



# PROFESSIONAL CERTIFICATE IN TRIBAL RELATIONS

## Professional Development & MCLE Draft Agenda

### *Eras of Federal and State Indian Law and Policy*

March 12, 2021

10:00 am – 3:00 pm

Webinar via Zoom (link will be sent by email after registration)

Mentor-Facilitators: Direlle Calica, JD & Dr. Rick Mogren

Session is accredited for 3.75 MCLE credits with the Oregon State Bar.  
Instructions to add this program to your transcript are listed below.

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10:00 - 10:10	Sign-in
10:10 - 12:00	Presentation: Federal Indian Law by Era and Tribal Protocols <ul style="list-style-type: none"><li>• Robert J. Miller (Eastern Shawnee); Professor, Arizona State University, Sandra Day O'Connor College of Law</li></ul>
12:00 - 1:00	Lunch break
1:00 - 3:00	Panel Discussion: State Indian Law and Policy and Legal Consequences of Land Acknowledgements <ul style="list-style-type: none"><li>• Craig Bill (Swinomish Tribe); Director, Washington State Governor's Office of Indian Affairs</li><li>• Dustin Buehler; General Counsel, Oregon State Office of the Governor</li><li>• Daniel P. Santos; Interim Director, Legislative Commission on Indian Services</li></ul>
3:00	Sign-off



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## Speaker Bios:

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**Robert J. Miller's** areas of expertise are civil procedure, federal Indian law, American Indians and international law, American Indian economic development and Native American natural resources. An enrolled citizen of the Eastern Shawnee Tribe of Oklahoma, he is the Chief Justice of the Court of Appeals of the Grand Ronde Tribe and sits as a judge for other tribes.

Before joining Arizona State University's College of Law in 2013, Professor Miller was on the faculty of Lewis & Clark College's Law School. Prior to his career in academia, he practiced Indian law with Hobbs, Straus, Dean & Walker, and worked for the Stoel Rives law firm. Following his graduation from law school, he clerked for Judge Diarmuid O'Scannlain of the U.S. Court of Appeals for the Ninth Circuit.

Professor Miller's published works include articles, books and book chapters on a wide array of federal Indian law issues and civil procedure, and he speaks regularly on Indian law issues across the U.S. and in other countries. He is the author of *Native America, Discovered and Conquered: Thomas Jefferson, Lewis and Clark, and Manifest Destiny* (2006), and *Reservation "Capitalism:" Economic Development in Indian Country* (2012), and he co-authored *Discovering Indigenous Lands: The Doctrine of Discovery in the English Colonies* (2010). Professor Miller maintains a blog on Indian affairs, which has been noticed by the [wallstreetjournal.com](http://wallstreetjournal.com) and a poll of leading Indian blogs, and will be archived by the Library of Congress. He also has worked as a consultant with the American Philosophical Society since 2006 on tribal language and artifact issues.

**Craig Bill** was appointed Executive Director of the Governor's Office of Indian Affairs (GOIA) by Governor Gregoire in July 2005 and was re-appointed by Governor Jay Inslee in March 2013.

As the Director of the GOIA, he serves as an advisor on tribal issues and liaison



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between the State of Washington and Indian Tribes and tribal organizations for the Governor's Office. The GOIA is also responsible for promoting the government to government principles outlined with the 1989 Centennial Accord signed between the State and Tribes.

Prior to his appointment at the GOIA, Craig was the Director of Intergovernmental Affairs and Advisor to the Tribal Chairman for the Lummi Nation tribal government located in Bellingham, WA.

He is a graduate of Central Washington University with a B.A. degree and double major in Political Science and Social Science. While at Central, Craig was a 4-year letter winner in football and member of the 1995 NAIA National Championship team.

Craig is an enrolled member of the Swinomish Tribe and descendent of the Colville Confederated Tribes and Choctaw Nation of Oklahoma.



**Dustin Buehler** currently serves as General Counsel for Oregon Governor Kate Brown. In that role, he engages in a wide ranging legal practice, and serves as a liaison to state legislators, agency directors, state-court judges, Oregon's nine federally recognized Indian tribes, and policy stakeholders.

Dustin also teaches administrative law in the University of Oregon's Portland Program. Before joining the Oregon faculty, he was a tenured law professor at the University of Arkansas (where the graduating students named him Professor of the Year on three occasions), and a law lecturer at the University of Washington. Buehler's scholarship includes articles in the Boston University Law Review, Washington Law Review, and Ohio State Law Journal. He has been cited by state and federal courts, Moore's Federal Practice, and leading civil litigation scholars.

Previously, Buehler clerked for Ninth Circuit Judge Alfred Goodwin, practiced commercial litigation at Davis Wright Tremaine LLP, and served as an appellate attorney at the Oregon Department of Justice. He enjoys running, bicycling,



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watching baseball with his family, and once held a Guinness World Record after lecturing for nearly 52 hours on the history of the American presidency.



**Daniel P. Santos**, a graduate of Willamette University College of Law, returned to the school in June 2011 after two decades of service to four Oregon governors. As Associate Dean for Student Affairs and Administration, he consults with student organizations and oversees the offices of Admission, Career and Professional Development, and Student Services.

Santos was a senior policy advisor for Gov. Ted Kulongoski and worked on an array of issues including tribal and labor relations, collective bargaining, housing, education and military services. In the first administration of Gov. John Kitzhaber, Santos served as legal

counsel and education policy coordinator and worked on juvenile and adult criminal justice issues. Santos was Gov. Barbara Roberts' legal counsel and chair of the Oregon Board of Parole and Post-Prison Supervision. He also served as Deputy Citizen's Representative and director of the Commission on Agricultural Labor in Gov. Neil Goldschmidt's administration.

Before entering government service, Santos worked at Marion & Polk Legal Services, supervised the Oregon Migrant Education Service Center, and directed the Jackson County Migrant Education Program. He earned a BS in Criminology at Southern Oregon University.

Outside work, Santos was a founding member of Scholarships for Oregon Latinos; Willamette Academy and the Leadership Council for Oregon Mentors. He also serves on the education committee of the Oregon Shakespeare Festival Board. Through these efforts he seeks to provide greater educational and leadership opportunities for youth.

Santos' numerous honors include the Paul J. DeMuniz Professionalism Award from the Oregon Hispanic Bar Association; the Judge Mercedes Deiz Award from Oregon Women Lawyers; the Leadership Award from the Hispanic Metropolitan Chamber of



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Commerce; and the Lifetime Achievement Award from the World Arts Foundation. In 1990, Southern Oregon University named him one of its distinguished alumni.

Born and raised in Brawley, California, in the agricultural Imperial Valley, Santos worked summers in the fields of the Imperial and San Joaquin Valleys. He enjoys theatre and movies, and for exercise he runs marathons.

## Professional Certificate in Tribal Relations Mentor-Facilitator Bios:

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**Direlle Calica** serves as Director of the Institute for Tribal Government at the Hatfield School of Government, Portland State University. She is a citizen of the Confederated Tribes of Warm Springs. She is of Warm Springs, Wasco, Yakama, Molalla, and Snoqualmie tribal descent.

Ms. Calica has over 20 years of experience as a legislative, policy, planning, and regulatory advisor with the U.S. Attorney's Office-District of Oregon, U.S. Army Corps of Engineers, Intertribal Organizations, and various Indian Tribes. She has worked in Tribal Relations for the U.S. Attorney's Office-District of Oregon, U.S. Army Corps of Engineers, and served as an advisor to various Indian Tribes on external relations. She has extensive professional experience in intergovernmental affairs, hydro-system planning, tribal economic development, tribal energy infrastructure policy, and tribal water policy. Mrs. Calica serves as a member of the Board of Directors for the Northwest Energy Coalition and the Oregon Native American Chamber. She is the Managing Partner of Kanim Associates, LLC a Native American, women and Veteran owned company based in Portland, Oregon. She has also served as a White House Intern and Mark O. Hatfield Congressional Fellow in the U.S. Senate. Her professional background includes a Juris Doctorate with a focus on Federal Indian Law, Business and Natural Resource law. She is a member of the Washington State Bar Association, and the WSBA Environmental Law Section.



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Her hobbies include: reading, outdoor activities, graphic design, gardening, and spending time with her family and three dogs.



**Dr. Eric T. (Rick) Mogren** is a senior instructor of public administration at the Mark O. Hatfield School of Government, Portland State University. He serves as a mentor and co-facilitator and as the CTR program manager.

He is a former Army engineer officer, having retired in 2001 with the rank of Colonel after a 27 year career. His last Army assignment was as Deputy Commander and Chief of Staff for the US Army Corps of Engineers Northwestern Division. Among his responsibilities was maintaining the government-to-government relationship between the Corps and Pacific

Northwest Indian Tribes. One of the key lessons he learned during that experience was the importance of understanding the solemn responsibility federal agencies have to meet tribal trust and treaty obligations.

He entered consulting after his retirement from the Army. Part of his consulting practice included facilitation of state, federal, and tribal collaborations regarding completion of the National Marine Fisheries Service salmon recovery plans. He retired from consulting in 2014 and now spends his professional time teaching graduate courses in public policy and organizational leadership at the Hatfield School of Government's Center for Public Service.

Rick holds a PhD in Public Affairs and Policy from Portland State University; a Master of Science in Engineering from the University of Texas in Austin; a Master of Military Arts and Science from the US Army Command and General Staff College at Fort Leavenworth, Kansas; a Bachelor of Science in Environmental Studies from the State University of New York College of Environmental Science and Forestry, Syracuse, New York; and a Bachelor of Science in Forestry from Syracuse University. He is an engineer by training and a licensed professional civil engineer.



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## Suggested Readings:

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- Chapters 1 and 4 in Wilkins, D.E. and Stark, H.K. (2018) *American Indian Politics and the American Political System*. Lanham, MD: Rowman & Littlefield.
- Introduction (pp. 3-18) and conclusion (pp. 249-263) in Wilkins, D.E. and Lomawaima, K.T. (2002), *Uneven Ground: American Indian Sovereignty and Federal Law*. Norman, OK: University of Oklahoma Press.
- Strommer and Osborne (2015). *The History, Status, and Future of Tribal Self Governance under the Indian Self-Determination and Education Assistance Act*. In *American Indian Law Review*, 39(1), pp. 1-75.
- *US Constitution*. Read Article I, Section 8; Article II, Section 2; and Article VI.
- Oregon Statute (ORS) 182 Sections .162-.168.
- *State of Oregon Executive Order No. 96-30*
- The Washington State "*Centennial Accord*" and "*Millennium Agreement*"
- Department of Interior (DOI) Secretarial Order No. 3342
- "*Oregon Blue Book: Introduction to Oregon's Indian Tribes*"