

**WHITNEY, Janice, Esq**

Ms. Whitney has worked for the Environmental Protection Agency (EPA), since 1990. Ms. Whitney served as Assistant Regional Counsel in Region II, Environmental Protection Agency (EPA) from 1990 through 1995. From 1996-2002, she served as the Indigenous Environmental Affairs Specialist in the Indian Program, Division of Environmental Planning and Protection in EPA's Region II, New York, New York. She worked to build the government-to-government relationship with the Haudenosaunee (Iroquois Confederacy). From 2002-2004, Ms. Whitney served as the Lead Region Coordinator for the National Indian Program. Duties included serving as the focal point to coordinate all nine regional Indian programs; serving as the agency representative to state, tribal or national organizations on national Indian program or policy issues; defining new program needs; identifying significant issues/concerns and initiating discussions, developing options, identifying areas of conflict and generating consensus; leading task force and work group efforts on issues of cross-regional or national significance and working with HQs to consider Tribal positions within Senior Indian Program Managers Network.

Ms. Whitney presently serves as Consultation Specialist for EPA's Indian Program, addressing consultation matters for all Region 2 Indian Nations for matters of interest, concern which extend beyond reservation boundaries. In addition, Janice continues to facilitate the development and implementation of agreements made between Region 2 and the Indian Nations, such as Consultation and Notification Policy Agreements and National Historic Preservation Act Agreements and is working to develop a comprehensive consultation program that upholds ecological, socio-economic, cultural and spiritual values, as well as community-based environmental management and environmental justice principles.

Together with the Haudenosaunee Environmental Task Force (HETF), she co-authored the Haudenosaunee Environmental Restoration Strategy: An Indigenous Strategy for Human Sustainability, published by the University of Cambridge, England. The United Nations Environment Programme (UNEP) sponsored a Summit of the Elders at the United Nations in July, 1995 so that the Strategy could be officially submitted to the United Nations. Ms. Whitney was a presenter along with several Haudenosaunee environmental representatives at the Summit of the Elders. The Strategy was one of the first indigenous responses to the Call to Action set forth in Chapter 26 of Agenda 21.

In pursuit of effective ways to foster respect, equity and empowerment for indigenous peoples, Ms. Whitney earned a certificate in mediation, facilitation and communication as a New York State Unified Court System Dispute Resolution Mediator, in 1994. Her effective use of legal alternatives to resolve disputes and promote interest-based communications are integral to her responsibilities. In her current role at EPA, Ms. Whitney continues to serve as an advisor to the Haudenosaunee ('People of the Longhouse') to facilitate the implementation of the Haudenosaunee Environmental Restoration Strategy, working with international, federal, provincial, state/local governments, as well as the industrial, academic and private sectors.

In addition to her role working with the Haudenosaunee and the United Nations, Ms. Whitney serves as a trainer and educator. Via EPA's National Enforcement Training Institute (NETI) in Washington, D.C., she teaches courses in basic and advanced alternative dispute resolution for audiences of federal, state/local and indigenous environmental technicians, managers and attorneys. She was one of four instructors selected nationwide in 1996 to participate in USEPA's National Enforcement Training Institute Video Series on Basic Environmental Enforcement Negotiation Skills, as an expert panelist for a two-day Live Video Telecast: Environmental Enforcement Negotiation Skills- The Basics for Federal, State and Indigenous Government Personnel. She is the author of NETI's course offering Advanced Negotiation Skills: Alternative

## Dispute Resolution Techniques.

In 1998 Ms. Whitney served as an instructor at the Federal Executive Institute's Center for Executive Leadership, teaching government leaders across the country who have regulatory responsibilities in a wide variety of federal, state and local agencies. In addition to serving as an instructor, Ms. Whitney also received training certification in the course designed for Senior Executive Service (SES) federal officials entitled New Perspectives and Tools for Regulatory Leaders. In addition, Ms. Whitney is Region II's Training Lead tasked with designing and teaching cultural sensitivity training courses entitled Working Effectively with Indian Nations and Indigenous Peoples.

In order to ensure environmental strategies developed at local indigenous levels receive attention at the national level, Ms. Whitney serves as a member of the American Indian Advisory Council; the National and Regional Indian Workgroups for EPA; the Indian Attorney Workgroup for EPA; the Native American Environmental Justice Federal Interagency Task Force. She serves as a consultant to EPA's Indigenous Sub-Committee of the National Environmental Justice Advisory Council as well as the Tribal Operations Committee. On the international level, she also continues to serve on the United Nations Environmental Programme Working Committee to bring indigenous environmental concerns to the international forum and travels with Chief Oren Lyons, Faithkeeper, Onondaga Nation to countries requesting assistance in designing a relationships between their nation state government and indigenous peoples governments modeled on the EPA/Haudenosaunee relationship. Most recently, the Swedish government has sought advise and counsel to develop working environmental relations with the indigenous Sapmi peoples who reside in northern Sweden.

In October 1993, Ms. Whitney was selected to participate as one of two regional representatives in EPA's Greater Leadership Opportunity Management Training (GLO) Program from which she graduated in October 1994. During the Greater Leadership Opportunity Program, Ms. Whitney obtained certification by New York State as a Unified Court System Dispute Resolution Mediator, 1994. She also trained and received Alternative Dispute Resolution certificates of study from Professor Lawrence Suskind, Harvard University; Tom Colosi, Vice President, American Arbitration Association; the Environmental Law Institute. Ms. Whitney also trained and received a certificate of study in Foreign Officers Service Training at the U.S. Department of State Foreign Service Institute.

In 1995, Ms. Whitney served on a detail as Special Assistant to Administrator Carol Browner at EPA Headquarters in Washington, D.C.. The Deputy Administrator declared that "the Haudenosaunee Environmental Restoration Strategy serves as a national model for all Indian Nations to design and implement their environmental agreements with USEPA." She earned her first Bronze Medal in 1990 for enforcement of section 304(l) of the Clean Water Act. She earned a second Bronze Medal in 1994, for designing the Regional Environmental Justice Strategy and Implementation Plan for Region II, EPA. Ms. Whitney earned her third Bronze Medal in 2000 for extensive effort, over many years, in the negotiations resulting in the Consent Decree in U.S. v. PREPA, entered on March 16, 1999.

Before coming to work for EPA, Ms. Whitney worked in private law practice in corporate, intellectual property and civil rights law from 1980 to 1990. She was a Professor with Manhattanville College, Pace University in 1982. She earned a Juris Doctorate from the University of Michigan School of Law in 1980 and a B.A. with Honors in Political Science in December 1976 from Harpur College, State University of New York at Binghamton. Ms. Whitney is a member of the New York State Bar and a member of Phi Beta Kappa.

Janice Whitney, Esq. works in her spare time on global environmental projects which relate to the environment, youth and indigenous peoples. Presently working as the Project Director for the Future Vessel global project, a Teacher and Trainer for the Global Youth Environmental Movement and a consultant for NASA's Global Climate Change efforts, Ms. Whitney also speaks to various groups throughout the country about these important issues and projects.

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### ***Haudenosaunee Environmental Restoration Strategy: An Indigenous Strategy for Human Sustainability***

The Earth Summit held in Rio de Janeiro in 1992 may yet turn out to be one of the United Nation's most significant achievements in its 50th Year Anniversary. Agenda 21 is perhaps the most comprehensive statement on the range of human needs to be addressed in all sectors of society and in all corners of the world. Agenda 21 forcefully addresses the problems facing indigenous peoples, and outlines a series of features designed to align their concerns with those of the international community, and give a fuller sense of urgency to their fundamental needs at the national level, as well as to their participation in issues which directly affect them.

In the post-Rio phase moreover, UNEP began exploring the most effective ways it might give meaning to Chapter 26 of Agenda 21, and assist in the work of indigenous peoples. It did this in two ways. First, UNEP created a new extension programme in cooperation with the University of Cambridge called Indigenous Development International (INDI) which allowed a global overview to be developed on the relationships of indigenous peoples to existing nation-states- specifically the political, economic and environmental dimensions. Second, it responded to a specific appeal made by the Haudenosaunee Six Nations Confederacy to assist in the exploration of environmental hazards in their territories with the intent of formulating a strategy for the restoration of native lands. In the process, UNEP encouraged indigenous peoples to identify for themselves critical issues, evaluate these on the basis of available science and research, and formulate a plan of action which UNEP will consider and assist in its implementation.

The leaders of the Haudenosaunee were encouraged to undertake this initiative, and the task force was established by the Confederacy to review the range of environmental hazards which their communities have been exposed and to document as precisely as possible, the sources and nature of these hazards, as well as to design a plan of action for their remediation and the environmental restoration of the territories in question.

The University of Cambridge published the Strategy in 1995. At the United Nations, UNEP sponsored a Summit of the Elders where the plan was considered and the case of the Haudenosaunee given the best possible hearing. The United States government continues its government-to-government relations with the Haudenosaunee to facilitate the implementation of strategies prioritized by the Haudenosaunee. Other nation-states (e.g. Sweden- Sampi) have requested consultation to consider duplicating the Haudenosaunee concepts and strategies of environmental management.