

Justice Department firing squad targets Indian country

Posted: June 08, 2007

by: Editors Report / Indian Country Today

If anyone thought American Indians as a group were ignored by the U.S. government, there is now proof otherwise. Native people, and their votes, are among the main targets of one of the most brazen Republican cover-ups since Watergate. It is becoming clearer by the day that the political scandal involving the Justice Department and its firing of seven U.S. Attorneys has nothing to do with job performance and everything to do with stealing the next election for Republican gain.

American Indians, during the 2004 presidential election season, observed the 80-year anniversary of the Indian Citizenship Act, an attempt to fully assimilate tribal people into mainstream American society. Despite U.S. citizenship, American Indians continued to face racial discrimination and large-scale disenfranchisement that effectively prevented them from participating in elections. The Voting Rights Act, enacted in 1965 and reauthorized in 2006, provides protections against disenfranchisement and has helped increase Indian voter participation on a national level.

The Indian voting bloc has steadily become a force in local, state and federal elections, helping the "Native vote" become synonymous with the increasingly crucial swing vote. In 2000, Indian voters helped Democrat Maria Cantwell defeat Republican Sen. Slade Gorton in Washington, and helped Al Gore carry New Mexico. In 2002, South Dakota Democrat Sen. Tim Johnson won a re-election by 524 votes, credited to a major turnout of Indian voters at Pine Ridge. The same year, Arizona Democrat Janet Napolitano won her gubernatorial race by a narrow margin and credited Indian reservation precincts for her win.

Unfortunately, the upward trend of the "Native vote" has made it a prime target. This is evidenced by the reaction to the 2002 senate race in South Dakota. Charges of fraud circulated: "The Indians, they got the phony Indian votes out there," declared political commentator Robert Novak on CNN's "Crossfire." The conservative Wall Street Journal said the race was decided in a "highly suspicious, if not crooked fashion." All in bad taste, like most references to American Indians by the conservative media spin cycle.

Seizing an opportunity, the Bush White House instructed U.S. Attorneys to investigate and prosecute "voter fraud" cases. Not voter fraud, which would be more appropriate given the widespread, dead-on-target criticism of the 2004 presidential election debacle. Voter fraud refers to the belief by Republican politicians that minorities register to vote under fake names and addresses to throw elections in favor of Democratic candidates. Essentially, voter fraud means voting while black, Indian, poor, imprisoned or gay. Voting - and having their votes count - has become increasingly difficult for these groups.

This is the backdrop for the firing of seven U.S. Attorneys by the Justice Department in closely contested ("battleground") states: Arizona, New Mexico, Wisconsin, Washington, Michigan, California and Nevada. They are "red" and "blue" states, but look closer and see districts within them where the Indian and minority vote carry significant weight. Asked to resign for "performance-related issues," the U.S. Attorneys believe the firings were politically motivated, that they were punished for not aggressively advancing prosecution of voter fraud cases and others for pursuing investigations of Republicans. They did not behave like "loyal Bushies," a term used by a high-level staffer in DOJ to describe the remaining U.S. Attorneys.

Remember that the administration's voter fraud effort refers to the sham designed to further disenfranchise Native voters. The firing scandal is the most public development in this effort, which will continue until congressional Democrats find strength to pursue a real inquiry into the matter. Forget the weak and forgetful Gonzales. He should be fired, for sure, but for incompetence and giving false testimony. Instead, a criminal inquiry should be launched into the interference of the Justice Department by the head "Bushie" and senior adviser to the president, Karl Rove.

It is shameful that Indian country should lose several officials with records of protecting Indian rights. The fired attorneys served on the Justice Department's Native American Issues Subcommittee. They were Paul Charlton of Arizona, Margaret Chiara of Michigan, David Iglesias of New Mexico, John McKay of Washington and Daniel Bogden of Nevada. Carol Lam and Kevin Ryan served in California, a state with more than 100 tribes. Minnesota's Tom Heffelfinger, who devoted time to protecting Indian voting rights in the wake of the 2004 elections, was on the firing list before he resigned last year for personal reasons.

Light and heat are the only antidotes to government corruption. It is encouraging that tribal leaders and National Congress of American

Indians are speaking out against this injustice.

"The firing of certain attorneys and the testimony regarding Mr. Heffelfinger paint a glaring picture regarding how the DOJ is handling Indian country issues. And it is not a pretty one," said National Congress of American Indians President Joe Garcia. "We are sitting ducks in our own communities, and the DOJ is worried about one U.S. Attorney spending too much time helping us." It's an honest assessment that we'd have to agree with.