



# Indian Country TODAY

THIS WEEK FROM  
THE PREMIER E-NEWSLETTER SERVING THE NATIONS, CELEBRATING THE PEOPLE

## A Letter from the Publisher

*Shekóli.* United States federal law as it concerns sovereign Indian nations and their citizens, commonly known as federal Indian law or, worse, Indian law, is hard enough to digest and understand for lawyers, let alone lay people. Even so, one can safely assume that pro-Indian lawyers and pro-federal lawyers on both sides of the table are fairly well versed in the legal and practical nuances of the latest rulings, interpretations and implementation of policy at any given time. In other words, in the closed community of practicing attorneys and policy makers, there is a certain level of understanding and expertise that can be brought to light. And then there is the IRS.

As readers of Indian Country Today Media Network know, the actions of the Internal Revenue Service in its approach towards national tribal governments in recent years has been troubling. As Brian Brewer, President of the Oglala Sioux, wrote in our pages a few months ago, “Over the past 10 years, the IRS has had a program to audit Indian tribes on tribal government programs and services, which has resulted in an audit rate three times the national average. That’s wrong, and it violates the United States Constitution, treaties and laws.” Tex Hall, Chairman of the Mandan, Hidatsa and Arikara Nation, similarly called on President Obama and then newly appointed Secretary of the Department of the Interior Sally Jewell to emphasize, “The authority of Indian



nations and tribes over our tribal government programs and services, free from unwarranted intrusion by the IRS.”

Now comes news, in this week’s feature, “Bill Supports Tribal Sovereignty”, that the efforts of various nations and organizations, who have worked on strategies and white papers, could be paying off when it comes to IRS practices. Specifically, Republican California Congressman Devin Nunes has introduced an expansive tax-reform bill, The Tribal General Welfare Exclusion Act of 2013. The bill presses for clarity, education of IRS agents in regards to Indian government tax-exempt status, and a moratorium on further audits and actions until certain benchmarks are met. As careful readers will note, it is heartening to see a bipartisan congressional bill

supporting the fight of Native associations against the impositions of unwarranted federal taxes and IRS audits.

*Na ki wa,*

Ray Halbritter

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### Putting Heat on the Fossil Fuel Industry

*“Summer Heat” is a series of coordinated actions to increase public awareness and criticism of the fossil fuel industry’s role in climate change. According to Dina Gilio-Whitaker (Colville) of the Center for World Indigenous Studies, it’s working:*

In early August, 2,000 to 2,500 climate justice activists in the San Francisco Bay Area marched in solidarity against oil industry mega-giant Chevron on the first anniversary of a massive explosion at its Richmond refinery that sent 15,000 people to area doctors and hos-

pitals. The Richmond protest resulted in 210 planned arrests and the story being picked up by numerous news outlets.

In Idaho, Nez Perce and #Idle No More joined forces with other activist groups to close down Highway 12 to stop a megaloading of tar sands equipment. In Utah, Native and non-Native protesters partnered to disrupt road construction at a proposed tar sands mine in the southeastern region of the state. The action was effective enough to cause the company’s stock price to fall by 50 percent the next business day.

Corporate strategists now consider grassroots activists enough of a threat to devise divide-and-conquer strategies to suppress

them. In a leaked document, groups like Indigenous Environmental Network, Greenpeace and Rainforest Action Network are considered “radicals” to be isolated and discredited through various tactics.

What makes today’s indigenous environmental activism different from the past is its invocation of “free, prior and informed consent” as enshrined in the U.N. Declaration on the Rights of Indigenous Peoples. Indigenous peoples know that this consent is by no means a guaranteed mechanism for protection. But it is one more tool available to them in their struggles to protect endangered places and lives. <http://bit.ly/15dVfG9> ☞

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### Different Peoples but a Common Cause

*With the 50th anniversary of the March on Washington, former professor Steve Russell, Cherokee Nation of Oklahoma notes the historical oppression that both blacks and Natives share:*

After the Civil War enabled the defeat of the Plains Indians, the promise of freedom for African slaves died with Abraham Lincoln and with the neutering of the 14th Amendment by the Supreme Court. The promise of an Indian Territory for the “civilized” Indians died with Oklahoma statehood in 1907. Henry Dawes had passed the General Allotment Act in 1887 to destroy common

landholding among Indians and enable vast tracts of formerly reservation land to be declared “surplus.” The Dawes Act destroyed tribal economies and put Indians who had previously been prosperous back under the economic thumb of white settlers.

This economic raw deal for blacks and Indians continued to be enabled by color prejudice. Indians could often “pass” after three generations of exogamy; blacks remained subject to the “one drop rule.” It was economically convenient for the settlers that one drop of black blood rendered a person black and fit only for manual labor. It was similarly convenient that any intermarriage by Indians rendered the offspring white, and therefore

ineligible for what compensation was offered when Indians were separated from their property. Because of tribal traditions, this never blossomed into a “reverse one drop rule,” but the federal government did what it could by using Indian blood quantum to determine which tribal citizens would “qualify” to sell their allotments.

This was American prosperity: labor stolen from Africans bringing wealth from land stolen from Indians, peoples who were kept at the bottom of the education and economic ladders with the easy metric of color prejudice, and kept from doing anything about it at the ballot box with laws that declared them unfit to vote. <http://bit.ly/13Pdezi> ☞

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### A Cultural Moment for the Owner of a New Cell Phone

*Graphic designer Jeffrey Veregge, Port Gamble S’Klallam, explains how his heritage finally inspired him to join the ranks of cell phone owners:*

I do not own a cell phone. As a registered Native, and like many of you, I have always been considered part of the U.S. minority. But according to a recent poll I am in the extreme techno minority. Ninety-one percent of adults in the US have a cell phone. Ninety-one percent! That means there are little old grandmas

and grandpas sitting at a bingo parlor somewhere who are more adept at mobile tech than this NDN Geek.

It’s not like I am anti-technology or some backwoods survivalist living off of grubs, homemade beef jerky and reading by candlelight. I own three Mac computers, and as a professional marketing designer, I am forced to keep up with all the latest trends that industry creates.

The truth is I never felt compelled to own a cell phone, till this last weekend when I was selling my artistic wares at the In The Spirit Native Arts Festival. I realized that I was missing out on a very

important, useful tool that phones allow. Social media. I could have been tweeting, I could have been posting to my Facebook, I could have had an Instagram account where I could have taken photos with my fans. I lost what could have been an even better day for me businesswise, had I had a phone.

With this realization I have to wonder, how many Native art vendors out there selling at the powwows, the arts festivals, county fairs that like me are missing the boat? Something to think about. This Native Geek, he’s getting a phone. I am not a follower but also don’t like falling behind in the times. <http://bit.ly/19JO9ha> ☞

## White Sturgeon Rebound With Help From Kootenai Tribe of Idaho

BY JACK MCNEEL

White sturgeon, the largest freshwater fish in North America, have traditionally been a source of food and inspiration for the Kootenai Tribe of Idaho. As recently as 1994, however, they were listed as an endangered species. Now, efforts by the Kootenai to coax them back to abundance are bearing fruit.

The centerpiece of the plan is a hatchery constructed in 1991 that recently met all the goals of the 2013 spawning season. During the mid-2000s, the hatchery reared as many as 18 sturgeon families. But its personnel found that the increased density in the tanks caused higher mortality rates. The number of families

was reduced to 12, and the result is a higher survival rate. In addition, the average size at release doubled to the present 55 to 65 grams (30 grams is considered the minimum weight for the fish to have a good chance of survival).

A cyclical maintenance grant from the Bureau of Indian Affairs for Native American hatcheries has provided some recent improvements. These include a spawning room, new vapor barrier, and waterproof paneling in some of the fish buildings. Improvements are planned during the coming months for additional improvements with funding from the Bonneville Power Administration.

And now, a second hatchery several miles north of the present one should be ready in early 2014. "The new hatchery will give us more rearing space to provide a quality fish while improving genetic diversity by being able to spawn more females," hatchery manager Chris Lewandowski said. <http://bit.ly/1f2ErDu> ☞

## Navajo Nation and Justice Department Partner on Border Towns

BY STEPHANIE WOODARD

The Navajo Nation Human Rights Commission has completed a first-of-its-kind memorandum of understanding with the Justice Department to focus on enforcement of tribal members' federal civil rights in border towns that surround the Nation. The commission and the Indian Working Group—a team of attorneys within the Justice Department's Civil Rights Division—will share information and forward documented incidents in the towns to the proper authorities, said the commission's executive director, Leonard Gorman.

The border towns are located in four states:

Arizona, New Mexico, Colorado and Utah.

The agreement was spurred in part by a 2010 report that found rampant hostility toward Navajos in border towns. Witnesses reported unfair and hazardous employment practices, insensitive schools, denial of public services, predatory businesses, criminalization of spiritual traditions, tragic land losses and police brutality. Threaded through the grievances is a horrific litany of uninvestigated beatings and killings of Navajos. The report concludes, "The human rights of the Navajo People will no longer be an impediment to change, but the impetus for change around us."

"It's an example of self-determination and an aspect of our nation-to-nation relationship with the federal government," said Gorman of the memorandum of understanding. "The Navajo Nation intends to look out for its people in the border towns, and this is a medium for that."

<http://bit.ly/173f69T> ☞

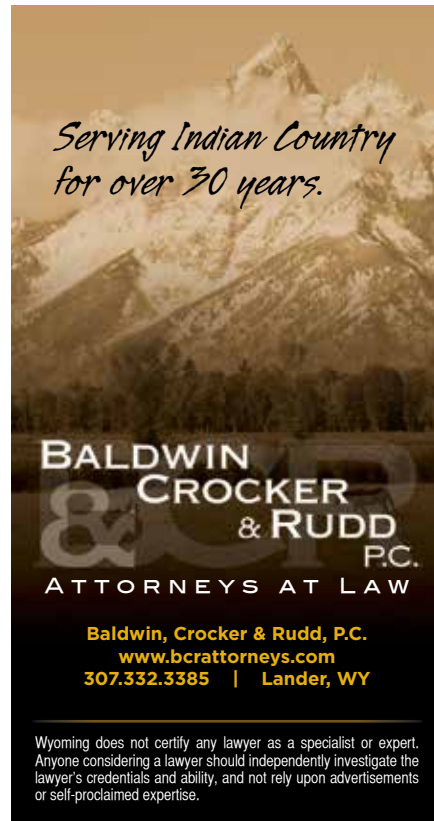
## Opponents Speak Up Against Mine Testing in Vermont

BY MARY ANNETTE PEMBER

More than 100 people voiced their opposition at a public meeting on August 15 in Hurley, Wisconsin to the Gogebic Taconite (GTAC) mining company's plan to conduct

bulk sampling of 4,000 tons of rock in the Penokee Hills in preparation for their proposed open pit iron ore mine. Although GTAC officials say the sampling process may not involve blasting, the Wisconsin Department of Natural Resources, which conducted the meeting, has not yet granted GTAC permission to go forward.

Bad River Ojibwe tribal officials did not attend the hearing. But tribal chairman Mike



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Wiggins Jr. said that the tribe is pursuing a holistic opposition strategy that includes citizen activism, harvest camps, science and federal litigation. "We do stand by our assertion that the mining law is scientifically dishonest and that the Wisconsin mining law is unjust," he said.

Ann Coakley, director of metallic mining for the Wisconsin Department of Natural Resources, said that her office needs more information before granting the bulk-sampling permit. Opponents are concerned that the process would release asbestos into the environment.

"G-Tac has submitted no plans on how to control dust from the bulk sampling process," Elizabeth Wheeler, staff attorney for Clean Wisconsin told WKOW. "They also did not specify the extent the adverse impacts to the scenic or recreational areas."

Wiggins added, "GTAC's bulk sampling plan fails to meet the standard set forth in Wisconsin Statute Section 295.45 and is likely to endanger the environment and public health and safety if it is allowed to execute its plan." <http://bit.ly/1arY1LU> ☞

## Vote Coming on New Casino for Massachusetts

Voters in West Springfield will vote on September 10 on whether Hard Rock International can stay in the fight to win a Western Massachusetts gaming license, reported [masslive.com](http://masslive.com). The Florida-based Seminole Tribe's gaming powerhouse has proposed an \$800 million casino resort to occupy 38 acres of the Eastern States Exposition, site of the 17-day "Big E" fair, billed as "New England's Great State Fair," the sixth largest agricultural fair in the country.

Eugene Cassidy, president and CEO of the Eastern States Exposition, said the relationship with Hard Rock International is "a match made in heaven." The project will help "preserve the past and ensure the future" of the fairgrounds, which will celebrate its 100th anniversary in 2016, he said.

The vote will determine if Hard Rock can continue to compete for the lone Western Massachusetts license with the Mohegan Sun and MGM Resorts International. In late April, Penn National Gaming of Wyomissing, Pennsylvania, lost its more than \$800 million bid to build a casino in Springfield to MGM Resorts, as determined by Springfield officials, reported [readingeagle.com](http://readingeagle.com).

Hard Rock's proposal includes 100,000 square feet of gaming space, 2,500 slot machines and 100 table games, a tropical pool, meeting space, retail, restaurants and a 7,000-space parking lot. As part of the project, the current outside concert area at the Big E would be renovated and updated.

Hard Rock has also promised to invest \$35 million in traffic improvements, including a new interchange on Route 5 to provide a new entrance and exit from the casino, plus significant upgrades to Memorial Avenue, the main road to the fairgrounds.

<http://bit.ly/16cE586> 📍

## Tribes Open Commercial Fishery and Sell Directly to Public

Starting on August 19, fishers from the Nez Perce, Umatilla, Warm Springs and Yakama tribes began dropping their gill nets in the Columbia River to catch salmon, steelhead and coho for sale directly to the public. Sales should last into October, with peak abundance from just before Labor Day through mid-September.

During the 2013 fall commercial season, this first gill net fishery will be able to harvest up to 200,000 fish or an estimated 2.5 million pounds of salmon. Fisheries biologists estimate that the 2013 fall chinook return will be well above average, with 677,900 fall chinook entering the Columbia and over 575,000 destined for areas upstream of the Bonneville Dam. Fishery managers also predict a record return of wild Snake River fall chinook and over 130,000 coho. During the harvest, managers actively monitor the

returns so they can adjust the harvest levels as needed to keep the fisheries within strict harvest limits established under the *U.S. v. Oregon* fisheries management agreement.

"Many of the salmon returning to the Columbia River are the direct result of tribal restoration efforts, joint state and tribal programs and several tribal and federal partnerships that are increasing the abundance of salmon in riparian areas," said Paul Lumley, executive director for the Columbia River Inter-Tribal Fish Commission.

The tribal fishery offers an ample supply of fish for the public through over-the-bank sales. Common sales locations include Marine Park in Cascade Locks, Lone Pine in The Dalles, North Bonneville (one mile east of Bonneville Dam) and Columbia Point in Washington's Tri-Cities area.

<http://bit.ly/14Wi97I> 📍

## Seeping Alberta Oil Sands Spill Covers 40 Hectares

Bitumen from four underground oil spills has been quietly seeping into wetlands and soils in the oil sands in northern Alberta for at least three months if not longer. The total leakage is at least 1.2 million liters or about 317,000 gallons, the Alberta Energy Regulator, a provincial agency, said in an August 16 update.

The spills at Canadian Natural Resources' Primrose facility first came to light in mid-July, but they had been ongoing for weeks, and one may even date back to last winter, the *Toronto Star* reported. Documents brought to light by the *Star* show that 26,000 barrels of bitumen combined with surface water had been removed between May, when cleanup began, and mid-July, when

the spills came to light via a television station.

The operator, Canadian Natural Resources Limited, said on July 31 that "reclamation activities are well underway" and that "the bitumen emulsion does not pose a risk to health or human safety." But nearby Cold Lake First Nation, whose residents are Dene, disagreed strongly with that assessment.

"We are extremely alarmed with the environmental damage," said Cold Lake First Nation Chief Bernice Martial in a statement on August 7. "We are now demanding answers and want factual information on the contamination of four recent surface releases of bitumen emulsion from oil wells."

<http://bit.ly/14ZqHIf> 📍

## Veterans Group Has First Summit

*Support and services are emphasized*

The Native American Veterans Association hosted over 100 attendees at its first annual Veterans Summit at the Hilton Executive Meeting Center in Long Beach, California on August 8. Created in 2001, the group offers support and services to tribal and non-tribal veterans and their relatives, emphasizing readjustment, families and relationships, education and training and mental health and wellness. “They need to be welcomed home and feel welcome,” said co-founder William Givens of the Employment Development Department, who pronounced the gathering a success. “That’s where the greatest need is.” <http://bit.ly/16XaPVp> ☞

## Oregon Says ‘No’ to Mascots

*Governor vetoes discretionary use*

Oregon Governor John Kitzhaber vetoed a bill on August 16 that would have permitted the use of Native American mascots and team names in schools throughout the state if a nearby federally recognized tribe approved. The veto continues a process begun in 2012, when the Oregon Board of Education declared that no Native American mascot or name can be used as of 2017. That ban also orders schools in the state with murals of Native Americans or the like to remove them before then. Governor Kitzhaber said he will revisit the mascot issue in the 2014 legislative year. <http://bit.ly/17EG3RI> ☞

## The Pitfalls of Affordable Care

*Navajo need better system, Shelly says*

The Navajo people may be ill served by the Affordable Care Act and the health insurance exchanges that it creates, said Navajo Nation President Ben Shelly on August 22. “The federal and state governments need to make their exchanges easier to understand and follow,” he told the Affordable Care Act Summit at Twin Arrows Navajo Casino Resort in Arizona. The Act states that eligible people have to enroll in a health insurance exchange by January 1, 2014. But not all states will have exchanges like Arizona, and some portions of Utah are not planning on exchanges or marketplaces. “I’m afraid the health insurance exchange will divide our Navajo people into three different systems—federal, federal-state, or state health insurance exchange, depending on where one lives,” Shelly said. <http://bit.ly/1daGvwK> ☞

## Morongo Band Bets on Burgers

*An In-N-Out outlet will adjoin casino*

The Morongo Band of Mission Indians broke ground on August 15 on the first In-N-Out Burger restaurant in Indian country, to be located next to its expanding Morongo Casino Resort & Spa in Cabazon, California, Patch.com reported. “We are delighted that In-N-Out Burger has chosen the Morongo Indian Reservation as the home for its first restaurant ever on tribal land,” said Chairman Robert Martin. “Given the

current economic environment, Morongo is happy to be developing a new project that will not only bring new business activity and jobs to our region but will also generate future economic development opportunities.” The opening is set for early next year. <http://bit.ly/1f2vaeK> ☞

## Oneida Police Mark 20 Years

*A celebration of community role*

The Oneida Indian Nation Police Department (OINPD) joined with Nation leaders and federal, state and local law enforcement officials at the department command center in Canastota, New York on August 15 to recognize two decades of departmental excellence. “Since its creation 20 years ago, the Oneida Indian Nation Police Department has become one of the most highly decorated, professional and experienced law enforcement agencies in the region,” said Oneida Indian Nation Representative Ray Halbritter. “We are grateful to those who have served and continue to serve in the OINPD for the critical role they have played in making the Oneida Homelands and our community a safe place to work, live and visit.” <http://bit.ly/1d2uydi> ☞

## Sweetgrass Will Still Host Tour

*Hannahville Community also increases purse*

Sweetgrass Golf Club at the Island Resort & Casino has renewed a three-year contract with the LPGA Symetra Tour-Road to the LPGA, extending the annual pro-

fessional golf tournament in Michigan through 2016. The Hannahville Indian Community tribal council has confirmed the decision and increased the total purse by \$10,000, to \$125,000 annually. “The event puts a spotlight on the beauty and uniqueness of the course which many players regard as the best stop on the circuit,” said Tribal Council Chair Ken Mesigaud. “Having a professional golf tournament in the region brings excitement to the community and the response from volunteers and sponsors has been overwhelming.” <http://bit.ly/186hdZz> ☞

## Senecas Pursuing Third Casino

*Off-reservation venue to be near Rochester*

The Seneca Nation of Indians is exploring plans for a third off-reservation casino in New York State. Seneca Gaming Corporation has partnered with Flaum Rochester, LLC, to organize and coordinate development in Henrietta, near Rochester, New York’s third most populous city. Currently, the tribe operates two off-reservation casinos in Buffalo and Niagara Falls and on its reservation in Salamanca. Because the Seneca Nation’s recently resolved gaming dispute with Gov. Andrew Cuomo did not include another off-reservation casino, the tribe’s gaming compact may have to be amended. Its exclusivity rights include Rochester and Ontario County; Henrietta falls within the boundaries, reported [salamancaappress.com. http://bit.ly/1d6auHd](http://bit.ly/1d6auHd) ☞

# Keystone Report Eyed

State Department investigating possible conflict of interest

**Bottom Line:** Environmentalists were suspicious when the State Department said that the Keystone XL pipeline would not adversely contribute to carbon emissions. Now it turns out they may have had good reason.

A critical State Department environmental assessment of the Keystone XL pipeline project has come under scrutiny following charges that consultants who drafted the report have ties to TransCanada, the company that is building the controversial project.

The State Department's internal watchdog, the Office of the Inspector General, is now "looking into allegations of improper ties and incomplete disclosures," the online environmental magazine *Grist* reported earlier this month.

The current controversy began almost as soon as the State Department issued the report, officially known as a "draft supplemental environmental impact statement," in March. The 2,000-page document found that the 1,700-mile-long, \$7 billion pipeline project would have a negligible potential effect on both job creation and climate change. Numerous environmental and tribal groups vigorously disagreed, arguing that the extraction of oil from Canada's tar sands and its conveyance through several states to refineries in Texas would lead to increased greenhouse gas emissions.

But the same month that the report was released, *Mother Jones* magazine cited documents showing that Environmental Resources Management (ERM), the consulting firm that conducted the bulk of the analysis, had at one point

worked with TransCanada.

While legal experts said that this relationship does not in itself denote wrongdoing, ERM apparently tried to hide this potentially embarrassing disclosure.

"On the day the State Department published the Keystone impact report, the agency also released a cache of documents that ERM submitted in 2012 to win the contract to produce the Key-

stone environmental report," *Mother Jones* wrote. "That cache included a 55-page filing in which ERM stated it had no conflicts of interests writing the Keystone report. But there was something strange about ERM's conflict-of-interest filing: The bios for the ERM's experts were redacted."

The unedited versions of these documents, *Mother Jones* determined, "confirm that three experts working for an outside contractor had done consulting work for TransCanada and other oil companies with a stake in the Keystone's approval."

According to *Mother Jones*, Andrew Bielakowski, second in command at ERM, worked as an outside consultant on three pipeline projects for TransCanada over seven years. In addition he has

consulted for oil companies, including ExxonMobil, BP and ConocoPhillips, that stand to benefit if Keystone XL is approved. The documents may not meet the legal criteria to constitute a conflict of interest, said Pat Parenteau, a professor at Vermont Law School who specializes in energy and the environment. He told the *Christian Science Monitor* that there would need to be more evidence that ERM would benefit from TransCanada in the future.

"There is a tension there between an overly strict conflict of interest rule that would disqualify the most qualified people for a job and one that's so loose a contractor is bending information in favor of the project," Parenteau said.

Nevertheless, the disclosures have fueled opposition to the pipeline. On August 12, about 200 protesters organized by CREDO, the Rain-

forest Action Network and the Other 98% under the banner "NoKXXL" staged a sit-in outside the State Department building to call on Obama to reject the project once and for all.

"The president has said that he's going to decide Keystone based on its overall impact on the climate in terms of carbon emissions," Ross Hammond of the environmental group Friends of the Earth told the *Christian Science Monitor*. "The report on which he's going to base that decision is tainted—I think irrefutably tainted."

ERM has not responded to the allegations and has referred inquiries to the State Department. President Barack Obama has remained noncommittal about the Keystone project as he mulls a final decision. <http://bit.ly/14H23rE>



Activists opposed to the Keystone XL pipeline staged a protest at the State Department on August 12.

# Lenders Not a Target

But tribes see federal-state disconnect **BY JANE DAUGHERTY**

**Bottom Line:** *The federal government has pledged that it is not out to destroy tribally owned online lenders. So why has New York State told them to cease and desist?*

Tribal online loan businesses are not being illegally targeted as part of the federal government's crackdown on financial fraud, the Justice Department assured tribal officials last week.

The recent activities of the Justice Department's Financial Fraud Task Force are "not directed at tribal entities' short-term lending businesses," eight tribal leaders were told at an August 21 meeting with Deputy Assistant Attorney General Maame Ewusi-Mensah Frimpong. Attendees included John Shotton, chairman of the Otoe-Missouria Tribe and chairman of the Native American Financial Services Association (NAFSA).

"We were pleased to hear from you today that your actions are not directed at our tribal government short-term lending businesses," Shotton wrote to the Justice Department in a letter posted to the NAFAS web site on August 22. "In particular, it was a relief to hear Deputy Assistant Attorney General Frimpong make the statement that, 'It didn't occur to me that we should consult with tribes in advance because we are going after fraud. Never have we focused on tribal payday or payday. We go after financial fraud, so we are not going after you.'"

But on the same day that Frimpong met with the leaders, the NAFSA sued the state of New York for trying to shut down tribally owned online lending companies. That action was initiated by former federal prosecutor Benjamin Lawskey, the new czar of the state's Department of Financial Services, who on August 6 ordered

at least 16 tribal entities to stop making loans to New York state residents. His letter went out to 35 lenders and 112 banks that help process the loans.

Some tribal officials believe that Washington's recent activity may have inspired New York's cease and desist order. "Defendant Lawskey and the State of New York have overstepped their bounds with their illegal attacks on our tribes," said NAFSA executive officer Barry Brandon.

The issue is considered most urgent be-


businesses, is considered a matter of sovereign immunity, which recognizes the tribes as sovereign nations within the U.S. with complete control over their lands, businesses, laws and governance. Sovereign immunity was guaranteed in numerous treaties with the U.S. government in exchange for the surrender of vast tracts of Indian land and natural resources. Such immunity, first expressed in Article I, section 8 of the Constitution, has repeatedly been upheld in the Supreme Court and numerous states.

In 2012 in Colorado, for example, tribal rights to operate online lending businesses under circumstances very similar to those in New York were upheld. In *State of Colorado v. Cash Advance and Preferred Cash Loans*, the defendants were ultimately recognized as "arms" of congressionally acknowledged tribes, with attendant tribal sovereign immunity.

"The states have no authority to regulate these tribes in a way that limits their sovereign rights," David Bernick a lawyer with

Boies Schiller & Flexner LLP, which represents the tribes in their suit against New York, told *The Wall Street Journal*. "This is a bedrock principle of law."

Lawskey's cease and desist order against online lenders has already resulted in the layoffs of 300 workers in Tennessee who worked for online lenders. Brandon said that several other online lenders may close because of Lawskey's order to banks to stop acting as clearing houses for such loans.

"We wrote a letter to Lawskey with our concern about his actions, requesting a meeting," Brandon said in a telephone press conference on August 22. "We received no response from him." <http://bit.ly/17Qgay0> 

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*For some tribes, online lending businesses fund as much as a quarter of the government's operational budget—money that they can ill afford to lose.*

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cause a government crackdown on tribal lending companies would produce devastating cuts in education, health care and housing on Indian lands. Income generated by the tribal online lenders generates millions of dollars of income used to fund those core services, all of which have sustained huge cutbacks from the sequestration of the federal budget.

Brandon said that for some tribes, online lending businesses fund as much as a quarter of the government's operational budgets—money they can ill afford to lose for schools, health care and housing in economically depressed Indian communities.

Legally speaking the business of online lending, like all tribally owned

# Casino Foes Invoke *Carcieri*

Federal jurisdiction at issue BY TANYA LEE

**Bottom Line:** *The Mashpee Wampanoag Tribe's efforts to build a casino resort are being challenged by those who are using the Carcieri decision to argue that it is not under federal jurisdiction and thus ineligible for land taken into trust.*

Opponents of the Mashpee Wampanoag Tribe's proposed resort casino in Taunton, Massachusetts have latched onto the Supreme Court's 2009 *Carcieri* decision as a means of derailing the project.

The opposition group Preserving Taunton's Future announced in July that the Bureau of Indian Affairs had said it would consider documents purporting to show the tribe was not under federal jurisdiction in 1934. In *Carcieri v. Salazar*, the Supreme Court ruled that the BIA could not take land into trust for a tribe unless it was under federal jurisdiction in that year, when the Indian Reorganization Act (IRA) was passed.

The Mashpee Wampanoag Tribe, which won federal recognition in 2007, has applied to the BIA to take into trust land in Taunton and Mashpee, with the 170-acre Taunton property slated for the casino project.

Massachusetts attorney Adam M. Bond sent the BIA a copy of an 1899 letter from the Indian Affairs Commissioner saying tribes in the original 13 colonies were under state jurisdiction because "no treaties or agreements were ever made with them by the general government, nor has it ever exercised supervision or control over them. ... Their political status is unknown, but it is presumed that they are citizens and subject to the laws of the several States in which they reside." Bond further noted that the Mashpee Tribe was not on the Interior Department's 1939 list of tribes under federal jurisdiction.

The Mashpee Wampanoag Tribe dis-

agrees. Three months after it filed its land-into-trust application on June 5, 2012, it submitted to the BIA a "*Carcieri* Memorandum" to "demonstrate that the Tribe has been continuously under federal jurisdiction since 1789, including 1934, and thus, within the first category of Indians for whom the Secretary has authority to accept land into trust." Part IV of the report "demonstrates that the Tribe also was in occupation of a constructive

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*"A tribe's relationship with the state does not preclude federal jurisdiction."*

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reservation in 1934 and, as a result, within the second category of eligible Indians under the IRA."

The now-landless tribe based its assertions on its "functional treaty relations with Great Britain, which reserved specific Tribal rights. Upon the United States' accession to sovereignty in the place of Great Britain, the United States succeeded to Great Britain's obligations under the Mashpee treaty," thus putting the tribe under federal jurisdiction. The memo also said that "the tribe has continuously exercised aboriginal fishing rights to ceded lands." And the federal government has in fact exercised supervision of the tribe—for example, considering and then deciding not to remove the tribe from its aboriginal homeland in the 1830s.

Arlinda Locklear, Lumbee, one of the attorneys for the Mashpee Wampanoag Tribe, said that the tribe has responded in great detail to these *Carcieri* challenges. The claim, she says, that the tribe was not under federal jurisdiction in 1934 is wrong in law, history and fact. For example, she argued, the tribe should have been deemed under federal jurisdiction because the government in the past exercised a supervisory role. Once federal jurisdiction is established, only Congress can extinguish it, she said.

Another argument put forward by opponents is that because the tribe went to the state with some concerns in the past, it was under state jurisdiction. "There is nothing that says federal jurisdiction must be exclusive," said Locklear. "A tribe's relationship with the state does not preclude federal jurisdiction." No documentation or arguments submitted against the tribe's land-into-trust application are sufficient to say the application must fail, she said.

What might be one of the most compelling arguments in the tribe's favor is Justice Stephen G. Breyer's statement in his concurring opinion in *Carcieri*. In explaining why the court's finding that "now" in the IRA meant "in 1934" was possibly not as restrictive as it might at first seem, Breyer wrote: "[A] tribe may have been 'under Federal jurisdiction' in 1934 even though the Federal Government did not believe so at the time. We know, for example, that following the Indian Reorganization Act's enactment, the Department compiled a list of 258 tribes covered by the Act; and we also know that it wrongly left certain tribes off the list."

"Oftentimes tribes were under federal jurisdiction even though the BIA was unaware of it," Locklear observed. <http://bit.ly/16goTwy> 





*A rendering of the First Light Resort & Casino, the latest project of the Mashpee Wampanoag Tribe.*



*Celebrating the conclusion of a 380-mile canoe journey from Onondaga Territory in upstate New York to Manhattan on August 9.*



*A geodesic dome, part of a state-of-the-art lab and field station at the Consolidated Tribes of the Umatilla Reservation that opened last fall.*



*These young white sturgeon were nurtured by the Kootenai Tribe of Idaho, which has rescued the species from the brink of extinction.*

PHOTOS BY: MASHPEE WAMPANOAG TRIBE; SKARUJANEWAH LOGAN; COURTESY CONFEDERATED TRIBES OF UMATILLA RESERVATION; JACK MCNEEL

# Bill Supports Tribal Sovereignty

Tax exempt status defended BY GALE COUREY TOENSING

**Bottom Line:** *Native associations that are fighting back against unwarranted federal income taxes and IRS audits now have additional ammunition in the form of a bipartisan congressional bill that opposes such measures.*

Republican California congressman Devin Nunes has introduced a far-reaching tax reform bill clarifying that sovereign tribal nations are tax-exempt entities.

Introduced on August 2, the Tribal General Welfare Exclusion Act of 2013 (H.R. 3043) would prevent the Internal Revenue Service from imposing federal income taxes on benefits that tribal members receive from a wide range of tribal government programs and services. These include education scholarships, funds to attend and participate in cultural events, housing benefits and bereavement stipends. In addition, the bill would put an end to IRS agents showing up unannounced on reservations to conduct audits of tribal governments' expenditures that have not been, and should not be, subject to taxation.

"By excessively taxing critical programs and services provided by American Indian tribes to their members, the IRS is discouraging the tribes' self-reliance and fostering dependence on the federal government," Nunes told Indian Country Today Media Network in an email. "This bill will rectify the situation by allowing tribes more leeway to administer programs at an effective, local level."

The bill is being introduced as tribal leaders and organizations have pushed Congress to codify and broaden the General Welfare Exclusion as it applies to Indian tribes through an amendment to the Internal Revenue Code. Over the past year, the National Indian Gaming

Association, the United South and Eastern Tribes, the Native American Finance Officers Association and the National Congress of American Indians, among others, have produced "white papers" on tax reform proposals.

At the National Congress of American Indians' mid-year conference in June, the various proposals came together in a resolution titled "Support for Legislation to Amend the Internal Revenue Code to Respect the Sovereignty of Indian Nations to Govern and Promote the General Welfare of Tribal Citizens and to Protect Our Homelands." The resolution affirmed the constitutional recognition of Indian nations as sovereign entities with rights of self-determination and self-government over tribal citizens, and tribal territory and tribal nation citizens as "Indians not taxed."

Nunes' bill excludes most tribal government programs and services from federal income taxation. It requires the Secretary of the Treasury Department to develop a mandatory education and training program for IRS field agents to learn about federal Indian law and the unique federal treaty and trust obligations. IRS examinations and audits will be suspended until the IRS is adequately trained.

The bill further defines "Indian general welfare benefits" as "any payment made or services provided" by a tribal government to tribal citizens (or any spouse or dependent) under a tribal program with "specified guideline." The benefits must be available to any tribal member that meets the guidelines, must promote the general welfare, and cannot be "lavish or extravagant," the bill says.


The bill also mandates that ceremonial activities, items of cultural significance, reimbursement of costs and cash honoraria for participation in cultural or cer-

emonial activities for the transmission of tribal culture will not be subject to federal income tax. It does not, however, address per capita payments. Therefore, such payments made pursuant to the Indian Gaming Regulatory Act will continue to be subject to taxation.

Any ambiguities in the new law would be resolved in favor of tribal governments, and deference would be given to tribal government decisions to promote the general welfare of Indian communities. The bill authorizes the Secretary of the Treasury to waive penalties and interest imposed on tribal general welfare payments under past policies and practices of the IRS.

The bill has broad bipartisan support, with 14 original co-sponsors. They are Lynn Jenkins (R-Kansas), Ron Kind (D-Wisconsin), Jim Gerlach (R-Pennsylvania), Dave Reichart (R-Washington), Charles Boustany (R-Louisiana), Tom Cole (R-Oklahoma), Gwen Moore (D-Wisconsin), Suzan DelBene (D-Washington), Tony Cardenas (D-California), Derek Kilmer (D-Washington), David Valadao (R-California), Betty McCollum (D-Minnesota), Markwayne Mullin (R-Oklahoma) and Paul Gosar (R-Arizona).

The National Indian Gaming Association has urged its members to support Nunes' proposal with letters to their congressional representatives. The bill "answer[s] the call of tribal leaders," chairman Ernie Stevens Jr. said in an August 13 regulatory alert email blast to the association's members.

"The bill also includes a number of provisions that provide deference to local tribal government decision-making authority and generally fosters the policy supporting Indian self-determination and respect for tribal culture," Stevens added. <http://bit.ly/1bNd1C4> 

## UMONHON NATIONAL PUBLIC SCHOOLS ELEMENTARY TEACHER

Umonhon Nation Public Schools has an immediate opening for an Elementary Teacher with Nebraska certification to teach in a self-contained 5th grade classroom. Knowledge and use of APL, comprehensive lesson planning, use of technology and effective classroom management skills a must.

Umonhon Nation is located in Macy, NE which is 70 miles north of Omaha or 30 miles south of South Sioux City. A K-12 Nebraska public school serving almost 100% Native American students from the Omaha Reservation. Great facilities, \$34,600 base, new curriculum materials, infusion of technology, and high expectations for improvement of assessment scores. Seeking applicants who will put in the time and effort necessary to meet the needs of our students and school system. Position open until filled. We are an equal opportunity employer.

### Contact Information:

Tom Carlstrom, Superintendent of Schools  
Umonhon Nation Public School  
Box 280  
Macy, NE 68039  
402.837.5622  
tcarlstrom@esu1.org



## Associate Dean and Director

MSU College of Agriculture &  
MT Ag Experiment Station

The Associate Dean and Director serves as the Department Head for Research Centers, and will assist the Dean and Director with on-campus responsibilities.

For complete job announcement and application procedures, please visit:

<http://www.montana.edu/jobs/faculty/14-053>.

Montana State University is an AA/ADA/EEO/Vet Pref Employer.

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## REQUEST FOR PROPOSALS (RFP) GOVERNMENT AUDITING SERVICES IN ACCORDANCE WITH NAHASDA-HUD REQUIREMENTS FOR THE ALABAMA-COUSHATTA INDIAN HOUSING AUTHORITY

The Alabama-Coushatta Indian Housing Authority (ACIHA) is seeking proposals for Government Auditing Services for the fiscal year ending June 30, 2013. The scope of the work will consist of a single audit of a non-Federal entity that expends a total amount of Federal awards equal to or in excess of \$500,000 in any fiscal year, in accordance with the Native American Housing Assistance and Self Determination Act (NAHASDA), the Single Audit Act, and OMB Circular No. A-133. The proposal should specify that the audit would contain supplements covering the program years of all ACIHA funding sources which supplements shall be subjected to the same auditing procedures as the general purpose financial statements. The proposal shall be a fee estimate, and shall be inclusive of follow-up work for one year following the issuance of a report including communications with Federal and State officials and Tribal government officials and employees concerning audit and related matter. The completed work shall comply with the Single Audit Act Requirements. The auditors will be required to issue the final audit reports no later than March 15, 2014. Compliance reporting utilizing GASB-34 Standards will be required.

THE ACIHA receives NAHASDA [25 U.S.C. § 4101] funds and that statute and regulations of the Indian Housing Block Grant (IHBG) at 24 C.F.R. § 1000 et seq. apply. The ACIHA Board of Commissioners has been delegated the authority to oversee the management and operations of the ACIHA.

**Indian Preference** – The work to be performed under this contract is subject to Section 7(b) of The Indian Self Determination and Education Assistance Act (25 U.S.C. § 450 (e)). Section 7(b) requires to the greatest extent feasible:

1. Preference and opportunity for training employment shall be given to American Indians and Alaska Natives,
2. Preference in the award of contracts and subcontracts shall be given to American Indian/Alaskan Native-owned enterprises.

**Other Requirements** – The following additional requirements and statutes apply to the work to be performed under this contract:

3. Age Discrimination in Employment Act, pursuant to 24 C.F.R. § 1000.12(a).
4. Rehabilitation Act, pursuant to 24 C.F.R. § 1000.12(b).
5. Other federal statutes and regulations as applicable.

**Selection Criteria** – Selection is by competitive proposals in accordance with 24 C.F.R. § 85.36(D)(3) and ACIHA procurement policies and standards to determine the responsible firm whose proposal is most advantageous to the ACIHA. The selections process will consist of ACIHA evaluation and ranking of each proposal based on the criteria per the in-house review of the firm's proposal. The ACIHA reserves the right to reject any and all proposals, to waive any informalities or irregularities and to make an award that is in the best interest of the ACIHA. Please contact ACIHA Executive Director, Roland Poncho, TCRponcho@actribe.org or Accountant Daniel Renfro at drenfro@actribe.org or call 936-563-1130. All proposals shall be hand delivered to the front desk of the Alabama-Coushatta Indian Housing Authority, by which instance, the deliverer shall be handed a written receipt of such proposal. Proposals sent by mail shall be sent registered mail with a return receipt requested to the following address: Alabama-Coushatta Indian Housing Authority; 657 State Park Road 56; Livingston, Texas 77351; ATTN: ACIHA Audit. Proposals will be accepted until September 30, 2013.

# Headlines from the Web

## TRIBAL EXPULSION BACK ON TRACK FOR 300 NOOKSACKS

<http://bit.ly/1f5eqUg>

## NATIVE CANADIAN WOMEN SOLD ON U.S. SHIPS, RESEARCHER SAYS

<http://bit.ly/1d8tMKU>

## COURT WITHDRAWS RULING IN INDIAN STATUS CASE

<http://bit.ly/176VGTs>

## COMPETITORS CHALLENGE SOUTH DAKOTA FOR GAMBLERS

<http://bit.ly/1dwSkfv>

## BUDGET CUTS HURT OMAHA TRIBE EARLY HEAD START PROGRAM

<http://bit.ly/14n5vfF>

## US JUDGE CLEARS WAY FOR NEV. TRIBE'S MUSTANG SALE

<http://bit.ly/1awezm2>

## Upcoming Events

### LAND ACQUISITIONS: APPEALS OF LAND ACQUISITION

#### DECISIONS SEPTEMBER 3

Deadline for comments to reopen comment period for proposed Bureau of Indian Affairs rule "Land Acquisitions 25 CFR 151," pertaining to revisions of a section of regulations governing decisions by the Secretary of the Interior to approve or deny applications to acquire land in trust.

Contact: [consultation@bia.gov](mailto:consultation@bia.gov)

### MEDICARE, MEDICAID AND HEALTH REFORM POLICY COMMITTEE

#### CONFERENCE CALL SEPTEMBER 4

A monthly service offered by a standing committee of the National Indian Health Board.

Contact: Liz Heintzman, [lheintzman@nihb.org](mailto:lheintzman@nihb.org)

### SEVENTEENTH ANNUAL UNITED TRIBES LEADERS

#### SUMMIT SEPTEMBER 4-6

"United, Tribal Nations Pursuing the Vision of Tomorrow" will offer major sessions about energy, education, public safety, health care, economic development, the environment and housing. Briefings and updates will cover gaming, taxation, emergency management, veterans services, the budget, NCAI initiatives and the Violence Against Women Act.

Location: Bismarck Civic Center Exhibit Hall, Bismarck, North Dakota

### SECOND ANNUAL NATIVE AMERICAN HOUSING CONFERENCE

#### SEPTEMBER 9-10

Attendees will network with tribal leaders and housing professionals who share the common goal of bringing afford-

able housing to Indian Country. Panels and round-table discussions will feature top experts in the housing field on topics such as financing, tax credits, green building and case studies.

Location: Morongo Casino Resort & Spa, Cabazon, California

### FALL FINANCE & TRIBAL ECONOMIES CONFERENCE SEPTEMBER 9-10

This year's focus on "Expanding Horizons" will offer tribal leaders, finance professionals, and policy makers looking for the opportunity to discuss solutions to challenges in the tribal finance community, tax reform, accounting updates, and economic diversification. Leading industry experts and tribal leaders will share strategies for financial success.

Location: Sheraton Seattle Downtown, Seattle, Washington

## LETTERS TO THE EDITOR

Regarding your report that the Oglala Sioux Tribe of the Pine Ridge Reservation have voted to overturn their ban on alcohol (August 16): OST President Brewer has big problem to deal with and I don't envy him.

I worked in a hospital Emergency

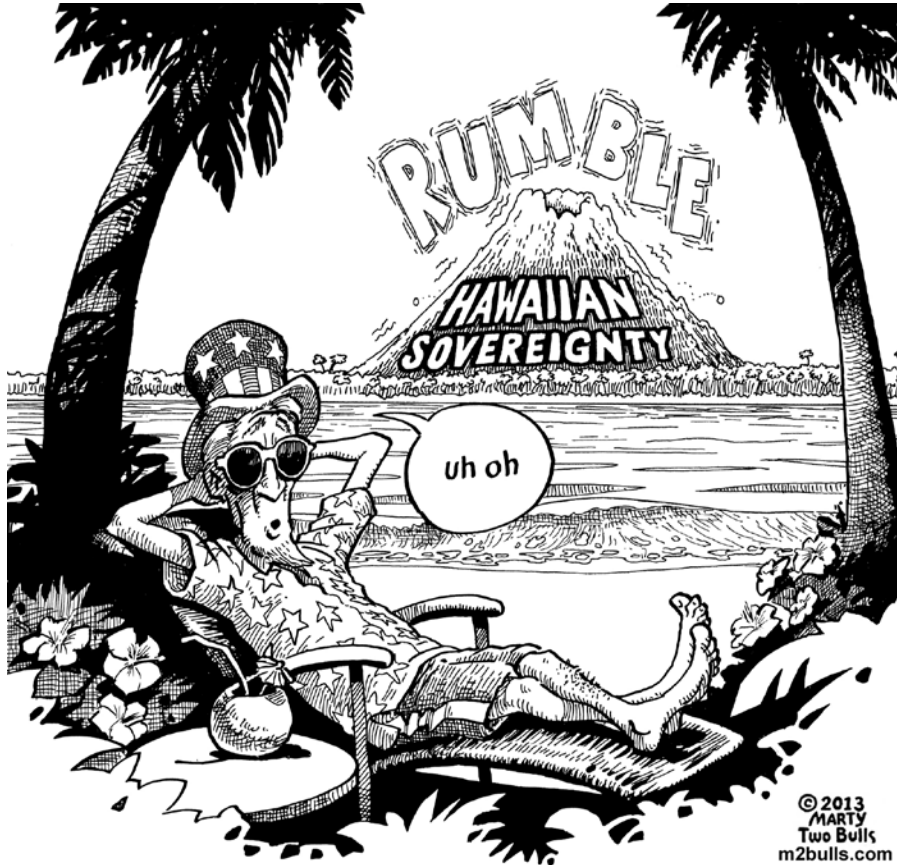
Room for ten years and the worst things I ever saw were nearly all related to alcohol. There is nothing like alcohol to turn a family gathering into a drunken brawl, or spouse abuse, or child neglect, or assault and battery, or rape.

I can't see how allowing alcohol on

the Rez will help anyone in the long run, but it's not like no one can get alcohol if they want it.

—Michael Madrid  
Las Cruces, New Mexico

Let us know what you think. To have your letter to the editor considered for publication, please email us at [editor@ictmn.com](mailto:editor@ictmn.com)



## TOP NEWS ALERTS

From [IndianCountryTodayMediaNetwork.com](http://IndianCountryTodayMediaNetwork.com)

### CANOE JOURNEY ENDS TRIUMPHANTLY

On August 9, over 100 paddlers in canoes completed a 380-mile journey from Onondaga Territory in upstate New York down the Hudson River to Pier 96 in Manhattan on the morning. On hand with the cheering crowd of about 500 was Robert de Vos, consul-general for the Netherlands, who smoked tobacco with Jake Edwards, an Onondaga Nation chief who helped organize the trip, to symbolize a renewal of the Two Row Treaty.

### SLATE.COM POSTS 'HAIRCUT ORDER'

Slate.com has posted a copy of the infamous January 1902 order of Commissioner of Indian

Affairs William Atkinson Jones to superintendents of federal reservations and agencies to "induce your male Indians to cut their hair" because long hair "is not in keeping with the advancement they are making, or will soon be expected to make, in civilization." Jones also directed a ban on facial painting and "dances and feasts [which] are simply subterfuges to cover degrading acts and to disguise immoral purposes."

### OFFENSIVE T-SHIRT CAUSES STIR

A t-shirt with half the face of Washington Redskins quarterback Robert Griffin III (or "RGIII") fused with half the face of the Washington Redskins Indian mascot is causing a stir

across the Web. The t-shirt is reportedly not a licensed piece of the team's merchandise, according to Deadspin.com, which reported that it is a knockoff sold on the Ocean City, Maryland boardwalk. "It is horrifying and unnecessary and just plain wrong," wrote Barry Petchesky of Deadspin.com.

### CAMPUS OPENING MARRED BY VANDALISM

Three days after United Tribes Technical College celebrated the opening of its branch in Rapid City, South Dakota on August 14, vandals struck the campus, causing up to \$75,000 in damage to glass doors and windows. But school officials vowed that registration and orientation would proceed on

schedule and that classes, which were set to begin on August 26, would not be interrupted. A reward of \$5,000 is being offered for information that leads to an arrest in the case.

### BAD RIVER BAND TO COMPLY WITH EPA

The Bad River Band of the Lake Superior Tribe of Chippewa Indians in Wisconsin has pledged to obey an order by the Environmental Protection Agency to correct violations of the Clean Water Act at its wastewater treatment plant. The Band has until January 31 to upgrade operations to comply with permit effluent limits for phosphorus, E. coli, total suspended solids and biochemical oxygen demand.

## UPCOMING POW WOWS

### Poplar Indian Days Celebration

August 29 - September 1, 409 10th Avenue East, Poplar Montana  
Contact: 406-768-3826

### Choctaw Nation Annual Labor Day Festival Pow Wow

August 29 - September 2, Choctaw Capitol Grounds, Tuskahoma, Oklahoma  
Contact: 580-924-8280  
[ChoctawNation.com](http://ChoctawNation.com)

### Ashland Labor Day Pow Wow

August 30 - September 2, Ashton Pow Wow Grounds, Ashland, Montana  
Contact: Donna Fisher  
406-477-4953  
[CheyenneNation.com](http://CheyenneNation.com)

### Wee Gitchie Ni Mi I Dim Leech Lake Labor Day Pow Wow

August 30 - September 1, near Palace Casino, Cass Lake, Minnesota  
Contact: 218-760-3127  
[lmgale@means.net](mailto:lmgale@means.net)  
[LLOjibwe.org](http://LLOjibwe.org)

### 23rd Annual Shawnee County Allied Tribes, Inc. Traditional Pow Wow

August 30 - September 2, Lake Shawnee, Topeka, Kansas  
Contact: Paul Williams  
785-220-3113  
[shawneecountyalliedtribes@gmail.com](mailto:shawneecountyalliedtribes@gmail.com)  
[ShawneeCountyAlluedTribes.org](http://ShawneeCountyAlluedTribes.org)

### Foothills Native American Pow Wow 2013

August 30 - September 1, 1679 US HWY 21, Thurmond, North Carolina  
Contact: 336-306-4656

### Eufaula Indian Community Pow Wow and Homecoming

August 30 - August 31, Eastside Ball Park, Eufaula, Oklahoma  
[EufaulaChamberofCommerce.com](http://EufaulaChamberofCommerce.com)

### Totah Festival Pow Wow

August 31 - September 2, Farmington Civic Center, Farmington, New Mexico  
Contact: Shawn Lyle  
505-599-1140  
[slyle@fntn.org](mailto:slyle@fntn.org)  
[TotahFestival.FarmingtonNM.org](http://TotahFestival.FarmingtonNM.org)

### Oceana County Intertribal "Honoring Our Elders" Traditional Pow Wow

August 31 - September 1, Oceana County Fairgrounds, Hart, Michigan  
Contact: Jennifer or Patsy Beatty  
231-894-8361  
[missbeatty@hotmail.com](mailto:missbeatty@hotmail.com)  
[HartPow-Wow.weebly.com](http://HartPow-Wow.weebly.com)

### North Country Intertribal Pow Wow

August 31 - September 2, 934 Elm Street, Newport, Maine  
Contact: Ellie Luce  
207-368-4959  
[ncountrypowwow1@yahoo.com](mailto:ncountrypowwow1@yahoo.com)  
[WanderingMooseCreations.com](http://WanderingMooseCreations.com)

### 5th Annual Kentucky Native American Heritage Museum Pow Wow

August 31 - September 1, Phillips Farm, Corbin, Kentucky  
Contact: Ken Phillips  
606-526-5635  
[sioux80@msn.com](mailto:sioux80@msn.com)  
[KNAHM.org](http://KNAHM.org)

### 32nd Annual Labor Day Weekend Pow Wow

August 31 - September 1, University of the Pacific, Stockton, California  
Contact: 209-933-7425 x 8069  
[dfleming@stockton.k12.ca.us](mailto:dfleming@stockton.k12.ca.us)

### 32nd Annual Iroquois Indian Festival

August 31 - September 1, Iroquois Indian Museum, Howes Cave, New York  
Contact: Stephanie Shultes  
518-296-8949  
[info@iroquoismuseum.org](mailto:info@iroquoismuseum.org)  
[IroquoisMuseum.org](http://IroquoisMuseum.org)

### Navajo Nation Fair & Contest Pow Wow

September 2 - September 8, Navajo Nation Fairgrounds, Window Rock, Arizona  
Contact: 928-871-6647  
[info@navajonationfair.com](mailto:info@navajonationfair.com)  
[NavajoNationFair.com](http://NavajoNationFair.com)

### 43rd Annual United Tribes International Pow Wow

September 5 - September 8, United Tribes Technical College's Lone Star Arena, Bismarck, North Dakota  
Contact: 701-255-3285 x 1293  
[UnitedTribesPowWow.com](http://UnitedTribesPowWow.com)

### Sixth Annual White Buffalo Pow Wow

September 6 - September 8, Lou Yeager Lake, Litchfield, Illinois  
Contact: Rick or Patty Phodes  
217-710-1950 or 217-556-7050  
[whitebuffalo@consolidated.net](mailto:whitebuffalo@consolidated.net)

### 24th Annual Wyandotte Nation Pow Wow

September 6 - September 9, Wyandotte Nation Pow Wow Grounds, Wyandotte, Oklahoma  
Contact: Sherri Clemons  
918-678-2297 x 244  
[sclemons@wyandotte-nation.org](mailto:sclemons@wyandotte-nation.org)  
[Wyandotte-Nation.org](http://Wyandotte-Nation.org)

### Indian Summer Festival Contest Pow Wow

September 6 - September 8, Henry Maier Festival Park, Milwaukee, Wisconsin  
Contact: Indian Summer Festival Offices  
424-604-1000  
[indiansummer@wi.rr.com](mailto:indiansummer@wi.rr.com)  
[IndianSummer.org](http://IndianSummer.org)

### 51st National Championship Indian Pow Wow

September 6 - September 8, Traders Village, Grand Prairie, Texas  
Contact: 972-647-2331

### 13th Annual Georgian Bay Native Friendship Centre Sainte-Marie "Among the Hurons" Pow Wow

September 7 - September 8, Midland, Ontario  
Contact: 705-526-5589

### The Grand Valley American Indian Lodge Pow Wow

September 7 - September 8, Riverside Park, Grand Rapids, Michigan  
Contact: 616-364-4697

### 36th Annual Nanticoke Indian Association Pow Wow

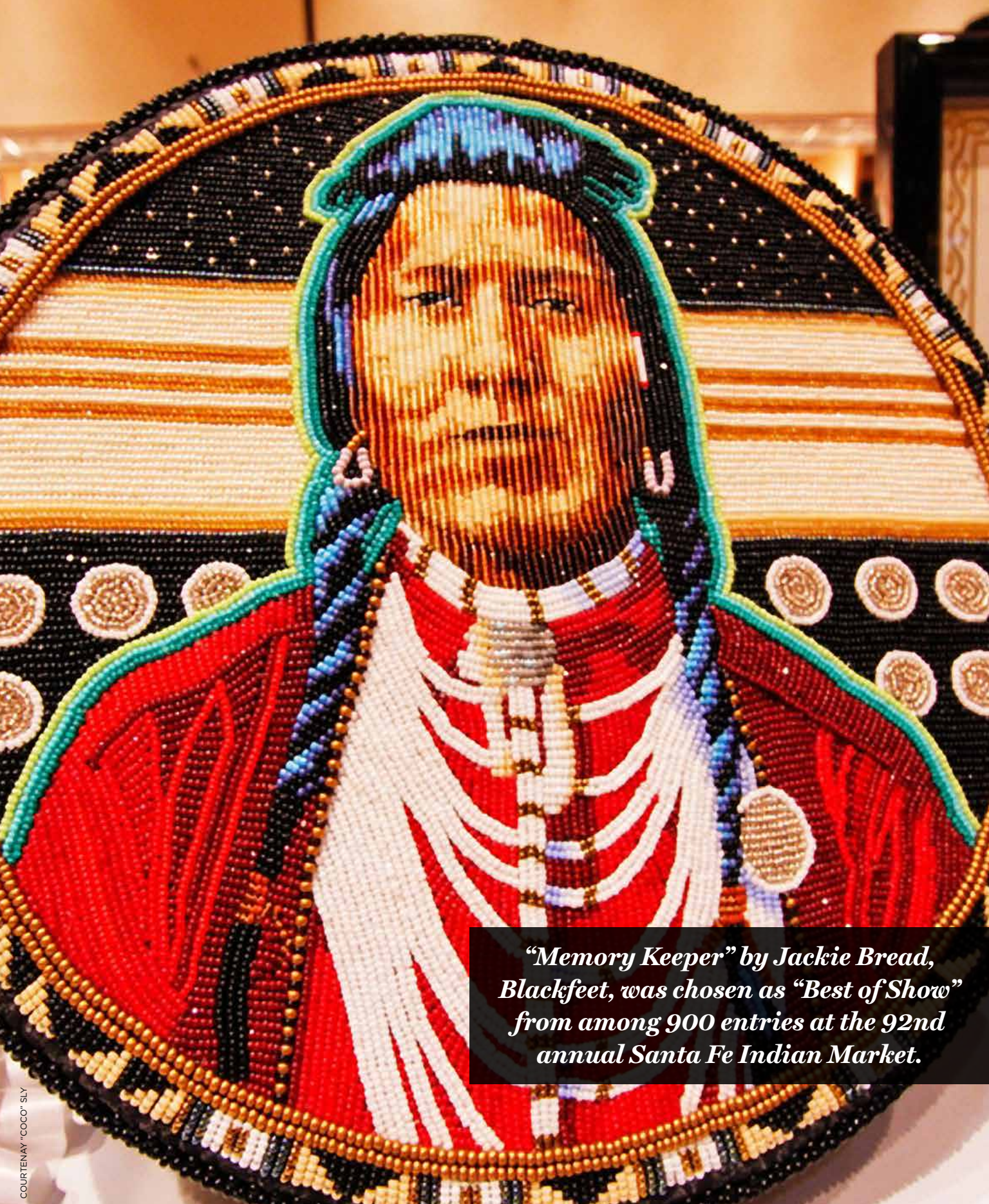
September 7 - September 8, Nanticoke Pow Wow Grounds, Millsboro, Delaware  
Contact: Herman T. Robbins  
302-945-3400  
[info@nanticokeindians.org](mailto:info@nanticokeindians.org)  
[NanticokeIndians.org](http://NanticokeIndians.org)

### Annual Intertribal Pow Wow

September 7 - September 8, Plug Pond, Haverhill, Massachusetts  
Contact: Burne Stanley  
617-642-1683  
[mcnaa@aol.com](mailto:mcnaa@aol.com)  
[MCNAA.org](http://MCNAA.org)

### 13th Annual Akwesasne International Pow Wow

September 7 - September 8, Anowara'ko:wa Arena, Cornwall Island, Ontario  
Contact:  
[akwesasnepowwow@yahoo.com](mailto:akwesasnepowwow@yahoo.com)  
[AkwesasnePowWow.com](http://AkwesasnePowWow.com)



*“Memory Keeper” by Jackie Bread, Blackfeet, was chosen as “Best of Show” from among 900 entries at the 92nd annual Santa Fe Indian Market.*

COURTESY “COCO” SLY

**THE BIG PICTURE**