEDIAN+HOUSEHOLD+INCOME+IN+THE+PAST+12+MONTHS+\(IN+2021+INFLATION-ADJUSTED+DOLLARS\)+\(AMERICAN+INDIAN+AND+ALASKA+NATIVE+ALONE+HOUSEHOLDER\)&g=010XX00US_040XX00US30,53&tid=ACSDT1Y2021.B19013C](https://data.census.gov/table?q=B19013C:+MEDIAN+HOUSEHOLD+INCOME+IN+THE+PAST+12+MONTHS+(IN+2021+INFLATION-ADJUSTED+DOLLARS)+(AMERICAN+INDIAN+AND+ALASKA+NATIVE+ALONE+HOUSEHOLDER)&g=010XX00US_040XX00US30,53&tid=ACSDT1Y2021.B19013C)

United States Census Bureau. (n.d.-d). *B19301A: PER CAPITA INCOME IN THE PAST 12 MONTHS (IN 2021 INFLATION-ADJUSTED DOLLARS) (WHITE ALONE)*. United States Census Bureau. Retrieved March 1, 2023, from [https://data.census.gov/table?q=B19301A:+PER+CAPITA+INCOME+IN+THE+PAST+12+MONTHS+\(IN+2021+INFLATION-ADJUSTED+DOLLARS\)+\(WHITE+ALONE\)&tid=ACSDT1Y2021.B19301A](https://data.census.gov/table?q=B19301A:+PER+CAPITA+INCOME+IN+THE+PAST+12+MONTHS+(IN+2021+INFLATION-ADJUSTED+DOLLARS)+(WHITE+ALONE)&tid=ACSDT1Y2021.B19301A)

United States Census Bureau. (n.d.-e). *B19301A: PER CAPITA INCOME IN THE PAST 12 MONTHS (IN 2021 INFLATION-ADJUSTED DOLLARS) (WHITE ALONE)* [Government]. United States Census Bureau. Retrieved March 1, 2023, from

[https://data.census.gov/table?q=B19301A:+PER+CAPITA+INCOME+IN+THE+PAST+12+MONTHS+\(IN+2021+INFLATION-ADJUSTED+DOLLARS\)+\(WHITE+ALONE\)&g=040XX00US30&tid=ACSDT1Y2021.B19301A](https://data.census.gov/table?q=B19301A:+PER+CAPITA+INCOME+IN+THE+PAST+12+MONTHS+(IN+2021+INFLATION-ADJUSTED+DOLLARS)+(WHITE+ALONE)&g=040XX00US30&tid=ACSDT1Y2021.B19301A)

United States Census Bureau. (n.d.-f). *B19301A: PER CAPITA INCOME IN THE PAST 12 MONTHS (IN 2021 INFLATION-ADJUSTED DOLLARS) (WHITE ALONE)*. United States Census Bureau. Retrieved March 1, 2023, from

[https://data.census.gov/table?q=B19301A:+PER+CAPITA+INCOME+IN+THE+PAST+12+MONTHS+\(IN+2021+INFLATION-ADJUSTED+DOLLARS\)+\(WHITE+ALONE\)&g=010XX00US_040XX00US30,53&tid=ACSDT1Y2021.B19301A](https://data.census.gov/table?q=B19301A:+PER+CAPITA+INCOME+IN+THE+PAST+12+MONTHS+(IN+2021+INFLATION-ADJUSTED+DOLLARS)+(WHITE+ALONE)&g=010XX00US_040XX00US30,53&tid=ACSDT1Y2021.B19301A)

United States Census Bureau. (n.d.-g). *B19301C: PER CAPITA INCOME IN THE PAST 12 MONTHS (IN 2021 INFLATION-ADJUSTED DOLLARS) (AMERICAN INDIAN AND ALASKA NATIVE ALONE)*. United States Census Bureau. Retrieved March 1, 2023, from

[https://data.census.gov/table?q=B19301C:+PER+CAPITA+INCOME+IN+THE+PAST+12+MONTHS+\(IN+2021+INFLATION-ADJUSTED+DOLLARS\)+\(AMERICAN+INDIAN+AND+ALASKA+NATIVE+ALONE\)&tid=ACSDT1Y2021.B19301C](https://data.census.gov/table?q=B19301C:+PER+CAPITA+INCOME+IN+THE+PAST+12+MONTHS+(IN+2021+INFLATION-ADJUSTED+DOLLARS)+(AMERICAN+INDIAN+AND+ALASKA+NATIVE+ALONE)&tid=ACSDT1Y2021.B19301C)

United States Census Bureau. (n.d.-h). *B19301C: PER CAPITA INCOME IN THE PAST 12 MONTHS (IN 2021 INFLATION-ADJUSTED DOLLARS) (AMERICAN INDIAN AND ALASKA NATIVE ALONE)*. United States Census Bureau. Retrieved March 1, 2023, from

[https://data.census.gov/table?q=B19301C:+PER+CAPITA+INCOME+IN+THE+PAST+12+MONTHS+\(IN+2021+INFLATION-](https://data.census.gov/table?q=B19301C:+PER+CAPITA+INCOME+IN+THE+PAST+12+MONTHS+(IN+2021+INFLATION-)

ADJUSTED+DOLLARS)+(AMERICAN+INDIAN+AND+ALASKA+NATIVE+ALONE)&tid=ACSDT1Y2021.B19301C

United States Census Bureau. (n.d.-i). *HCT034C: PLUMBING FACILITIES (AMERICAN INDIAN AND ALASKA NATIVE ALONE HOUSEHOLDER)*. United States Census Bureau. Retrieved March 1, 2023, from [https://data.census.gov/table?q=HCT034C:+PLUMBING+FACILITIES+\(AMERICAN+INDIAN+AND+ALASKA+NATIVE+ALONE+HOUSEHOLDER\)+\[3\]&g=040XX00US30,53&tid=DECENNIALS32000.HCT034C](https://data.census.gov/table?q=HCT034C:+PLUMBING+FACILITIES+(AMERICAN+INDIAN+AND+ALASKA+NATIVE+ALONE+HOUSEHOLDER)+[3]&g=040XX00US30,53&tid=DECENNIALS32000.HCT034C)

United States Census Bureau. (n.d.-j). *HCT034C: PLUMBING FACILITIES (AMERICAN INDIAN AND ALASKA NATIVE ALONE HOUSEHOLDER)*. United States Census Bureau. Retrieved March 1, 2023, from [https://data.census.gov/table?q=HCT034C:+PLUMBING+FACILITIES+\(AMERICAN+INDIAN+AND+ALASKA+NATIVE+ALONE+HOUSEHOLDER\)+\[3\]&g=040XX00US30,53&tid=DECENNIALS32000.HCT034C](https://data.census.gov/table?q=HCT034C:+PLUMBING+FACILITIES+(AMERICAN+INDIAN+AND+ALASKA+NATIVE+ALONE+HOUSEHOLDER)+[3]&g=040XX00US30,53&tid=DECENNIALS32000.HCT034C)

United States Census Bureau. (n.d.-k). *HCT035C: KITCHEN FACILITIES (AMERICAN INDIAN AND ALASKA NATIVE ALONE HOUSEHOLDER)*. United States Census Bureau. Retrieved March 1, 2023, from [https://data.census.gov/table?q=HCT035C:+KITCHEN+FACILITIES+\(AMERICAN+INDIAN+AND+ALASKA+NATIVE+ALONE+HOUSEHOLDER\)+\[3\]&g=010XX00US_040XX00US30,53&tid=DECENNIALS32000.HCT035C](https://data.census.gov/table?q=HCT035C:+KITCHEN+FACILITIES+(AMERICAN+INDIAN+AND+ALASKA+NATIVE+ALONE+HOUSEHOLDER)+[3]&g=010XX00US_040XX00US30,53&tid=DECENNIALS32000.HCT035C)

United States Census Bureau. (n.d.-l). *HCT035CKITCHEN FACILITIES (AMERICAN INDIAN AND ALASKA NATIVE ALONE HOUSEHOLDER)*. United States Census Bureau. Retrieved March 1, 2023, from [https://data.census.gov/table?q=HCT035C:+KITCHEN+FACILITIES+\(AMERICAN](https://data.census.gov/table?q=HCT035C:+KITCHEN+FACILITIES+(AMERICAN)

+INDIAN+AND+ALASKA+NATIVE+ALONE+HOUSEHOLDER)+[3]&g=010XX00US_040XX00US30,53&tid=DECENNIALS32000.HCT035C

United States Census Bureau. (n.d.-m). *S1701POVERTY STATUS IN THE PAST 12 MONTHS*. United States Census Bureau. Retrieved March 1, 2023, from https://data.census.gov/table?q=poverty&g=010XX00US_040XX00US30,53&tid=ACSST1Y2021.S1701&moe=false

United States Census Bureau. (n.d.-n). *S2301EMPLOYMENT STATUS*. United States Census Bureau. Retrieved March 1, 2023, from <https://data.census.gov/table?q=employment&g=040XX00US30,53&tid=ACSST1Y2021.S2301>

Urban Indian Health Institute. (2018). *MISSING AND MURDERED Indigenous WOMEN & GIRLS*. Urban Indian Health Institute. <http://www.uihi.org/wp-content/uploads/2018/11/Missing-and-Murdered-Indigenous-Women-and-Girls-Report.pdf>

U.S. BUREAU OF LABOR STATISTICS. (2023, January). *Labor force characteristics by race and ethnicity, 2021: BLS Reports: U.S. Bureau of Labor Statistics*. U.S. BUREAU OF LABOR STATISTICS. <https://www.bls.gov/opub/reports/race-and-ethnicity/2021/home.htm>

U.S. Department of Justice. (2023). *Tribal Justice and Safety | 2013 and 2022 Reauthorizations of the Violence Against Women Act (VAWA)*. U.S. Department of Justice. <https://www.justice.gov/tribal/2013-and-2022-reauthorizations-violence-against-women-act-vawa>

U.S. Department of the Interior. (2022, May 18). *The Indian Arts and Crafts Act of 1990*. U.S. Department of the Interior. <https://www.doi.gov/iacb/act>

- Vera Institute of Justice. (n.d.). *Incarceration Trends in Washington*. Vera Institute of Justice.
<https://www.vera.org/downloads/pdfdownloads/state-incarceration-trends-washington.pdf>
- Washington JLARC. (2023). *Racial Equity Effects of Restricting In-person Education During the COVID-19 Pandemic [PRELIMINARY REPORT]*. Washington JLARC.
https://leg.wa.gov/jlarc/reports/2023/k12racialequity/p_prelim/Presentation.pdf
- Washington Law Help. (n.d.). *Native American Housing Assistance and Self-Determination Act (NAHASDA)*. Washington Law Help. Retrieved May 5, 2023, from
<https://www.washingtonlawhelp.org/resource/native-american-housing-assistance-and-self-determination-act-nahasda>
- Washington State Report Card. (n.d.). *Report Card—Washington State Report Card*.
Washington State Report Card. Retrieved May 6, 2023, from
<https://washingtonstatereportcard.ospi.k12.wa.us/ReportCard/ViewSchoolOrDistrict/103300>
- Washington State Wire. (2019, June 5). Washington’s Indian Health Improvement Act.
Washington State Wire. <https://washingtonstatewire.com/washington-state-passes-indian-health-improvement-bill/>
- Washington Tribes. (n.d.). *Economic Impact*. Washington Tribes. Retrieved May 1, 2023, from <https://www.washingtontribes.org/economic-impact/>
- World Population Review. (n.d.-a). *Native American Poverty Rate by State 2023*. Retrieved April 28, 2023, from <https://worldpopulationreview.com/state-rankings/native-american-poverty-rate-by-state>
- World Population Review. (n.d.-b). *Native American Poverty Rate by State 2023*. Retrieved April 28, 2023, from <https://worldpopulationreview.com/state-rankings/native-american-poverty-rate-by-state>

Annexes

Annex 1 - Chronology of major events

| | |
|--------------------|--|
| 50,000 B.C. | Crossing of Bering Strait |
| 1492 | Arrival of Columbus in Hispaniola |
| 1513 | Spanish arrive in Florida |
| 1585 - 87 | English establish Roanoke Island, North Carolina, settlement |
| 1607 | English settle Jamestown, Virginia |
| 1616 - 19 | Epidemics infect New England tribes |
| 1756 - 63 | French and Indian (Seven Years) War |
| 1763 | Treaty of Paris, French out of North America |
| 1775 - 83 | American Revolution |
| 1778 | First U.S. treaty signed with Delawares |
| 1779 - 81 | Major smallpox epidemic in North America |
| 1783 | Treaty of Paris recognizes American independence |
| 1790-94 | War between Indians and United States in Ohio Valley |
| 1804 - 06 | Lewis and Clark expedition |
| 1830 | Congress passes the Indian Removal Act |
| 1838 | Cherokee Trail of Tears |
| 1845 | Annexation of Texas |
| 1848 - 49 | California Gold Rush |
| 1851 | Treaty of Fort Laramie |
| 1853 | Washington became a state |
| 1860 | First Boarding Schools |
| 1861 - 65 | American civil war 1861-1865 Sand Creek |
| 1868 | Fort Laramie Treaty |
| 1882 | Indian Rights Association founded |
| 1887 | Dawes Allotment Act passed |
| 1889 | Montana became a state |
| 1890 | Ghost Dance and Wounded Knee Massacre Sitting Bull killed |

| | |
|-------------------|--|
| 1890 | General Allotment Act (Dawes Act) |
| 1924 | American Indian Citizenship Act |
| 1934 | Indian Reorganization Act |
| 1945 - 60 | Termination policy |
| 1960 – 70s | Fish wars |
| 1972 | Constitution of Montana established |
| 1956 | Indian Relocation Act |
| 1968 | American Indian Movement (AIM) founded Indian Civil Rights Act |
| 1969 | Activists seize Alcatraz |
| 1968, | Anti-mascot initiative by National Congress of American Indians (NCAI) |
| 1972 | Trail of Broken Treaties and occupation of BIA building |
| 1973 | Sixty-seven-day confrontation at Wounded Knee, South Dakota |
| 1974 | <i>United States v. Washington</i> (Boldt decision) |
| 1975 | Indian Self-Determination and Educational Assistance Act |
| 1979 | Reserved Water Rights Compact Commission (RWRCC) |
| 1988 | Indian Gaming Regulatory Act |
| 1990 | Indian Arts and Crafts Act |
| 1994 | Tribal Self-Governance Act |

Annex 2 – The Indian frontier and major conflicts (Nichols 2003)

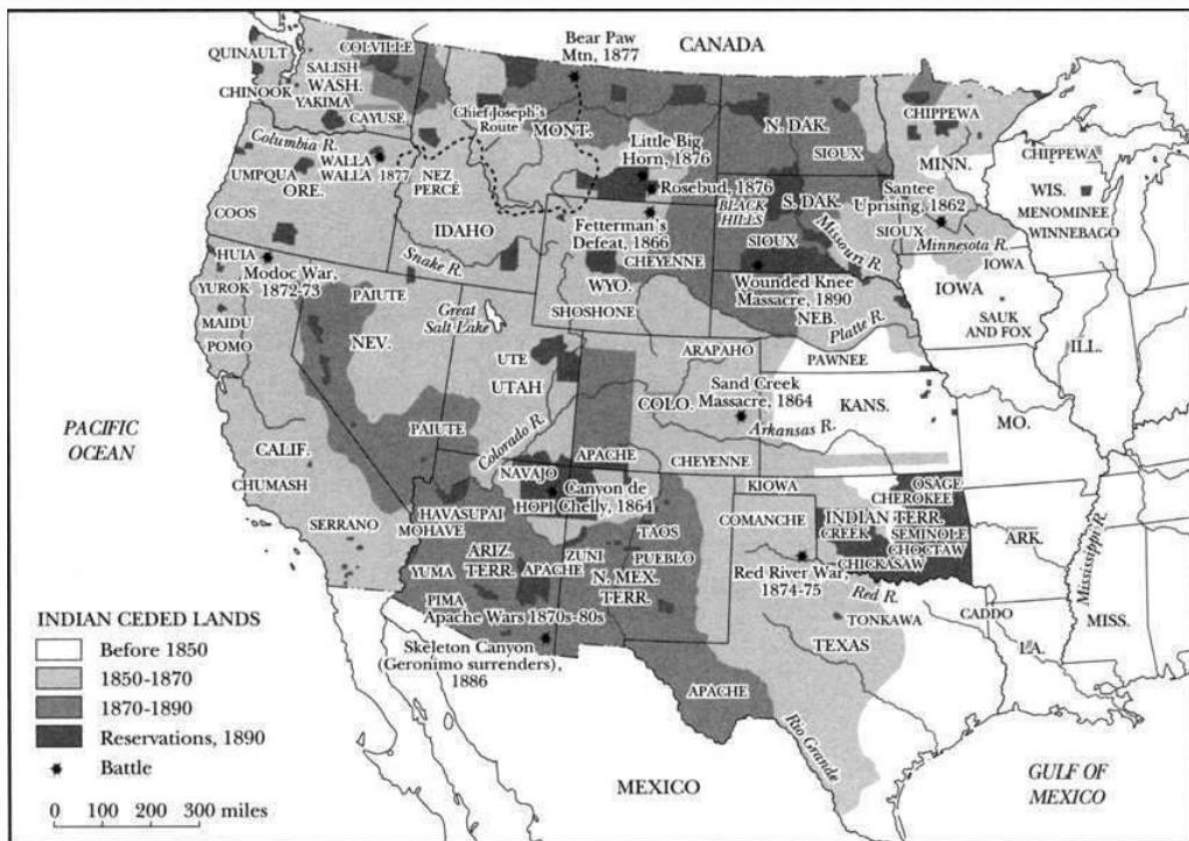


Figure 1 - The Indian frontier and major conflicts (Nichols, 2003)

Annex 3 - Identification of tribes and their territories in Montana (Montana State University 2019)

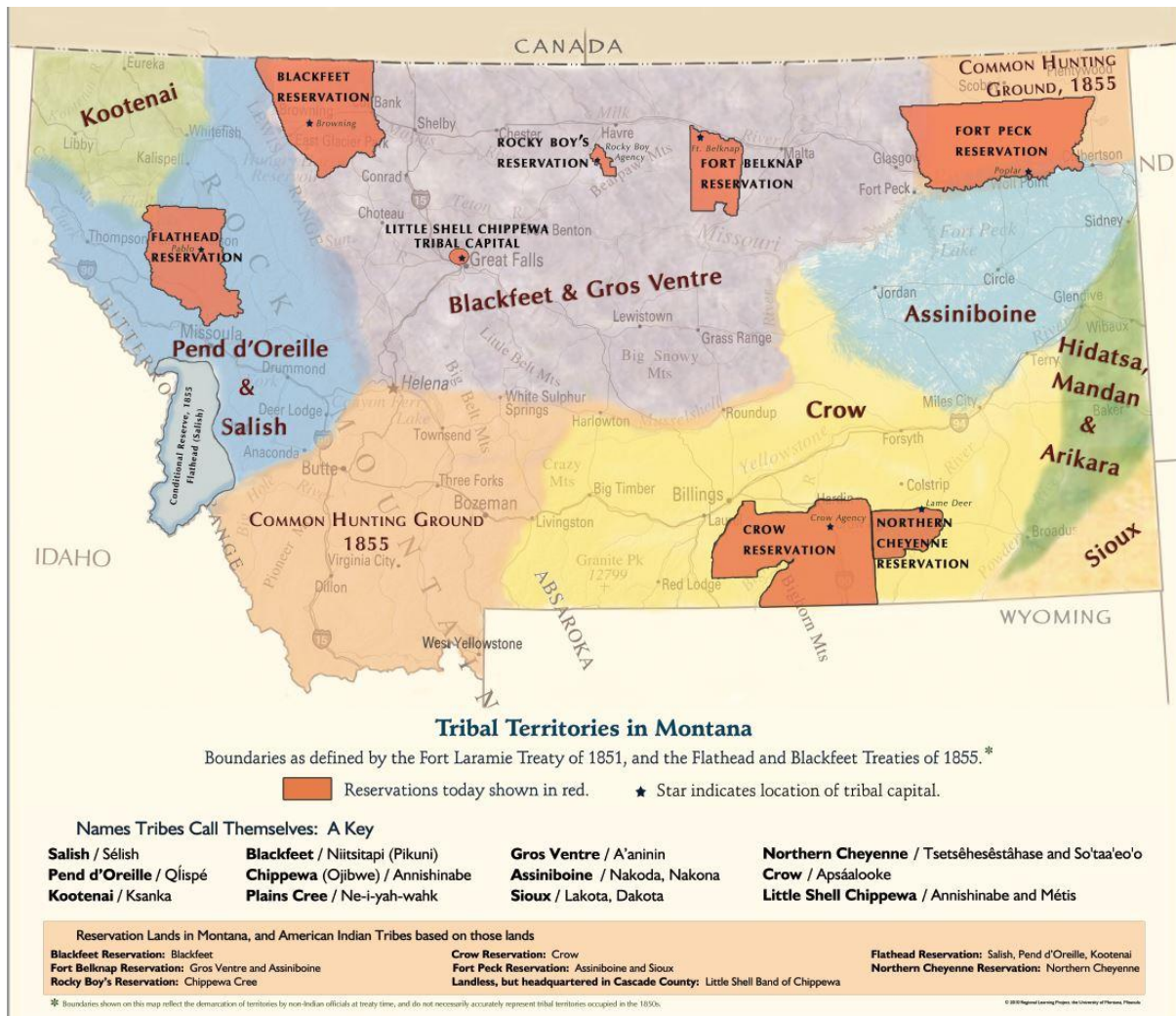
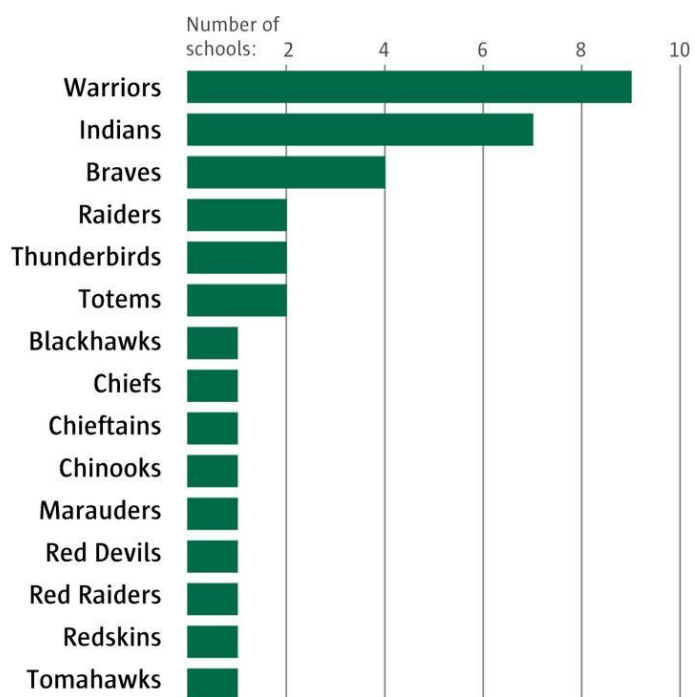


Figure 2 - Identification of tribes and their territories in Montana (Montana State University, 2019)

Annex 4 - Schools with Native-themed mascots in Washington state (Leshikar, 2021)

Schools with Native-themed mascots in Washington state

A combination of the National Football League’s Washington Football Team dropping their Native-themed name and branding and the global racial reckoning has local district school boards reevaluating their similar mascots. In Washington 35 out of 420 WIAA high schools have Native-themed names, some of which also have Native imagery as their logos and mascots. 7 of the 35 schools are considering a mascot or image change.



Sources: WIAA and MascotDB.com

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Figure 3 - Schools with Native-themed mascots in Washington state (Anon 2021)

Annex 5 – Comparative table of main laws: U.S., Montana, and Washington

| | President | Party | Law | Impact | C. rights violation | Sources |
|----------------|-----------------------|------------|---|---|---------------------|-------------------------|
| Federal | Franklin D. Roosevelt | Democrat | Wheeler-Howard Act or Indian Reorganization Act (IRA) 1934 | <ul style="list-style-type: none"> - Aimed to promote self-determination and autonomy for Native American communities. - Encouraged formation of tribal governments and tribal ownership of land. - Varied tribal readiness to adopt US government style | No | (Native Voices, n.d.-a) |
| | Lyndon Johnson | Democrat | Indian Civil Rights Act (ICRA) 1968 | <ul style="list-style-type: none"> - The law prohibits tribal governments from violating certain individual rights, similar to the United States Constitution's Bill of Rights. - It protects fundamental rights such as freedom of religion and speech, prohibits double jeopardy, and ensures defendants in criminal cases are not compelled to self-incriminate. - The law grants federal courts the authority to intervene in intra-tribal disputes in order to enforce the law, although this provision can be controversial. | No | (Native Voices, n.d.-b) |
| | Richard Nixon | Republican | Indian Self-Determination and Education Assistance Act (1975) | <ul style="list-style-type: none"> -The Indian Self-Determination and Education Assistance Act empowers tribes to govern themselves. - The act mandates government agencies to contract with tribes for services previously offered by the federal government. - Tribes expand their jurisdiction into areas like health care, education, and housing, functioning as sovereign governments. | No | (Native Voices, n.d.-c) |

| | | | | | | |
|--|-------------------|------------|--|--|-----|---|
| | George H. W. Bush | Republican | The Indian Arts and Crafts Act of 1990 | <ul style="list-style-type: none"> - It prohibits the sale or display of products that falsely suggest they are Indian made or the product of a specific Indian or tribe. - The Act safeguards the authenticity of Indian art and craft and imposes penalties for violations. | No | (U.S. Department of the Interior, 2022) |
| | Jimmy Carter | Democrat | The Indian Child Welfare Act's (ICWA) 1978 | <ul style="list-style-type: none"> - This Act prevents the removal of Native children from their families to non-Native households or institutions - ICWA was enacted due to high removal rates of Indian children by non-tribal agencies. | No | (Native Voices, n.d.-d) |
| | Bill Clinton | Democrat | Native American Housing Assistance and Self-Determination Act (NAHASDA) 1996 | <ul style="list-style-type: none"> -NAHASDA reorganizes Native American housing assistance through HUD. - It replaces multiple separate programs with a block grant program. - NAHASDA promotes self-sufficiency and tribal self-determination in housing matters by empowering tribes to allocate funds and develop their own housing plans. | No | (Washington Law Help, n.d.) |
| | Trump | Republican | Keystone XL Pipeline Project 2020 | <ul style="list-style-type: none"> - The Keystone XL pipeline cuts through the traditional homelands of the Rosebud Sioux Tribe and the Fort Belknap Indian Community. - The opposition is due to concerns about potential damage to community water supplies, valuable agricultural lands, and wildlife habitats. - The project had previously been revoked by President Obama and more recently by President Joe Biden. | Yes | (Native American Rights Fund, n.d.-a) |
| | Joe Biden | Democrat | The Violence Against Women Reauthorization Act (VAWA) 2022 | <ul style="list-style-type: none"> -Signed by Bill Clinton (1994) - VAWA aims to address violence against women and provides funding for programs assisting victims of domestic violence, sexual assault, stalking, and other crimes. - Reauthorization and extended to tribal jurisdiction | No | |

| | | | | | | |
|----------------|-----------------------------------|----------------------|--|---|-----|--|
| Montana | Montana Constitutional Convention | Voted by people 1972 | Article IX Environment and Natural Resources Section 3 - Water rights | -The Montana Constitution declares that all water within the state, including natural streams, is the property of the state for the use of its people. -This provision has led to state control over water resources, often affecting Native American tribes who rely on these resources for cultural, economic, and subsistence purposes. | Yes | |
| | Marc Racicot | Republican | Article X, Section 1 of the Montana Constitution states - Indian Education for All Act (IEFA) 1999 | -Their aim was to highlight the necessity of enhancing public school education concerning and for Native Americans in the state. - Montana has faced recent accusations of not fulfilling its constitutional promise. - Funds that are not well implemented or not implemented at all. | Yes | |
| | Greg Gianforte | Republican | House Bill 176 | - House Bill 176 abolished same-day voter registration, impacting individuals residing in remote areas. - Limiting voting access to Natives | Yes | |
| | | | Senate bill 169 | - Senate Bill 169 implemented stringent voter ID requirements, affecting those without access to the required forms of identification and individuals who may not pay utilities under their own name. - Limiting voting access to Natives | Yes | |
| | | | House bill 530 | - House Bill 530 made it illegal to offer or receive any financial benefit for distributing or collecting ballots - Limiting voting access to Natives | Yes | |
| Greg Gianforte | Republican | Senate Bill 4 | -Extension of the Missing and Murdered Indigenous Persons Task Force for two more years | No | | |

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| | | | House Bill 35 | -HB 98 includes more funding for tribal colleges to establish a platform for reporting missing Indigenous people. | No | |
| | | | House Bill 98 | -HB 35 establish a new state commission, which will review cases of missing people and investigate any factors that hindered the investigation | No | |
| Washington | Trial court judge, George Hugo Boldt | | The Boldt Decision (Fishing rights) | - <i>United States v. Washington</i> - Boldt's ruling determined that the tribes that signed the treaties were entitled to harvest up to 50 percent of the fish passing through their recognized fishing grounds | No | |
| | Jay Inslee | Democrat | House Bill 1356 | - Prohibits the use of Native American names, symbols, and images as school mascots, logos, and team names. - The ban applies to most public schools in Washington state. - The aim is to eliminate the appropriation and misuse of Native American culture in educational institutions. - The bill seeks to promote respect and cultural sensitivity towards Native American communities. | No | |
| | | | Senate Bill 5433 | - Washington state has transitioned from encouraging to making it mandatory for schools to teach Native history. - The new requirement mandates that schools include Native history as part of their curriculum. - This change aims to provide students with a more comprehensive understanding of Native American culture, history, and contributions. | No | |
| | | | Washington Indian health improvement Act | - Funding to tribal health-care systems in Washington. - The bill aims to support and enhance the healthcare services provided by tribal health-care systems. | No | |

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| | | | House Bill 1725 | <ul style="list-style-type: none"> - Establishes the first statewide alert system for missing Indigenous people in the United States. - Operates for 24h, receives a report of a missing Indigenous person and then it will notify law enforcement by displaying messages on highway reader boards, on social media and to the news media | No | |
| | | | House Bill 1571 | <ul style="list-style-type: none"> - Offer crucial services for Indigenous women who are survivors of human trafficking. - The bill aims to provide comprehensive protection and support for Indigenous women who have experienced the trauma of trafficking. | No | |
| | | | House Bill 1477 and the Creation of 988 | <ul style="list-style-type: none"> - Establish a tribal behavioral health and suicide prevention line in Washington State - Introduction of the unprecedented 988 crisis line, prioritizing mental and behavioral health support for Indigenous people nationwide, managed exclusively by a Native team. | No | |
| | | | Native American Voting Rights Act | <ul style="list-style-type: none"> - Ensures equal access to voter registration and voting for Native Americans on reservations. - Modifies voter registration requirements, allowing nontraditional addresses and unmarked homes. - This is crucial for Native Americans without traditional street addresses. - Promotes Native American participation in the democratic process and protects their voting rights. | No | |

Annex 6 - Comparative table of quantitative data: Montana and Washington

| Key data | | Montana | Washington |
|----------|-------------------------|--|--|
| Wealth | Income per capita | \$17,005 (United States Census Bureau, n.d.-h). White : \$37 640 | +46% income (Washington Tribes, n.d.) \$26,165 (2021) (United States Census Bureau). White : \$49,903 (United States Census Bureau). |
| | Median household income | \$36,501 (United States Census Bureau, n.d.-h). | Native : \$64,044 (2021) (United States Census Bureau, n.d.-h). White; \$85,698 (United States Census Bureau, n.d.-h). |
| | Poverty | 4th state with more poverty (World Population Review, n.d.-a) | |
| | Below poverty | 22,097 ~ 36.6% highest among all groups (United States Census Bureau, n.d.-h). | Native : 15.2% (United States Census Bureau, n.d.-h). African Americans : 19.2% (United States Census Bureau, n.d.-h). |
| | Child poverty | 35.9% (America's Health Rankings, United Health Foundation, 2019) | Native : 22.9% - 3 rd most affected African American: 27.8%, Hispanic: 25.1%, |
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| | Food insecurity | 43% - 180 houses analyzed (Jernigan et al., 2017) | 196 responses – 67% (School of Public Health - University of Washington, 2021) |
| Employment | Employed | 47.7% (United States Census Bureau, n.d.-h). | 53.2% (United States Census Bureau, n.d.-h). |
| | Unemployed | 13.9% (United States Census Bureau, n.d.-h). | 9.3% (United States Census Bureau, n.d.-h). Decline of 31% over the past three decades |
| Education | Recorded | 60,698 (United States Census Bureau, n.d.-h). | 97,753 (United States Census Bureau, n.d.-h). |
| | Enrolled | 18,946 (United States Census Bureau, n.d.-h). | 28,661 (United States Census Bureau, n.d.-h). |
| | Not enrolled | 41,752 ~ 68% (United States Census Bureau, n.d.-h). | 69,092 ~ 41% (United States Census Bureau, n.d.-h). |
| | Assessment | SBAC (grades 3-8) – 31% of reading proficiency ACT (Grade 11) – 18% proficiency Non-native (SAC) 51% reading proficiency Non-native : (ACT) 48% proficiency (Montana Office of Public Instruction, 2022a). | K-4 reading below grade level, indicating that 59.5% SBAC : lowest performing group Overall grades : 38 points lower than White (The Nation’s Report Card, 2019). |
| | Graduation | 68.30% (Montana Office of Public Instruction, 2022a). | 67.8% - Lowest group (Results Washington, 2023). |

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| | School dropouts | 4.70% (2019-2020) 5.85% (2020-2021) (Montana Office of Public Instruction, 2022a). | 24.1% and 15.9%. (2018 to 2020) (Report Card - Washington State Report Card n.d. 20.8% (2022) (Results Washington, 2023) |
| Crime and violence | Native prisoners | 23% (Justice Reinvestment in Montana, 2022) | 5% and 3.6 times higher than white people (Brown n.d.). |
| | Native offenders | Native : 22% (2021) White : 62% (Federal Bureau of Investigation, n.d.-b). | Native : 2% White : 52% (Federal Bureau of Investigation, n.d.-b). |
| | Native victims | Native : 18% - 2nd most affected (2021) 72% - White (Federal Bureau of Investigation, n.d.-b). | Native : 2% White : 65% (Federal Bureau of Investigation, n.d.-b). |
| | Police brutality | Native : 120 deaths per 100,000 (2013-2023) 2nd most affected 390 killings per 100,000 : African Americans (Mapping Police Violence, 2023) | Native : 130 killings per 100,000 individuals African Americans : 120 per 100,000 |
| | Missing or Murderer | 25% (2017-2019) 30% missing (2021) 80% are children (MMIP Montana, n.d.) | Seattle and Tacoma 2 nd highest in all 71 cities analyzed (Urban Indian Health Institute, 2018) Indigenous women are more likely to be victims (Equality for Boys and Men, 2022) |

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| | Rape or sexual assault | Native : 16% (Federal Bureau of Investigation Crime n.d.) 2x more than other groups (Strategic Prevention Solutions 2020) | Native : 2% Highest number of reported incidents involved Caucasians (Federal Bureau of Investigation, n.d.-b). |
| Housing | Severe housing problems | Native: 24.2% - 2 nd most affected African Americans : 26.5% (America's Health Rankings, United Health Foundation) | Native : 20.7% African Americans: 28.3% Hispanics : 26.9% (America's Health Rankings, United Health Foundation, 2019) 40% overcrowding and cost-burden |
| | Lacking kitchen facilities | 200 (United States Census Bureau, n.d.-i) | 365 (United States Census Bureau, n.d.-i) |
| | Lacking plumbing facilities | 223 (United States Census Bureau, n.d.-i) | 383 (United States Census Bureau, n.d.-i) |

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| Health | Uninsured | 25.4% (2021) Most affected (America's Health Rankings, United Health Foundation, 2019) | 16.1% (America's Health Rankings, United Health Foundation, 2019) |
| | Avoided care to cost | Native: 9% (2021) 2 nd most affected Hispanics : 14.3% (America's Health Rankings, United Health Foundation, 2019) | Native: 16,6% 3 rd group (America's Health Rankings, United Health Foundation, 2019) |
| | Diabetes | 16.3% (2021) (America's Health Rankings, United Health Foundation, 2019) | 14.4% (2021) (America's Health Rankings, United Health Foundation, 2019) |
| | Cardiovascular problems | Native: 7.9% (2021) 2 nd most affected (America's Health Rankings, United Health Foundation, 2019) | 16.4% (America's Health Rankings, United Health Foundation, 2019) |
| | Depression | Native: 27.7% (2021) 2 nd most affected group Multiracial : 28.7% (America's Health Rankings, United Health Foundation, 2019) | Native: 31.5%, Multiracial leading with 35.2% (America's Health Rankings, United Health Foundation, 2019) |

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| | Suicide | 37.4 suicide deaths per 100 000 population (2019) & 51.6% (2020) (America's Health Rankings, United Health Foundation) | 28.1 per 100 000 (America's Health Rankings, United Health Foundation, 2019) |
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