



# Indian Country

THIS WEEK FROM

## TODAY

THE PREMIER E-NEWSLETTER SERVING THE NATIONS, CELEBRATING THE PEOPLE

### *A Letter from the Publisher*

*Shekóli.* Decades ago, during the first part of the current era of self-determination in Indian country, a great many dedicated and passionate individuals who wanted to help improve the living conditions in their nations chose educations and careers in the social services. Many people of the next generation, benefitting from the good works of their elders, also made commitments to their communities, and set their sights on what they saw as the greatest challenge to their nations: the law. While this analysis, admittedly, is based on generalities, there is no doubt that the intricacies of tribal law and the law of the United States are huge factors in the functioning of our sovereign nations.

One look at the list of the features of this newsletter is enough to gauge why so many Indian activists are operating in the legal sphere. This past week witnessed the oral arguments before the Supreme Court on the Bay Mills versus Michigan case, a lawsuit filed by the state of Massachusetts against the Aquinnah Wampanoag, and Senate hearings on the need for what is known as the Carcieri fix. Simply put, this issue has three headline news stories that involve the Supreme Court, the United States Senate and several state governments battling over the ways in which Indian nations are attempting to jumpstart economic activity. Unfortunately, these battles, which are often highly political, do nothing more than impede possible improvements.



Another generality, but nonetheless true: Economically diverse and unencumbered Indian nations are a boon to surrounding regions environmentally and economically. To wit, the Nez Perce is one of the top employers in Central Idaho. The tribe is also moving in tandem with Mother Earth as it restores and sustains salmon habitats along the Columbia River basin. Their efforts, as described in the article Fisheries Are the Lifeblood of the Nez Perce Economy, are to be applauded.

To be sure, a functioning media that serves Indian country by sharing news and information is essential. Members of the media and the audience of the same take the law out of the courts and weigh legal changes in real time and real life. We feel that the reporters, legal columnists and correspondents of ICTMN fulfill an important mandate by balancing out frequently biased mainstream reporting with news and analysis

from the Indian perspective.

*NA ki' wa,*

Ray Halbritter

### Table of *Contents*



**2** COMMENTARY

**4** NEWS

**9** SOVEREIGNTY ON TRIAL

**10** FEINSTEIN ON FIRE

**11** LIFEBLOOD FROM FISH

**12** AQUINNAH WAMPANOAG  
SUED ON GAMING

**13** WEEK IN PHOTOS

**14** TRADEWINDS CLASSIFIEDS

**15** WEB, EVENTS, LETTERS

**17** CARTOON, NEWS ALERTS

**18** UPCOMING POW WOWS

**19** THE BIG PICTURE

## Tribes are Uniting Against Assaults on Sovereignty

*The current government regulatory assault on community banks, third party payment processors and their associates threatens to fray Native sovereignty. But Executive Director of the Native American Financial Services Association **Barry Brandon, Muscogee (Creek),** points out that tribes are fighting back:*

The National Congress of American Indians (NCAI) has the weight of its members behind a resolution decrying these affronts to Native American sovereignty. The resolution cites multiple sources establishing the very rights now under fire. Executive Order 13175, signed by President

Clinton, acknowledges that the U.S. would continue to work with Indian tribes on a government-to-government basis to address issues concerning self-government, trust resources, and Indian treaty and other rights. President Obama, in 2009, issued an Executive Memorandum to reinforce these rights.

Most notably, the 2010 Dodd-Frank Act, which established the CFPB, expressly defined tribes as a "State," thereby recognizing the authority of tribal governments to legalize, regulate and conduct short-term online consumer financial services. The recent quasi-enforcement actions undertaken by these and other governmental bodies are wholly inconsistent with the trust responsibilities that are owed to Indian nations.

The NCAI is not alone in this defense.

Similar resolutions have been passed by the Great Plains Tribal Chairman's Association, which represents the 16 tribes within the Great Plains Region of the Bureau of Indian Affairs; the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation; the Northern Cheyenne Tribe of Lame Deer, Montana; the Fort Belknap Indian Community of Harlem, Montana; and the Rosebud Sioux Tribe of Rosebud, South Dakota. Nevada's Pyramid Lake Paiute Tribe and Te-Moak Tribe of Western Shoshone Indians of Nevada have also sent letters to elected officials protesting this assault on their sovereignty.

These highly respected rights have sustained us for the duration of our history. If they are to be attacked, we will be united in defending them. <http://bit.ly/1jgDY5C> ☞

## The Real Health Care Concern

*The healthcare.gov web site is working, says journalist, speaker and Twitter poet **Mark Trahant,** so now let's focus criticism on the real issue—the Affordable Care Act itself:*

I often hear that Obamacare should not apply to us: American Indians and Alaska Natives have a treaty right to health care and therefore insurance is not needed. I agree. But then what? It's a hard fact that Congress is not going to fund the Indian health system as it should. So the only two options are to use this law to expand resources or to watch the Indian health sys-

tem decline every year as funding shrinks.

Indian country, for example, has a huge stake in the expansion of Medicaid. It's funding that does not require appropriation from Congress. But states need to make the decision to opt in—and too many are saying no. Indian country needs to make sure that the legislators and governors know what this means to their constituents.

Another concern is that in some cases, individuals will have to purchase the insurance, paying real money, to get a tax credit down the road. On paper that looks like an easy call. But to a family looking at a long list of monthly bills, then one for insurance

even if it's "free" later, it's one that might be skipped.

And how do tribes pay for insurance as employers for part-time or seasonal employees? It's a new expense that might not work in a budget environment that is already under pressure because of shrinking federal contracts. Tribes will have do one of three things: Hire fewer people, pay a fine or come up with the money to buy insurance.

The healthcare.gov website may work perfectly today. But there still is a lot of fine-tuning ahead when it comes to the Affordable Care Act. Especially for Indian country. <http://bit.ly/18jugYB> ☞

## Climate Change Hits Natives Hardest

*Akik Native Community Councilman **Mike Williams** observes that not only do Native communities suffer disproportionately from climate change, they are disproportionately denied means of combating it:*

Climate disruption is a fast-moving reality striking at the very being of our indigenous communities, cultures and ways of life. We are place-based people. This means that when our homes, environment, resources and quality of life are destroyed, we cannot leave our reservations and communities that we were placed on by the federal government. The fabric that

keeps our peoples and cultures together is being torn asunder by a human-caused phenomenon we did not cause or choose.

Compared to states, we are even further behind the eight ball in our ability to respond, because of a lack in fulfilling funding and program development for our governments under our treaties and the trust responsibility of the federal government.

What does unfulfilled responsibility to the Tribes mean? In the past and currently, we do not have access to dozens of federal energy, environmental, and natural resource programs that are available to states, such as the Coastal Zone Management Act. In most years, when

the Department of the Interior (DOI)'s annual budget rises or falls, the Bureau of Indian Affairs' (BIA) budget, compared to other DOI agencies, rises the least and falls the farthest. In 2011, when the DOI asked Congress for \$136 million for its Climate Change Adaptation Initiative, BIA was to receive nothing. When the DOI asked Congress for \$175 million the next year, it asked that the BIA receive a mere \$200,000—to be used for 566 tribes across the nation.

Today, while 32 of the 50 states have climate action plans, the vast majority of the 566 federally recognized tribes do not. Without a plan, how good can a response be? <http://bit.ly/1hAaPDk> ☞

Indian Country will save millions if tribes use their own tribal insurance company to protect their workers instead of spending money with traditional insurance companies.



The only 100% Native American owned and operated insurance provider in Indian Country.



AMERIND Risk works for over 420 tribes. We understand historical and cultural differences among tribes and the importance those differences play in the Tribal decision making process.

The AMERIND Risk Tribal Workers' Compensation program is flexible and was built from the ground up based upon what we hear from our tribal participants, rather than forcing you into a "one size fits all" approach.

AMERIND Risk has over 25 years success of delivering safe, secure and sustainable insurance programs to Indian Country.

Call us today and let's begin keeping the money circulating in Indian Country.



**AMERIND Risk**  
MANAGEMENT CORPORATION

*Tribes Protecting Tribes*

[www.TribesProtectingTribes.com](http://www.TribesProtectingTribes.com)  
(800) 352-3496



## 'Lessons of Our Land' Curriculum Launched During Heritage Month

Learning about Native history and culture doesn't need to be relegated to one month of the year. Nonetheless, the Indian Land Tenure Foundation (ILTF) thought Native American Heritage Month would be a good time to release its Native American land curriculum website for pre-K and K-12 classrooms.

"The launch of this website in November coincides with National Native American Heritage Month and the approach of Thanksgiving—for many public school teachers, the only time during the school year they will discuss Native American history in their classroom," said ILTF President Cris Stainbrook. "We would invite all of them to look through the curriculum and choose at least one grade-appropriate lesson to replace the old worn out story of the Pilgrims, and perhaps think about adding one other lesson the week after Thanksgiving."

The Lessons of Our Land curriculum is designed to be incorporated into a number of subjects and is adaptable to include the history and culture of a region's Indian nations. The curriculum has so far been successfully implemented in 105 tribal schools, public schools and colleges in eight states.

Lessons of Our Land's components meet state standards in many core areas, such as history, art, civics, mathematics, science, geography and language arts. To see what lessons are available, visit [LessonsofOurLand.org](http://LessonsofOurLand.org). <http://bit.ly/1k6hiTp>

## Cherokee Nation Technologies Wins \$35M Contract to Assist Federal Government


Cherokee Nation Technologies (CNT) has been awarded a \$35 million, five-year contract to provide research and historical documentation services in support of the Interior Department's efforts to reconcile monetary accounts with Native American tribes.

Working with the Office of the Special Trustee for American Indians' Office of Historical Trust Accounting (OHTA), CNT will search, collect and safeguard Indian Trust-related documents; design and execute database inquiries; manage and track document requests; and provide analytical assistance for tribal accounts.

"Securing and protecting these documents is a top priority for all of Indian Country. We have an opportunity to be part of a solution that can benefit tribal governments and Native families all across the nation," said Bill John Baker, Principal Chief of the Cherokee Nation. "We will support this organization and its mission with the utmost with respect and integrity."

CNT is providing two teams to work in the

secure underground facility in Lenexa, Kan. The first team monitors all requests for documents as they are located, imaged, encoded and loaded into the viewing database for the requestor to access. The second team is focusing its efforts on litigation support and running high level queries for multiple agencies, such as the Department of the Interior, Department of Justice and the National Archives and Records Administration. The research is used to identify images and documents that could prove to be vital during the discovery phase of litigation.

Cherokee Nation Technologies, the tribally owned holding company of the Cherokee Nation, was formed in 2009 to serve government clients with time-tested solutions that increase client effectiveness through the intelligent use of technology. Its expertise includes software and application services, network services and business process services. Wholly owned by the Cherokee Nation, CNT is part of the Cherokee Nation Businesses family of companies in the gaming, hospitality, information technology, personnel services, distribution, manufacturing, telecommunications, environmental services and security and defense industries. 


## Study Links Coal Ash to Dead and Deformed Fish in North Carolina

Nearly a million fish are dying annually, and thousands of others are being deformed, by coal ash in Sutton Lake outside Wilmington, North Carolina, according to a new study. The source is four coal ash waste pits at a power plant owned and operated by Duke Energy, said Dennis Lemly, a research associate professor of biology at Wake Forest University and a leading expert on selenium poisoning.

Lemly and his team analyzed more than 1,400 fish from Sutton Lake "and found several species of fish showing disturbing mutations of the heads, mouths, spines, and tails," said the Sierra Club, the Southern Environmental Law Center, the Waterkeeper Alliance and the Cape Fear River Watch in a joint December 3 statement. "Many fish die before reaching maturity.

In addition, the study found the population of catchable bass has dropped by 50 percent since 2008, affecting the popular bass fishing economy at the lake."

Sutton Lake is known for its commercial fishery, its public recreational fishing and as a source of food to subsistence fishers who live nearby. The new findings underscore the urgency of solidifying regulations on coal ash, environmental advocates said.

"Conservation advocates have uncovered shocking evidence of water pollution from Duke Energy's coal ash pits in Asheville, and now this new study shows how the same thing is happening in Wilmington," said Kelly Martin of the Sierra Club's Beyond Coal Campaign in the December 3 statement. "We know coal ash pollution harms people, wildlife, and our treasured natural places. Duke Energy needs to stop stalling and take responsibility for its ongoing violations." <http://bit.ly/1k8xfIK> 

**Don't Shatter The Dream**



## **Impaired Driving Mobilization**

**December 13, 2013 - January 1, 2014**

The Indian Highway Safety Program would like your help in saving lives in Indian Country during the *Don't Shatter the Dream* Indian State Impaired Driving Mobilization! For information on how you can participate and possibly receive an incentive award, contact:

**BIA Indian Highway Safety Program**  
**Contact: Patricia Abeyta**  
**1001 Indian School Road NW, Suite 251**  
**Albuquerque, New Mexico 87104**  
**(505) 563-5371**



## Native Writers Win Big at American Book Awards

BY SUZETTE BREWER

Louise Erdrich and Joy Harjo were among nearly half a dozen Native American winners of the 34th annual American Book Awards, given at the Miami International Book Festival on November 23. Presented by the Before Columbus Foundation, the awards honor diversity in American literature and highlight excellence and risk-taking in the publishing industry.

Erdrich's novel *The Round House* (HarperCollins), about rape and vengeance on a North Dakota Indian reservation, had previously won the 2012 National Book Award for fiction. Timely and urgent, it gives voice to the often underreported incidents of violence against Native American women on Indian lands and the jurisdictional chaos and judicial apathy that follow.

*Crazy Brave* (Norton) is Harjo's memoir detailing her upbringing in an abusive environment followed by teenage pregnancy, her struggles as a single mother and her journey to becoming a writer; the *San Francisco Chronicle* called it "lyrical... unflinching... raw." A member of the Muscogee Creek Nation of Oklahoma, Harjo is primarily known for her poetry and storytelling.

Another winner was *Cherokee Stories of the Turtle Island Liars' Club* (University of North Carolina Press), by Christopher Teuton (Cherokee Nation), a seminal collection of 40 stories that interweave storytelling, conversation and teachings about Cherokee life in collaboration with Hastings Shade, Sammy Still, Sequoyah Guess and Woody Hansen.

Also honored was *Corpse Whale* (University of Arizona Press), by dg nanouk okpik (Alaska Native Inupiat-Inuit), a collection of poetry from the perspective of contemporary Inuit. And a final notable winner was *When My Brother Was an Aztec* (Copper Canyon Press), by Natalie Diaz (Mojave),



Let's Partner.  
Let's Create.

We're proud to support the American Indian business community.

Register today:  
[www.comcast.com/supplierdiversity](http://www.comcast.com/supplierdiversity)  
[www.nbcunisuppliers.com](http://www.nbcunisuppliers.com)

COMCAST NBCUNIVERSAL

another collection of poetry that focuses on modern life on an Indian reservation, including her brother's crystal meth drug addiction after his return from the Iraq war, family dysfunction, identity and bigotry against Native Americans. <http://bit.ly/1b8LLL0> ☞

## Darrell Robes Kipp, Seminal Blackfoot Language Protector, Walks On

Darrell Robes Kipp, who dedicated his life to promoting and preserving the Blackfoot language, walked on November 21 at age 69. Kipp, whose Pikuni name was Apin-iokio Peta, or Morning Eagle, co-founded the Piegan Institute in Browning, Montana, in 1987; its Cut Woods School, a private Blackfeet language immersion school, has been an inspiration for a number of startup immersion schools across the country.

"Tribal languages can be revitalized to soothe our children's hearts again if people stop long enough to embrace them,"

Kipp wrote.

Rosalyn LaPier, an environmental studies faculty member at the University of Montana and board member of the Piegan Institute, says White Clay Immersion School on the Fort Belknap Reservation and the Nkwusm Salish Language Institute in Arlee were inspired by Kipp's work. She worked with him at the institute since 1999 and had known him since the early '90s.

"It's one of those things that his legacy will be felt nationwide more than local," LaPier told the *Great Falls Tribune*. "He both encouraged a lot of people and inspired a lot of people to work on Native language revitalization. A lot of programs started all over in different Native communities."

Ryan Wilson, Oglala Lakota, president of the National Alliance to Save Native Languages, calls Kipp urging people to not wait to save their languages.

"You don't have to ask permission to speak your language, educators must take it upon themselves to ensure their tribal customs don't go extinct," Wilson remembers Kipp saying. "Don't ask permission to save your language. Just do it! If we don't help Indian children embrace their languages, American Indian children will continue to turn into a faceless conglomeration of everyone else. We need to fill the air with the sound of our language. I tell people if you can't help, get the hell out of the way!" <http://bit.ly/1oRJ4j> ☞



# Not a Subscriber?

**Get your own**  
This Week From Indian Country Today  
**eNewsletter!**



**SUBSCRIBE NOW**

## Halbritter Holds Forth on MSNBC Weekend Program

MSNBC's Melissa Harris-Perry week-end program on December 1, devoted to national founding myths and inequality, offered Ray Halbritter, Oneida Nation representative and CEO of Nation Enterprises, parent company of Indian Country Today Media Network, as a guest panelist.

Following the program's introduction, Harris-Perry opened the discussion with the first question for Halbritter on how the country's founding myths continue to have an impact on the country today.

"The Thanksgiving mythology, to some extent, papers over the often painful and tragic history of American Indians and the way they've been treated," Halbritter said. "Even though it was the shared celebration and tradition of Indian people to have this ceremonial of Thanksgiving and they gave to the first immigration group and shared with them in a way that allowed for their survival but it's a celebration that should be of mutual inclusion and respect and often that's not the case for American Indians in this country."

After a discussion of the Oneida Nation float that appeared for the fifth year in the Macy's Thanksgiving Day parade in New York City, the discussion shifted to focus on SNAP program cuts and national poverty. The theme allowed Halbritter to hold forth at length about the challenges facing Indians.

"They are often not viewed except as relics or mascots and as a result the real issues they suffer from the lowest standard of living, the highest mortality rates in the country, highest unemployment," he said. "And seven of the 10 poorest counties in the United States are Indian reservations."

"So they really struggle to have their real issues dealt with in a way that's real especially this time of the year. Especially because in some ways all this is connected, their self-image, their self-esteem and how they relate to themselves and the rest of society." <http://bit.ly/18bxkjt> 📱

## Tester Backs Indian Youth Bill

*Aims to improve quality of life*

Sen. John Tester (D-Montana) is supporting a bipartisan bill that would improve the quality of life for American Indian children and create a national commission to that end. "It's unacceptable that so many Native children find themselves without the opportunity to succeed," Tester said. "Montana's Native Americans have a proud history and tradition, and we need to find more ways to improve the quality of life for our future generations." The bill, introduced by Sen. Heidi Heitkamp (D-North Dakota), will also work to recognize the current government initiatives that are working well and develop recommendations for better resources, improve program coordination and develop stronger data to track progress. <http://bit.ly/1ePKRbt> ☞

## More Katsinam To Be Sold

*Second controversial auction of the year*

EVE, a Parisian auction house, plans to put 25 sacred Hopi katsinam—commonly called "masks" by non-Natives—on the block in its sale of December 9-11. The prospective sale has disheartened Native critics who were already dismayed by a similar sale this April by another Paris-based auction house Néret-Minet Tessier & Sarrou. Plans to block the EVE sale are under way, with Survival International publicizing the event and lawyer Pierre Servan-Schreiber again signing on to

argue for a halt to the proceedings. Auctioneer Gilles Néret-Minet had previously said of the April sale, "This is the only and last big sale of Hopi masks from the USA that will ever take place in Europe, ever." <http://bit.ly/1ar0jZx> ☞

## Galanda Broadman Adds Two Lawyers

*Will advance tribal interests*

The Seattle, Washington law firm Galanda Broadman has announced the addition of Scott Wheat and Joe Sexton, two lawyers versed in advancing the interests of tribal governments. Wheat, an enrolled member of the Choctaw Nation, serves as the current general counsel for the Spokane Tribe of Indians. Sexton is an associate in-house counsel for the Yakama Nation. Both will be Of Counsel to the firm. "We're thrilled to add Scott and Joe to our squad," said Gabe Galanda, the firm's managing partner. "Not only are both of these guys excellent tribal lawyers, but they have the high ethics and character necessary to do first-rate legal work in Indian country." <http://bit.ly/1bhmqPh> ☞

## Jacoby Ellsbury To Be A Yankee

*Tribal legend will don pinstripes*

Jacoby Ellsbury, a member of the Navajo and Colorado River Indian tribes and one of Major League Baseball's greatest current players, has agreed in principle to a seven-year, \$153 million contract with the New York Yankees that would make

him the third-highest paid outfielder in MLB history. Ellsbury leaves the Boston Red Sox, where he was an integral part of the team's World Series win this fall. This year, Ellsbury hit .298 with a .781 OPS and led the American League with 52 stolen bases. His deal with the Bronx Bombers will be finalized pending a physical examination. <http://bit.ly/1gECNKY> ☞

## Education Week Focuses on Natives

*Pine Ridge and Morongo spotlighted*

Education Week recently released a special package titled "Education in Indian Country" that features stories, commentaries and videos from two Indian reservations. The first section, "Running in Place," focuses on South Dakota's Pine Indian Reservation and the struggles its students face—long commutes to school, severe weather, high unemployment upon graduation and high rates of alcoholism. The second section, about California's Morongo Indian Reservation, discusses the state-of-the-art Morongo School, which opened in 2010 and will graduate its first class in 2017. The package also includes four commentaries from Native perspectives, including one on the Common Core. <http://bit.ly/1gH5HdJ> ☞

## Clergy Oppose Redskins Name

*Collective letter and new ad give protest*

More than 60 clergy in the Washington, D.C. area have officially joined the Change

the Mascot campaign to oppose the city's NFL franchise's continued use of "Redskins" as its team name. They signed onto a letter that is highlighted in the latest radio ad from the campaign, which features Rev. Grayland Hagler, the primary organizer, protesting the name. "Each of us, regardless of our religious tradition, gender, or the color of our skin, is created in the image of the Almighty," Hagler wrote. "We should all strive to treat one another with dignity, respect and compassion, just as we would like to be treated ourselves." <http://bit.ly/1dUDH1W> ☞

## Peltier Praises Nelson Mandela

*Offers statement from behind bars*

Upon hearing of the passing of former South Africa President Nelson Mandela, the incarcerated American Indian Movement activist Leonard Peltier declared, "It saddens me to hear that a great man like Nelson Mandela has departed from this lifetime. He was a man who was truly inspirational and showed us the possibilities of how a continued struggle by indigenous people could manifest itself in levels of freedom that have been marred by centuries of oppression. Our Native people suffered the same types of oppression many times." In 2000, Mandela briefly met AIM founder Clyde Bellecourt; he called upon Mandela to ask President Bill Clinton to pardon Peltier, who had been convicted for the murder of two FBI agents in 1975. <http://bit.ly/18IIBDU> ☞



# Sovereignty On Trial

Supreme Court hears Bay Mills case **BY ROB CAPRICCIOSO**

**Bottom Line:** *A crucial test case of sovereign immunity won't become known until the Supreme Court renders a decision in the spring. But from the questions asked, you can make a fair guess about how the justices will be voting.*

If anything was clear at the end of oral arguments in *Michigan v. Bay Mills Indian Community* on December 2, it was that the U.S. Supreme Court was very much divided on the issue of limits on tribal sovereign immunity.

The case pits the Bay Mills Indian Community against the state of Michigan, which wants the tribe's sovereign immunity to be waived so that the state can prevent it from reopening a casino on off-reservation lands. The tribe claims that the off-reservation site constitutes protected Indian lands under the Indian Gaming Regulatory Act because the tribe purchased it with money received under the Michigan Indian Land Claims Act of 1997.

Tribal sovereign immunity is the legal principle that prevents tribes from being sued, much like state governments are immune from many lawsuits. If it turns out that Michigan cannot sue the tribe in this instance, and it still wants to quash the tribe's ability to open an off-reservation casino, it would have to find some other way to do so.

In the packed courtroom, four justices—Antonin Scalia, Stephen Breyer, Samuel Alito, and John Roberts—asked questions and raised points that seemed to indicate they would like to limit the tribe's sovereign immunity or sovereign immunity for all tribes. Scalia's tone was especially pointed. At one point he asked lawyer Ed Kneedler, arguing on behalf the U.S. government for the tribe, precisely who gives tribes sovereignty.

"This court," Scalia said, answering his own question. "So I assume that this court could also determine the scope of their sovereignty."

Congress has previously considered

and rejected a number of proposals, including those by former Sen. Slade Gorton (R-Washington), to limit tribal sovereign immunity. Tribal advocates have long thought that Congress was the place to fight such battles, and they were pleased with the defeat of Gorton's initiatives.

Breyer appeared inclined to look to the limits on foreign sovereign immunity for commercial activities to inform the scope of tribal sovereign immunity, despite important differences between tribes and foreign nations.

As was customary, Justice Clarence

---

*Scalia seemed ready to impose limits; Sotomayor and Ginsburg wondered if they should even be hearing the case.*

---

Thomas posed no questions. But Justices Sonia Sotomayor, Ruth Bader Ginsburg, Elena Kagan and Anthony Kennedy asked questions and raised points indicating that they have problems with at least some of the state's legal arguments.


"Counsel, before you go on, could you address the jurisdiction question for me?" Sotomayor asked of lawyer John Bursch, representing Michigan, early on. "I'm not sure why you're here." She noted that the district court that had previously heard the case expressly did not include the state in its denial for an injunction against the tribe's off-reservation casino.

Ginsburg also ventured that the case should not have been in court. "[C]an you tell—tell us why Michigan didn't resort to the dispute resolution means that the compact [between Michigan and the tribe] provided?" she asked Bursch. "The compact said if there's a dispute it'll be decided by arbitration. Michigan bypassed that."

Bursch told the justices that "all roads lead to tribal immunity." But several tribal and federal interests dispute that notion. They argue that Michigan and other states want tribal sovereign immunity limited with the high court so as to limit tribal sovereignty and gaming—and competition to state gaming interests.

The rest of the oral arguments gave little indication of a final outcome, which is not expected until spring. Joseph Webster, a partner with Hobbs Straus, which filed an *amicus* brief supporting Bay Mills on behalf of several other tribes, assessed that the arguments were "intense," but he saw reasons for optimism.

"[I]t was encouraging that a number of the justices recognized that the state of Michigan has remedies available that do not require a change to the doctrine of tribal sovereign immunity, including the negotiated dispute resolution provision in the [gaming compact between the tribe and state]," Webster said. "Based on the questions, there are reasons to be optimistic that a majority of the justices will agree that any substantial change to the doctrine should be left to Congress, which has repeatedly recognized the importance of sovereign immunity to tribal sovereignty and economic development."

Chris Stearns, a Navajo lawyer with the firm of Hobbs Straus, was less hopeful. "I can't think of a real reason for optimism," he said, "except that we may one day live to see a court with Chief Justice Kagan." <http://bit.ly/1jmCM0y> 

# Feinstein On Fire

Continues battle against Indian gaming **BY GALE COUREY TOENSING**

**Bottom Line:** Tribal advocates regard Dianne Feinstein's stance on Indian gaming as out of step. Her recent Senate testimony only confirmed their suspicions.

Sen. Dianne Feinstein (D-California) continued her battle against Indian gaming in testimony before the Senate Committee on Indian Affairs recently, expanding her opposition to off reservation gaming to include federal recognition of additional California tribes, new casinos in other states, and the Interior Department's statutory authority over gaming and land issues.

Feinstein was among five panelists testifying at an Indian Affairs Committee oversight hearing on November 20 called "*Carcieri*: Bringing Certainty to Trust Land Acquisitions." Other witnesses were Interior Department Assistant Secretary-Indian Affairs Kevin Washburn; National Congress of American Indians Executive Director Jacqueline Johnson-Pata; Marshall Pierite, the chair of the Tunica-Biloxi Tribe of Louisiana and co-chairman of the United South and Eastern Tribes (USET) *Carcieri* Task Force; and Diane Dillon, of the Napa County Board of Supervisors.

In her opening remarks, Indian Affairs Committee Chairwoman Maria Cantwell (D-Washington) outlined the Indian Reorganization Act (IRA) of 1934 as an effort to restore some of the 90 million-plus acres of indigenous land taken during the "failed policies" of the 19th century. Since 1934 the federal government has taken approximately 10 million acres of land into trust, Cantwell said, adding that less than one percent of it has been for gaming.

But the 2009 Supreme Court ruling in *Carcieri v. Salazar* put a halt to 75 years of Indian land restoration. February 24, 2014, will mark the fifth anniversary of *Carcieri*, an anti-Indian

sovereignty decision that curbed the Interior Secretary's authority to take land into trust for tribes recognized after the IRA was enacted. The ruling created a loss of economic opportunity, stalled infrastructure projects and increased litigation, Cantwell said. So far, a "clean *Carcieri* fix" that would clarify the Secretary's authority to take land into trust for all federally recognized tribes has eluded congressional action.

The IRA was enacted 54 years before the Indian Gaming Regulatory Act was passed. But Feinstein insisted that the issues of trust land and gaming must be linked. "[A]ny *Carcieri* fix must address concerns about tribal gaming," she told the committee.

Feinstein noted that "there are more than 100 federally recognized tribes in California" and warned that "many more" tribes will seek recognition—and casinos—in the near future. "But what really sets California apart is the scale of the tribal gaming industry," she said. Her remarks seemed to be critical of the success of the state's 70 Indian gaming facilities in generating \$6.78 billion in revenue 2010—"more than twice that of any other state," she said. "By that measure, it is approaching the size of the gaming industry in Nevada, which is valued at just over \$10 billion."


She also complained about what she calls "reservation shopping" by tribes in Wisconsin, Michigan, Arizona and Oregon and advocated for local decision-making input on casinos, based on a NIMBY [Not In My Back Yard] argument. "I strongly believe that local governments must have the ability to influence the terms and conditions of the development of new casinos, especially because many communities simply do not want new casinos in their backyard," Feinstein said. She urged passage of her Tribal Gaming Eligibility Act, which she reintroduced

this year.

Indian gaming experts reacted strongly to Feinstein's testimony. Michael Anderson, Muscogee Nation, owner of Anderson Indian Law, said the senator was out of sync with the facts on the ground. "I think the Assistant Secretary, Kevin Washburn, did an excellent job presenting the administration's perspective on the limited number of gaming applications that are actually at issue in that there have been about 1500 applications approved during the Obama administration and around 20 have been gaming applications," Anderson said. "So it's a very marginal issue in terms of the overall land into trust program."

He said Feinstein "grossly exaggerated" the potential impact of new "Two Part" land into trust decisions—those applications seeking trust status for land acquired after IGRA was enacted in October 1988. "Although the two or three that have been approved by the administration have been extremely controversial the idea that there's going to be some kind of avalanche of new applications is overblown."

Feinstein largely aimed her opposition at Indian gaming in general, Anderson noted. "I'd be very concerned that there would be any traction to amending the IGRA with respect to fee to trust or *Carcieri* decisions so I hope the administration and the Congress would remain committed to a clean *Carcieri* fix—I believe any compromise involving IGRA would be a dirty fix," Anderson said.

Tom Rodgers, a citizen of the Blackfeet Nation and owner of Carlyle Consulting, warned against history repeating itself. "History should inform the present not imprison. The ancestral history of California is one of extermination and genocide toward Native Americans," Rodgers said. "Now the modern day politics of economic exclusion is the preferred method." <http://bit.ly/1cNFYxD> 

# Lifeblood From Fish

A comeback for both the Nez Perce and salmon **BY JACK MCNEEL**

*Bottom Line: Good salaries, attractive jobs, a highly skilled workforce and little turnover have allowed the Nez Perce to revitalize its fishing industry and turn it into a major economic driver for the tribe and the region.*

The Nez Perce Tribe has the second largest economic impact of any private, public or tribal entity in North Central Idaho. It is the third largest employer in the region. And the massive fisheries program, which employs upwards of 180 people, is a major contributor to those statistics.

A bit of background: Fish have always been vital to the tribe. Salmon in particular were a major food source for generations. That importance was recognized and protected during the Treaty of 1855, which gave the tribe total fishing rights within the original 13.4 million-acre reservation.

The Columbia River and its upstream major tributaries in Idaho, the Snake and Clearwater Rivers, once produced incredible numbers of anadromous fish, primarily salmon and steelhead. These species hatch in the rivers and streams, return to the ocean to grow into adults, then return to the headwaters to spawn and start a new generation before they die. They reached their peak, though, before dams were constructed for flood control and hydroelectric production—which in turn caused other forms of habitat destruction.

As a result, fish populations plummeted. It fell in large part to the Nez Perce Tribe and its Division of Fisheries Resources Management (DFRM) to try to improve the situation. And they are trying. Their website states, “Our vision is to recover and restore all species and populations of anadromous and resi-

dent fish within the traditional lands of the Nez Perce Tribe.”

It’s a big operation, and all of it contributes to tribal economics. Under the direction of program manager Dave Johnson, Navajo, there are seven divisions overseeing enforcement, production, harvest, watershed, biological services, research, and resident fish. There are offices in Joseph, Oregon, and in McCall, Orofino and Sweetwater, plus staff that operate out of both Powell and Grangeville, all in Idaho.


“The money we bring in is typically spent in those communities so it is a

tribal members and four of them have a master’s degree. All but one are Nez Perce members.

“We’re competing with federal agencies, state agencies, other tribes, for projects,” Johnson explained. Much of that competition, he said, is based on geography and it’s the projects within those historical tribal lands the tribe focuses on. “All the tribe’s country as defined by the Indian Claims Commission boundaries as being specifically Nez Perce country.”

“I think the largest accomplishment is the whole entire of the tribes, all tribes, on salmon management, not just user based on traditional use, but as a manager, as one entity who can help restore those runs, help manage those runs,” Johnson continued. “I think the Nez Perce really are leaders in this relative to other tribes in the Columbia River drainage.” He noted, too, that the Yakama Tribe is up there as well with programs largely funded by the BPA.

The tribe now manages the Kooskia Hatchery, co-manages Dworshak Hatchery, and operates the Nez Perce Tribal Hatchery, plus acclimation sites at Lookingglass in Oregon and other sites on the Clearwater and Snake Rivers. “We’re a strong leader in the management of all the salmon hatcheries, not just the ones we actually manage ourselves but the ones the state manages,” Johnson said. “We have a strong say-so in how they are being managed as well.”

The tribe has particularly stepped up in the matter of restoring fisheries habitat: “The states aren’t as involved in restoration work. I’d say a third of the program’s budget goes to habitat restoration work. We’ve been shouldering a lot of the work.” <http://bit.ly/1dQvL8t> 

---

*The annual budget is just over \$20 million from 56 contracts. “That’s huge!” Program Manager Dave Johnson exclaimed. “It’s huge for Indian country.”*

---

huge economic impact,” Johnson said. “The type of salaries they make are comparable to what they’d make with the federal government doing the same sort of thing.”

The annual budget is just over \$20 million from 56 contracts, with just over 80 percent of that coming from the Bonneville Power Administration (BPA). “That’s huge!” Johnson exclaimed. “It’s huge for Indian country.”

The program began in 1981-82 and has grown steadily. Approximately 60 biologists, or other class descriptions requiring a professional degree, are currently employed. Thirteen of those are



# Aquinnah Wampanoag Sued On Gaming

Massachusetts opposes Class II initiative **BY GALE COUREY TOENSING**

**Bottom Line:** *The path seemed clear for the Aquinnah Wampanoag Tribe to open a small gaming facility on Martha's Vineyard. But now the Bay State says they gave up their right to do so a generation ago.*

The Commonwealth of Massachusetts has sued the Aquinnah Wampanoag Tribe to stop it from operating a small Class II gaming facility on its island trust lands on Martha's Vineyard.

Attorney General Martha Coakley filed the suit on behalf of Gov. Deval Patrick in Supreme Judicial Court on December 2. It alleges a breach of contract of the 1983 Settlement Agreement among the tribe, the commonwealth, the Town of Aquinnah and the Taxpayers' Association of Gay Head, Inc., and seeks a declaratory judgment to stop the tribe from moving forward with its gaming plan.

The suit was filed in reaction to an opinion from the National Indian Gaming Commission (NIGC) to Aquinnah Chairwoman Cheryl Andrews-Maltais on October 25. That opinion affirmed the tribe's right to operate gaming on its settlement lands under the Indian Gaming Regulatory Act and approved of the tribe's amended gaming ordinance. Andrews-Maltais announced last month that the tribe would move forward quickly to convert an unfinished community center in Aquinnah into a temporary gaming facility.

"We're still in the process of reviewing the complaint so I can't comment on too much of the specifics but we're confident that we'll be able to defend our rights," Andrews-Maltais said. "We've gone through a process to reaffirm our rights through IGRA [Indian Gaming Regulatory Act] and the NIGC and Interior have reaffirmed those rights. We have no intention of giving up our rights to game

under federal law and we'll continue to vigorously pursue and defend them."

The lawsuit asserts that the Aquinnah Wampanoag Tribe relinquished all rights to gaming when it entered into the 1983 Land Claims Settlement Agreement whereby the tribe gave up its land claim lawsuit for 3,000 acres in exchange for more than 400 acres of land on Martha's Vineyard. It also says the tribe agreed that the land "would remain subject to the Commonwealth's (and local) laws and jurisdiction...including those laws and

---

*'We're confident that we will be able to defend our rights,' said Chairwoman Cheryl Andrews-Maltais.*

---

regulations which prohibit or regulate the conduct of bingo or any other game of chance."

The lawsuit further asserts that the tribe is now subject to Massachusetts' expanded gaming law of 2011 and to the authority of the newly created Massachusetts Gaming Commission, the only entity with the authority to issue a gaming license.

The NIGC offered its approval of the Aquinnah's amended gaming ordinance after receiving an 18-page comprehensive opinion from the Interior Department's Office of the Solicitor in late August. Among its analyses, the Interior Department cited the precedent-setting case of *Rhode Island v. Narragansett* (1994), which set out a method for determining whether a tribe's settlement act prohibited gaming.

In that case, the 1st Circuit Court determined that the Narragansett Indian Tribe possessed the requisite jurisdiction for the IGRA to apply to its settlement lands, and that the Act trumped the tribe's Settlement Act by repealing portions of the Settlement Act that were "repugnant" to IGRA. (The ruling was later undermined when a Rhode Island congressman passed legislation specifically removed the Narragansett Tribe from IGRA.)

Law professor Matthew Fletcher, director of the Indigenous Law & Policy Center at Michigan State University, said the agency opinions "are entitled to considerable weight. Perhaps that's why Massachusetts sued the tribe. If the tribe is lucky, the feds intervene and remove the case to federal court."

The outcome of *Michigan v. Bay Mills*, now awaiting a Supreme Court ruling, will determine whether states suing tribes will emerge as a concern going forward. "If Michigan wins any part of the case—abrogation of tribal immunity or any of the other [provisions]—you can bet there will be a trend," Fletcher said. "Right after the Supreme Court decided *Nevada v. Hicks*, which vaguely backed state law enforcement inside of Indian country, there was a rash of raids, for example."

But a win by the Aquinnah Tribe could benefit the various East Coast tribes that continue to struggle under restrictive settlement acts that prohibit them from benefitting from federal laws enjoyed by tribes all over the country, said an Indian law expert who asked not to be named.

"The Aquinnah Wampanoag is one of several tribes that entered into flawed, one-sided agreement when they were at their weakest and most vulnerable," he said, suggesting that it is past time those acts were revised. <http://bit.ly/1kg8Mp> ☞



*The deformed "pugnose" bluegill shown above its normal counterpart is increasingly common in Lake Sutton, North Carolina, thanks to coal ash.*



*A turboprop Cessna 208 crashed on November 29 near St. Marys, Alaska, killing the pilot and three passengers.*



*In testimony on November 20, Sen. Dianne Feinstein (D-California) said that issues of trust land and gaming had to be linked.*



*Jacoby Ellsbury, of the Navajo and Colorado River Indian tribes, is leaving the Boston Red Sox for the New York Yankee.*

"BIOLOGICAL ASSESSMENT TO DETERMINE IMPACTS OF SELENIUM POLLUTION FROM COAL ASH WASTEWATER DISCHARGES ON FISH POPULATIONS IN LAKE SUTTON, NC." PREPARED BY A. DENNIS LEMLY, PH.D., FOR SOUTHERN ENVIRONMENTAL LAW CENTER, CHAPEL HILL OFFICE, NC., NOV 05, 2013, PG 6 PHOTOS: ALASKA STATE TROOPERS/AP IMAGES; AP IMAGES (2)

## Board of Directors

### Vacancy

Closes: December 6, 2013

The Colville Confederated Tribes is seeking a creative, dynamic, and committed professional to join the Board of Directors in playing a key role in the life and future of the Tribes.

- This term is expected to be a One to Two Years
- Bachelor's degree from an accredited college or university
- Related work experience in the private and public sector
- Flexibility, creativity, with strong enthusiasm and commitment

To apply or to get a complete list of requirements, please go to:

<http://www.colvilletribes.com/jobs.php>

## NETWORK ADMINISTRATOR

This position administers and maintains all network and communication infrastructure equipment and software. Qualifications: BS in Computer Science, 3 years exp. in admin and maintenance of MS and LINUX server software, knowledge of TCP/IP, dataflow through ISO's 7 layers, secure access concepts VLAN, VPN, NAT and DMZ, and ability to define and deploy Ethernet and TDM routing, QOS and VoIP Admin, and understanding of the 802.11n protocol, and valid driver's license.

Compensation: \$42,500 - \$52,200 + full benefits to include health/dental/vision/life/std/ltd all free of cost; holiday/vacation/personal leave; 401k w/ employer contribution.

Email resume to [agiltz@lrboi.com](mailto:agiltz@lrboi.com)

Little River Band of Ottawa Indians / Manistee Michigan

Closing Date: January 3, 2014



## Chief Financial Officer

Shoshone-Bannock Gaming, located in Fort Hall, Idaho is seeking a Chief Financial Officer responsible for the successful overall direction, administration and coordination of all activities of the Accounting, Cage, Credit, Financial Analysis, and Labor Analysis, of the Finance Department, in accordance with the Mission and Objectives of the Company, as well as established policies, procedures and controls.

Candidates must have a Bachelor's degree in Accounting, Business Administration or related area from a four-year college or university; or six years related experience and/or training; or an equivalent combination of education and experience. CPA required.

More information is available at

<http://www.shobangaming.com/careers.php>

To apply, send employment application, cover letter and resume before January 3, 2014 by 5pm.



## PLANNING ASSISTANT GRANT SPECIALIST

Closes January 10, 2014 at 5pm

All positions are Full time with benefits.

Visits us at:  
[www.ctclusi.org](http://www.ctclusi.org)

For detailed job descriptions and employment application:

Please call:  
Corita Hughes 541-902-6504

Mail cover letter, application and resume to:

Confederated Tribes of the  
Coos-Lower Umpqua-Siuslaw  
5647 Hwy 126  
Florence, OR 97439



<http://ctclusi.org/jobs>



**DateCatcher**

**SINGLE & LOOKING?  
TRY DATECATCHER**

Articles, advice and services partnered with and powered by

[match.com](http://match.com)



**Visit**

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



# Headlines from the Web

## CHECKS FOR COBELL SETTLEMENT EXPECTED IN EARLY 2014

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

## MESKWAKI CODE TALKERS' FAMILIES TO GET MEDALS, BUT HARD FEELINGS REMAIN

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

## MONEY CENTERS ORDERED TO REPAY MILLIONS TO TRIBE

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

## LAC DU FLAMBEAU LAUNCHES PUBLIC TRANSIT SERVICE

<http://bit.ly/1Eo7PV>

## GRAND FORKS MAN BECOMES SPIRIT LAKE CHIEF JUDGE

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

## PUYALLUP TRIBE, CITY WORKING TOWARD CEMETERY SOLUTION

<http://bit.ly/1916Kdm>

## Upcoming Events

### ALASKA BAR ASSOCIATION, ALASKA

**NATIVE LAW SECTION** DECEMBER 11  
“Federal Funding for Tribal Child Support Programs” will feature Jessie Archibald, attorney for the Central Council of the Tlingit and Haida’s IV-D Child Support program, and Harold Green, attorney for the Aleutian Pribilof Islands Association’s IV-D Child Support program. Archibald will also discuss the status of the litigation over tribal child support jurisdiction currently before the Alaska Supreme Court. Holly Handler of Alaska Legal Services will moderate.

**Location:** Alaska Bar Association Building, Anchorage, Alaska

### COUNCIL FOR NATIVE AMERICAN FARMING AND RANCHING

DECEMBER 12-13

The CNAFR, a public advisory commit-

tee of the Department of Agriculture’s Office of Tribal Relations, will hold its fifth meeting, which will consist of, but not be limited to, the hearing of public comments; an update on Agriculture Department programs and activities; and a discussion of committee priorities.

**Location:** Flamingo Hotel, Las Vegas, Nevada

### NATIVE AMERICAN GRANT SCHOOL ASSOCIATION

DECEMBER 12-14

Since 1991, the NAGSA has been serving the unique needs of grant schools created for Indian Country by the Tribally Controlled Schools Act of 1988. The 18th annual conference, “Working Together to Meet What Lies Ahead,” will address such topics as how to cope with sequestration and future funding; tribal education codes and tribal initiatives; common core standards and technology; operating and maintain school facilities; ethical leadership in community schools; and serving children with special needs.

**Location:** The Orleans Hotel and Casino, Las Vegas, Nevada

### WOAKIPA ETAN WOASNIYE-HEALING FROM TRAUMA

CONFERENCE DECEMBER 17-18

Unresolved trauma can have a devastating impact on individuals, families and nations. This workshop will help attendees understand how trauma affects them and what can be done to begin and continue healing. Topics include “Discovering Healing Pathways: Arts Informed Counseling for American Indian Youth”; “Trauma in the Womb: Preventing Fetal Alcohol Spectrum Disorder (FASD)”; “Tewichahila Pi Ogná Unspewicakiyapi (Teaching/Education with Love)”; and Lakol Wicohan Un Woakipa Api Iciya Pi (Healing from Trauma Using Lakota Culture). The conference is a presentation of the Tribal Youth Program.

**Location:** Best Western Ramkota Hotel, Rapid City, South Dakota

## LETTERS TO THE EDITOR

Re your story about the Cherokee Nation’s response to Matt and Melanie Capobianco’s attempt to recover \$1 million in costs from them in the Baby Veronica case (November 23):

This is so wrong. These people are out to make money off the Cherokee Nation. Why can’t they get a judge to stop this? I feel sorry for the baby. Look what she

was born into: a bunch of greedy thieves who couldn’t tell the truth if the Holy Spirit was standing in front of them. I will have Veronica on my mind until this is over. (I’m also Cherokee.)

— Belita Morrow

Money can buy a lot of things in this country of ours—unjust judges and

lawyers, just to name a couple. Some things money can’t buy. Enough said about that. It appears to me that someone has made a large debt and wants someone else to pay for it. It’s just wrong. The good news is, the Creator is just, and justice will prevail. It’s a matter of time.

— Wayne Beaver

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)



## YAKAMA NATION HOUSING AUTHORITY

611 South Camas Avenue • P.O. Box 156 • Wapato, WA 98951  
Phone 509/877-6171 • Toll Free 1-877-964-2884 • Fax 509/877-9948

### Request for Proposals for a Low Income Housing Tax Credit (LIHTC) Project

The Yakama Nation Housing Authority is requesting proposals from qualified individuals and firms for professional services for a proposed low-income housing tax credit development to be located in Wapato, Washington.

The intent of this proposal is to assist the housing authority with the following: All necessary work to submit a LIHTC application and associated requirements.

Indian Preference applies to the work under this contract, pursuant to 24 CFR 1000.48-52

**Proposals to assist with these services must be submitted to the Housing Authority by 4:00 p.m. December 20, 2013.**

Please email proposals in PDF format to Alfred Roberts at [alfred@ynha.com](mailto:alfred@ynha.com). Proposals received after the deadline will not be accepted. Please contact Al Roberts for a copy of the proposal requirements and scope of work. **Please Note: A condition of this RFP will be that the selected firm has no less than fifteen projects specifically financed through the LIHTC program (other low-income housing experience will not be applicable).** Such experience may be demonstrated through the combined current and past experience of the principals and any assigned staff who will be performing work on this project, whether or not that experience was gained with the current firm.

All proposals should be addressed and directed to:  
William Picotte, Executive Director, YNHA

### RELATED MANAGEMENT

Arbor Court Apartments located at 802 Seminar Road, Houston, Texas 77060 is accepting applications for our 1 & 2 bedroom apartments. Income and program guidelines apply. Applications may be requested by calling, writing or stopping by. Below is our contact information

**Arbor Court Apartments**  
802 Seminar Drive  
Houston, Texas 77060  
(281) 445-4790  
TTY (800) 735-2989

**Hours of operation are Monday thru Friday between 9:00 – 5:30 pm**

Arbor Court Apartments  
Not Discriminate  
On the Basis of Disability



## TORRES MARTINEZ TANF

Invitation for BID DUE  
**December 30, 2013**

**RFP # 10240**

**TANF Program**  
Subsidized Employment Component  
—  
Riverside and Los Angeles  
County Sites

[www.torresmartinez.org](http://www.torresmartinez.org)

or email

[jswenson@tmdci-nsn.org](mailto:jswenson@tmdci-nsn.org)

# Not a Subscriber?

## Get your own This Week From Indian Country Today eNewsletter!

**SUBSCRIBE NOW**



## Research: Native American genes have Eurasian ancestry Or: Eurasian genes have Native American ancestry



## TOP NEWS ALERTS

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

### HOUSE APPROVES LAND SWAP

The House of Representatives has passed a bill that would allow the Fond du Lac Band of Lake Superior Chippewa to swap thousands of acres of land with Carlton County, Minnesota. Under the terms of the measure, the tribe would give the county 1,451 acres of off-reservation land in return for 3,200 acres of equal value that the county currently administers on Fond du Lac property. The Senate Indian Affairs Committee has approved a companion bill introduced by Sen. Al Franken.

### TRIBE DONATES \$50K FOR DISASTERS

The Chachil Dehe Band of Wintun Indians of the Colusa Indian Community has given \$50,000

to the American Red Cross to resist in relief efforts in tornado-stricken areas of the Midwest and portions of the Philippines that were overrun by Typhoon Haiyan. "We, as a people, have the opportunity to help the less fortunate in this time of need, to not only be good local neighbors, but be helpful to the community at large," said tribal chairman Wayne Mitchum Jr.

### NEW SAGINAW CHIPPEWA CHIEF

Steven Pego was elected chief of the Saginaw Chippewa Indian Tribe for a two year-term on December 3. He is one of five sitting members of the Tribal Council who were returned to office in November elections. Chief Dennis V. Kequom Sr. did not seek reelection after the completion of

his two-year term. "It is truly an honor to be selected to serve," Peters said. "I will do everything in my power to ensure we all collectively work for what is in the best interest of the Tribe."

### CALIFORNIA TRIBE BUYING UP LAND

The Lytton Band of Pomo Indians has spent more than \$47 million in the past two years making over a dozen land purchases in Sonoma County, California, the *Santa Rosa Press Democrat* reports. The purchases comprise more than 1,300 acres of vineyards, pastures, woodlands and other properties. "It's a cultural area for the tribe," attorney and de fact tribal spokesman Larry Stridham told the *Press Democrat*. "For the tribe it's significant. It's near its

homeland." He estimated that the Lytton Pomo's total land ownership in Sonoma County is "probably close to 2,000 acres."

### PROBATION AND RESTITUTION FOR EX- HOUSING OFFICIAL

Joanne Lynn Seesequasis,, former director of the Eastern Shoshone Housing Authority, has been ordered to serve three years of probation and pay \$45,000 in restitution in exchange for pleading guilty to one felony count of conversion of federal money from a tribal organization. Authorities charged Seesequasis with claiming overtime pay in the one-year period between March 2009 and March 2010 that was fraudulent and not approved by the housing authority board.



## UPCOMING POW WOWS

### White River Christmas Pow Wow

December 23 - December 25  
Northern Cheyenne Tribal School Gym,  
Busby, Montana  
Contact: L. Jace Killback  
406-477-4857  
[voaxaa@gmail.com](mailto:voaxaa@gmail.com)  
[CheyenneNation.com](http://CheyenneNation.com)

### 13th Annual New Years Eve Sobriety Pow Wow

December 31  
100 Civic Center  
Tulsa, Oklahoma  
Contact: Lorraine Bosin  
918-639-7999

### 9th Annual Red Paint Pow Wow and Indian Market

January 17 - 19  
Western New Mexico University  
Silver City, New Mexico  
Contact: 575-534-1379  
[office@redpaintpowwow.net](mailto:office@redpaintpowwow.net)  
[RedPaintPowWow.net/Powwow/powwow.html](http://RedPaintPowWow.net/Powwow/powwow.html)

### Quincy's Great River Eagles Days and Standing Bear Council's Winter Gathering

January 25 - 26  
Lindsay Center  
Quincy, Illinois  
Contact: Leslie Haslem  
217-577-1930  
[thedragonlvr@yahoo.com](mailto:thedragonlvr@yahoo.com)

### Cox Osceola Pow Wow 2014

February 06 - 09  
Cox Osceola Indian Reservation  
Orange Springs, Florida  
Contact: 352-658-1REZ(1739),  
352-546-1386  
[rez@coxosceola.com](mailto:rez@coxosceola.com)  
[CoxOsceola.com](http://CoxOsceola.com)

### Bois Forte Mid-Winter Pow Wow

February 14 - 17  
Nett Lake School Gymnasium  
Nett Lake, Minnesota  
Contact: Donald L. Chosa Jr.  
218-757-3261  
[dchosajr@boisforte-nsn.gov](mailto:dchosajr@boisforte-nsn.gov)  
[BoisForte.com](http://BoisForte.com)

### 40th Annual Denver March Pow Wow

March 21 - 23  
Denver Coliseum  
Denver, Colorado  
Contact: Grace B. Gillette  
303-934-8045  
[denvermarchpowwow@comcast.net](mailto:denvermarchpowwow@comcast.net)  
[DenverMarchPowWow.org](http://DenverMarchPowWow.org)

### 4th Annual Ida'ina Gathering

March 28 - 30  
Dena'ina Civic & Convention Center  
Anchorage, Alaska  
Contact: Emil McCord  
907-646-3115  
[emccord@tyonek.com](mailto:emccord@tyonek.com)  
[TebughnaFoundation.com](http://TebughnaFoundation.com)

### Anadagisi

April 05  
University of Tennessee-Knoxville Campus  
Knoxville, Tennessee  
Contact: Tiffany Donner, Savannah Hicks  
931-302-3699, 828-734-5727  
[tdonner@utk.edu](mailto:tdonner@utk.edu), [shicks17@utk.edu](mailto:shicks17@utk.edu)  
[Facebook.com/groups/80588568624](https://www.facebook.com/groups/80588568624)

### Circle of Nations Indigenous Association's 30th Annual Pow Wow

April 05  
University of Minnesota Morris  
Morris, Minnesota  
Contact: Kelsey Scareshawk  
952-992-9813  
[ummcnia@morris.umn.edu](mailto:ummcnia@morris.umn.edu)  
[studentorgs.morris.UMN.edu/cnialpowwow.htm](http://studentorgs.morris.UMN.edu/cnialpowwow.htm)

### 44th Annual Idaho State University Spring Pow Wow

April 19 20  
ISU Reed Gymnasium  
Pocatello, Idaho  
Contact: Nolan Brown  
208-282-4220  
[brownola@isu.edu](mailto:brownola@isu.edu)

### 42nd Annual UC Davis Pow Wow

April 19  
University of California Davis  
Outdoor Quad  
Davis, California  
Contact: Crystal Marich  
530-752-7032  
[cmarich@ucdavis.edu](mailto:cmarich@ucdavis.edu)  
<http://ccc.UCDavis.edu/powwow.html>

### 16th Annual National Pow Wow

July 10 - 13  
Vermilion County Fairgrounds  
Danville, Indiana  
Contact: 434-316-9719  
[info@nationalpowwow.com](mailto:info@nationalpowwow.com)  
[NationalPowWow.com](http://NationalPowWow.com)

### 11th Annual Roanoke Island American Indian Cultural Festival and Pow Wow

August 09 - 10  
Manteo, North Carolina  
Contact: Marilyn B. Morrison  
757-477-3589  
[pacoeagle1@ncalgonquians.com](mailto:pacoeagle1@ncalgonquians.com)  
[www.NCAIgonquians.com](http://www.NCAIgonquians.com)

### Manito Ahbee Festival

September 13 - 14  
MTS Centre  
345 Graham Ave  
Winnipeg, Manitoba  
Contact: Candice Hart  
204-956-1849  
[powwow@manitoahbee.com](mailto:powwow@manitoahbee.com)  
[ManitoAhbee.com](http://ManitoAhbee.com)

### 16th Annual 2014 Kauai Pow Wow "Rejuvenate Your Spirit"

September 26 - 28  
Kapaa Beach Park  
Kapaa, Hawaii  
Contact: Dr. Kani Blackwell  
808-651-7733  
[kauaipowwow@gmail.com](mailto:kauaipowwow@gmail.com)  
[KauaiPowWow.com](http://KauaiPowWow.com)

### Bacone College Fall Pow Wow 2014

October 25  
Muskogee Civic Center  
Muskogee, Oklahoma  
Contact: Wil Brown  
918-687-3299  
[brownw@bacone.edu](mailto:brownw@bacone.edu)



*‘Separating The Chaff’ is one of many baskets by Shan Goshorn, Eastern Band of Cherokee.*

**THE BIG PICTURE**