

# THOMAS J. G. SCOTT

---

1703 Belmont Drive • Columbia, SC 29206  
(803) 361-3213 • thomas.jg.scott@gmail.com

## LIMAN SUMMER FELLOWS

### *FINAL REPORT* *Summer 2010*

As an intern within the White House's Domestic Policy Council, I directly served the President's Senior Policy Adviser for Native American Affairs Kimberly Teehee. The Domestic Policy Council (DPC) coordinates the domestic policy-making process in the White House and offers advice to the President on all domestic issues not directly related to the national economy. The DPC also supervises the execution of domestic policy and represents the President's priorities to Congress. The Senior Policy Adviser develops and implements Federal policy related to the President's dual commitment to strengthen federal-tribal relations and to assist American Indian and Alaska Native communities on a range of issues, including health care, education, energy, criminal justice, housing, natural resources, transportation and other areas. She also seeks to align Executive agencies' efforts with the desires expressed by tribal governments as well as with White House priorities (on tribal issues, in the context of the Administration's myriad other issues).

I wrote a detailed memo making recommendations, based largely on the experiences of the Clinton Administration, for structuring the White House Interagency Workgroup on Native American Affairs. The Working Group will develop a comprehensive, government-wide approach to the many challenges facing Indian nations.

I collaborated with representatives from the Smithsonian Institution, the National Park Service's Native American Graves Protection and Repatriation Act (NAGPRA) program, and the Australian government in exploring ways to streamline the process for repatriating indigenous peoples' remains internationally. Towards this end, I researched the existing domestic and foreign legal processes for such repatriations, and made recommendations for amending those processes to make repatriation processes more financially and practically feasible for tribes to undertake.

Most significantly, I worked closely with staff from the National Security Council and State Department Legal Adviser's Office to help manage the US government's review of its position on the Declaration on the Rights of Indigenous Peoples. This comprehensive review involved eliciting and processing input from tribal leaders and the executive agencies. I performed considerable academic research into the history and possible consequences of US support for the Declaration. Further, I conducted extensive legal research, reviewing cases from the national courts of two dozen foreign countries and analyzing how these national courts' interpretations shed light on the meaning of the Declarations' provisions.

In addition to these larger tasks, I also performed over one hundred smaller assignments: researching issues ranging from land use, gaming, energy, health and safety; drafting and editing talking points, POTUS remarks, reports and Congressional testimony; and tracking Native American-related legislation in Congress.

One moment – among many – that I'll never forget was when I attended the repatriation of Aboriginal remains from the Smithsonian. Aboriginal elders had traveled from Arnhem Land in Australia's Northern Territory to perform a "smoking ceremony" and bring their countrymen's remains back home. It was a highly sensory experience involving the smoke from burning still-

green tree branches, the characteristic guttural singing of the elders, and slow movement of boxes containing 24 human beings' remains, all covered with an Aborigine flag. It was in many ways completely foreign – as was much of work I did this summer, since I had no prior experience on Native American issues. But it was great to see government work for people – only some people, and more slowly than one might hope – but the very tangible result of two years of two governments' collaboration was there for all to see.

I will graduate from Stanford Law School and the Woodrow Wilson School at Princeton in June 2011. I am currently applying to federal clerkships, primarily in the southeastern United States. From there, I'd like to clerk at a foreign court such as the Constitutional Court of South Africa or the High Court in Zambia. Somewhat counter-intuitively, my experience working on Native American affairs (in which the U.S. has a government-to-government relationship with 5656 federally-recognized tribes) has proven highly relevant to my other interests in African constitutions. More generally, the work has been a really gratifying chance to contribute to changes in Federal government policy that will have a real, lasting impact for the country's roughly 4 million Native Americans and Alaska Natives.

The Liman Program was excellent. I learned a great deal from this past spring's conference, and met a few practicing public interest lawyers with whom I'll surely stay in touch. Also, the Law and Public Affairs program staff at Princeton University were supportive at every step of the way – from my Liman application all the way through the roller coaster of internship applications. I am especially appreciative of LAPA Associate Director Leslie Gerwin and LAPA's Office Coordinator Jennifer Bolton, both of whom were incredibly patient as my summer plans coalesced, changed, and then coalesced again – all in the waning weeks of a busy spring.