Good Morning!

I'm here today to tell you a story as a background for the case you are studying (Sweet vs Hinzman - Case 2.08-cv-00844-JLR, United States District Judge, James L. Robart). You have the legal facts of our journey - they are recorded in this very public Federal trial. But, I have found there is a world of difference between truth and facts. Facts can actually obscure the truth. So I want to give you something you will not find in this documented court case, and I also have a very special reason for telling you this story. I call it "returning home" and I want to share it with you.

Our story is reflected in the lives of the great Chinook salmon here in the Northwest. The Chinook salmon are the largest salmon species and can reach up to 100 lbs. They begin their lives in small fresh water streams. Their eggs hatch and they begin as two big eyes, a translucent body and a tiny beating heart. They are called Fry. The fry spend their first days eating everything in site and avoiding everything that will eat them which is nearly everything and they begin to develop small spots.

The Fry that survive this first test slowly lose their spots and turn into silver smolts. The smolts spend their time in the fresh-water streams avoiding every pitfall and getting bigger.

In the spring, the smolts become very restless and when the mountains shed their layers of snow, the streams overflow with icy water. The smolts navigate the icy streams fighting to reach the welcoming estuaries. It's a dangerous journey with many obstacles but the estuaries are warm and rich with food for the hungry smolts. In the estuaries the smolts are slowly and gently introduced to salt water with each incoming tide and they develop skills and bodies which will be necessary for the next part of their journey - the open sea.

The smolts get bigger and are finally accustomed to the salt water and when they are ready they head out to the open ocean where they are elevated to the top of the food chain - their only predators are the Killer Whales, Sea Lions and lucky fishermen. Unlike their cousins, the Coho, who spend their lives close to the shore, the Chinook salmon travel openly in the Pacific Ocean - traveling up to 2000 miles.

And then, an instinct that was implanted in their memories when they were but tiny fries with the translucent bodies and tiny beating hearts compels them to head back to the very stream where they were born. Their memories, along with their strong sense of smell direct them back to their homeland stream. Heading back is just as treacherous as leaving - regardless of obstacles and barriers they swim with an urgency to return home. Once home, the great Chinook, imprint the next generation of Chinook salmon with their DNA and their lives here are complete.

Like the Chinook salmon, the 9 of us in this court case started our lives surrounded by our Indian customs and traditions; our memories were shaped by our elders who imprinted upon us a "duty". We were taught something similar to "noblesse oblige", (noh-bles oh-bleezh) an idea that obligates, that to whom much is given, much is required in return.

I was born Snoqualmie, my Mother was born Snoqualmie, My Grandmother, my Great-Grandmother, my Great-Great-Grandmother up to the signing of the 1855 Pt. Elliot Treaty and beyond written records. We have always been Snoqualmie with an unbroken line which imprints on each generation a sense of duty to our people.

My Grandmother held a life-time tribal council position. In those days, the life-time council was similar to the Supreme Court - the council heard problems and deliberated on those problems. Eventually, the life-time council was replaced by an elected council who held office for specific terms of time. I sat on the council with my Grandmother. I call those my estuary years where we were getting prepared for the open sea. We were all instructed on how to live in both worlds, the small familiar world where we were born as Snoqualmie people and the open sea as citizens of the United States.

Our Tribe's Federal Recognition was just over a decade old when the serious problems began. My Mother, my Grandmother, my Aunts and our families fought decades for that right never knowing what it would bring. Before the ink was dry on our recognition the talks of a casino grew loud. Before we even knew what was happening we were in an agreement with a company called MGU. This unwise decision and one we fought against proved very costly. In 2003 MGU bought the property where Casino Snoqualmie now sits for $3.8 million. In 2006 we paid $50.8 million to purchase it back – $47 million dollars profit on a $3.8 million investment in just 3 years. Even Warren Buffet would be impressed.

Our tribal administrator, called it a "tough pill to swallow." I call it something very different and that is where the problems began which lead up to our banishment. There was never any accountability for that money or the $85.5 million bridge loan the tribe entered into to launch another casino attempt until finally they succeeded with the opening of Casino Snoqualmie in November, 2008.

People say our banishment was over control of this casino or that we were against the casino which in their mind was just as bad. What people see sometimes creates conflict. I was at the Grand Canyon a couple of years ago. My husband and I wanted to see the sunrise over the canyon. I saw breathtaking beauty, felt peace and thought what a masterpiece while others gathered there could only see the wealth of minerals on display. We were standing on the same platform looking under the same sun and yet saw very different things.

To tell you a little about me, I'm a Senior Business Analyst with The Boeing Company. I have been there over 43 years. It was my Grandmother's greatest wish that we became educated to help the people. I've been trained in all aspects of financial transactions, in cost benefit analysis, financial risk analysis, and how to read company profiles. To say that I was alarmed at these business dealings is an understatement – many members of my tribe were very worried about the debt we were placed under.

In 2007 members of the tribe wanted accountability; they wanted information, they wanted answers. They elected 5 new council positions. I was elected as the Vice-Chairman of the Snoqualmie Tribe, a position I have held two other times prior to this election. The people who were not re-elected and who had held position for many years started an "illegal election campaign" with their relative, our honoraryb chief, leading the way.

Unable to remove us from office according to our laws, the honorary Chief over-threw the elected government by imposing on the tribe his "hereditary non-constitutional rights" without a vote from the people. Public officials put in place to protect our rights and with a trust responsibility to us refused to recognize our elected government but instead allowed a non-native tribal administrator and the honorary chief to take control of our tribe. The honorary chief with the help of local law enforcement suspended the newly elected council members without a hearing or an investigation – they also suspended the Chairman of our tribe because he wouldn't go along with them.

We were locked out of the tribal offices and they hired armed security guards to keep us out. Finally, when we fought against these tactics and they realized we would not go away - they proceeded to banish us. They issued "preferred voter cards" for their select tribal members, to conduct what they called a "banishment meeting".

We were never allowed into this meeting nor were our relatives, friends and supporters. We were not allowed to address the accusations against us or defend ourselves. We were never given the liberty of due process.

If my Grandmother were here she would say that some of the Snoqualmie went out to sea and they found themselves at near the top of the food chain, they became dizzy with the thoughts of personal wealth and power that the newly created casino would bring them. They forgot their way and the ways of the people that these things are not for the few, it is to help the many.

To justify their actions, they sent out vicious words that accuse us of being "new-comers" and "johnny-come-lately's", of treason and of not having the blood quantum in the first place. They sent out those malicious words to the winds as false signals for others to not pay attention to this fight, to ignore it as justified and justification for their dishonorable actions. The truth is, we are the traditional Snoqualmie people

With Rob's help we took the banishment to Federal court and in April of 2009 our permanent banishment was overturned. At the end of the case, even through the tribal council was guilty of violating our civil rights – the right to "due process", the Judge extended our social banishment for 90 days while the tribe contemplated whether they wanted to banish us again.

What this court case taught us is that civil rights do not count if you are Native American. Even if a Federal Judge says you were denied "due process" – it's like saying it is raining outside. It is simply an observation. There was no justice, no punishment, not even a sharp word or admonishment; there isn't even a way to enforce his decision.

On September 26, 2009 well after the 90 social banishment was lifted, the tribal council called for another "banishment meeting". We were to be allowed 5 minutes to come in and defend ourselves one at a time. The tribal council continued with their oppressive tactics by keeping the tribal members at the meeting for over 12 hours trying to manipulate the outcome. Late into the night, without breaking for meals or rest, our tribal members refused to leave while we waited outside for the outcome.

Knowing we had elders and children in that meeting, we took up a collection and ordered food to be delivered inside the meeting. The tribal members refused to accept the tribal council's attempts to manipulate the votes on the banishment and fought for hours for a fair vote. The tribal council underestimated the true hearts of the Snoqualmie people and in an emphatic, overwhelming vote; they overturned the illegal actions of the tribal council. They fully reinstated all nine of us. We were "home" again!

Yet today, the tribal council has refused to carry out the will of the Snoqualmie people and will not allow us back into the tribe. They scoff at the Federal court and the judge's decision. When we insisted on being reinstated and given our tribal identification cards, they issued a new seven year banishment – they call it a sanction. The new sanctions say we will be arrested if we step on tribal property and that we may not participate in tribal gatherings or speak to tribal members. We are restricted from voting or holding office. In affect, we were banished again without due process. They have now disenrolled over 80 family members and supporters

This council refuses to represent the people and continues to violate all of the Snoqualmie Tribal Members civil and human rights. People tell us if we don't like what they do to vote them out – and our tribal members have tried continuously since 2007 to do just that. Each time there is an election and they do not win their attorney's and non-tribal staff find ways to contest the elections, or simply ignore the results. Currently, the illegal tribal council refuses to hold meetings or elections and 5 of the 9 council positions expired in May of this year and there are no meetings or elections scheduled. They just continue to ignore our laws and customs.

Most Indian people were conditioned not to fight back because each time they fought back, something was taken away, their children, their shelter, their land, their language and their homes. My ancestors sacrificed everything to see that their next generations would survive. I am here today sacrificing our inherent desire to not fight back – and certainly not fight back so publicly but now, this story must be told because we are not alone on this journey. Coast to coast, all over the country, Native American governments have banished and disenrolled over 11,000 tribal citizens. And this number continues to grow.

We are descendants of warriors; we are strong, educated, fearless and brave - but our powers cannot stand up to today's tribal attorneys and non-tribal staff whispering promises to the tribal council they keep in power. Their weapons today are courts and legal maneuvers, of money coming in from casinos. They hide behind sovereignty. No one will enforce our rights or the rights of our people and if we fight back they simply disenroll or banish away the conflicts. No need for accountability, no need for explanation, no need to follow rules or the laws.

These unlawful actions have paralyzed our tribe. Other Snoqualmie Tribal members are afraid to come forward or speak out because of the constant fear of being disenrolled or banished. If they stand with us they are threatened with the loss of Indian Health Services and even the food bank. They threatened an 83 year old tribal elder. This elder is not even related to us personally, but she is angered by these actions. She was told in writing that if she didn't refrain from talking "politics" on her drive to the clinics they would suspend her from "eligibility "eliminating the health care benefits she so desperately needs. She speaks for the traditions and customs of our people who did not practice these dishonorable acts.

As young smolts in the estuaries, the 9 of us were conditioned to fight back for any injustice and to take care of our people. We want our most basic human right protected – to be secure in who we are and to not be arbitrarily exiled from our tribes. The change we want to see is that tribe's cannot banish and disenroll their citizens for political reasons. That we have available to us every opportunity to be heard. That civil rights are not something "given" to us, they are something "taken from us".

I want to leave you with a line from my Mother's obituary. She died in 1990 when she was just barely 59 years old.

> Doris Elaine Williams Willoughby
> "A homemaker, she was an advocate of the rights of Native Americans, and worked on Treaty rights. Her extended family includes many foster children she cared for. She belonged to the Indian Shaker Church in Auburn."

I heard a civil rights activist once say that the struggle for civil rights cannot be taken lightly or with a faint heart that it is a lifetime commitment and battle…..and yet for my people many lifetimes have passed and yet the battle continues.

But, like the great Chinook salmon, when the 9 of us return home we want to face our ancestors with translucent hearts and eyes that will look straight into theirs and they will know we have kept our duty and that we are returning home in an honorable way and that we have imprinted on our next generations that same duty that was imprinted on us, to protect the people. I'm proud to say my next generations are here and they have been imprinted with the same strong will to protect the people. .

I have here a basket – one of several that were passed down from my Great-Great-Grandmother. They have been entrusted to me, and I see in them that we will survive. They have found their way through seven generations, through serious trouble and hardships and no matter what else may have been lost, they represent the resilience of my people. Regardless of obstacles and barriers, no matter how treacherous or difficult, we will fight this injustice until every exiled Native American has returned home.

My special reason for speaking with you today is that I can see that you too are in that estuary time in your lives where you gather the skills and resources that will prepare you for the open sea. Your challenges will be judges and not-so-honorable sea-lion and killer whale attorneys that you will have to challenge. I hope when you do you will remember this story and know that everyone should have the right to pursue their "full measure of happiness" and complete their journeys. That we should all share in the same confidence that our civil rights will be honored and protected – no matter who we are.

I know someday you will become successful lawyers, honorable judges, perhaps senators, and law-makers. I hope you find it in your hearts to protect the rights of all people that you never break the circle and that you always remember we all live under the same sun and moon and we all want to return home in an honorable way.

I want to thank Rob for inviting me here and to thank-you for sharing this time together. I pray for your success and that you have a wonderful journey here at Seattle University.

Carolyn Lubenau

Board of Directors – American Indian Rights and Resources Organization
Member – National Association of Parliamentarians
Senior Business Analyst – The Boeing Company – 43 year employee
Snoqualmie Tribal Elder

“"You ought to believe something in life, believe that thing so fervently that you will stand up with it until the end of your days..." Dr. Martin Luther King Jr.