

# Indian Country the premier e-newsletter serving the nations, celebrating the people

## A Letter from the Publisher

Shekóli. Last week we applauded Jon Tester (D-Montna) for standing out on the Senate floor and being recognized as a friend of Indian country. Tester is an example of an informed and rational leader, one who recognizes the needs of interdependent communities and the benefits of strengthening each and every one of them. It has always been a strong hope of Indian Country that if enough officials paid heed to men like Tester, and were educated on the legally binding contracts known as treaties and the fundamental rights of Indian nations as sovereign entities, then both the U.S. and Native Nations would benefit. However, there are sometimes larger



forces to overcome than the lack of communication—the worst obstacle being people who don't care enough to learn about Native rights, but simply want them cleared out of the way.

An interesting situation arose recently in what is now known as the state of Wyoming, and serves as the background to the more topical news elements in this week's feature, "Wyoming Senator Drafts Bill 'To Clarify' Reservation Borders." Simply put, the Northern Arapaho and Eastern Shoshone Tribal Nations wanted to address air pollution on the Wind River Reservation, and were in the process of working with the Environmental Protection Agency on expanding the reservations network of air monitors. But first, the EPA needed to establish the scope of land over which the Arapaho and Shoshone had jurisdiction—and the federal agency determined that the city of Riverton was within the reservation, and not without. This decision flew in the face of local governmental interpretation of a 1905 pact that had allowed settlers to move into native land. Naturally, the EPA did not get any argument from Indian officials. "Most of

the Native people have said this is righting a historical wrong and we've always owned the land," said Eastern Shoshone Business Council Chairman Darwin St. Clair, Jr., "which I would agree with since we've been here since time immemorial."

The state has sought to overturn or limit the impact of the EPA decision in federal court, but recently Sen. Mike Enzi (R-Wyoming) introduced a bill to the Senate that looks to use the powers of Congress to tilt the scales outside the courtroom. As ICTMN'S article elaborates, Enzi's bill says it will "clarify the boundaries of the Wind River

Indian Reservation" by adhering to the boundaries used since 1905. Critics of Enzi say he is being shortsighted and not truly serving state interests. "There is no effort to do anything that is beneficial for our tribal nations, " says Fremont County Commissioner Keja Whiteman. "Which is unfortunate because if native people were more prosperous Fremont County and Wyoming would benefit. There is a continuous effort to "fight" tribes by our own elected officials."

It is a simple truth. As Native people, we are tied to the land. When we prosper, the land prospers—and so does everyone else living on it.

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Ray Halbritter

## Table of **Contents**



	2	COMMENTARY
	4	NEWS
	7	A SMUGGLER'S WORST NIGHTMARE
	9	FIRST NATIONS SAVE FIRST FOODS
	10	

- 10 RETHINK WIND RIVER'S BORDERS
- TRADEWINDS CLASSIFIEDS
   WEB, EVENTS, LETTERS
   CARTOON, NEWS ALERTS
   UPCOMING POW WOWS

WEEK IN PHOTOS

THE BIG PICTURE

IndianCountryTodayMediaNetwork.com April 16, 2014

## The Stranglehold on Native Governance

Dino Gilio-Whitaker, Colville, a research associate at the Center for World Indigenous Studies, traces faults in the current tribal system to capitalism in general:

Capitalism as a way of life was imposed as a civilizing technique of the colonizing American government, especially during the eras of assimilation and the Indian Reorganization Act. The goals of self-government under the IRA were envisioned primarily as a business creation and management regime. Tribal governments were organized as corporations.

When the tribal governments were created they mirrored the American govern-

## A Tale of Dueling Budgets

ICTMN contributor Mark Trahant points up the conflicting claims about the federal FY 2015 budget proposed by Rep. Paul Ryan (R-Wisconsin) and the House's Democratic alternative:

House Democrats said Ryan's last budget—similar in nature to this one—would have reduced spending for the Bureau of Indian Affairs by \$375 million and the Indian Health Service by \$637 million. However Rep. Tom Cole (R-Oklahoma) said the assessment was wrong: "This idea that a Ryan budget means cuts in Indian programs is simply not true. We have evidence that while it lowers overall government spending, it also allows us to re-prioritize where the money goes."

ment not only through the boilerplate constitutions that they adopted, but also through their emphasis on economics and land ownership. Those constitutions were not rooted in indigenous traditions and worldviews but the worldviews of the Euro-American system that imposed itself and its values on private property, rugged individualism and selfishness.

The result is an uncomfortable dichotomy, ever present in the way Indians must negotiate their worlds today. Like the poorest people in the poorest countries of the world, we all want the good life we see other Americans enjoying. In some ways the pressure is more pronounced because it is so in our face.

But if you look at the total package of spending, then Indian-related programs would be hit hard in a Ryan budget. Just consider Medicaid. This is a part of the Indian health budget that is increasing, but Ryan's budget calls for \$2.7 trillion in cuts to Medicaid and subsidies to help low- and moderate-income people buy private insurance. Also, the Ryan plan shifts Medicaid spending into state block grants, making it even less accessible to tribal programs.

The Democrats, on the other hand, support an increase in Medicaid spending, encouraging states to expand eligibility. "Our budget preserves non-defense discretionary spending, the category of funding that supports biomedical re-

Lessons Learned on Capitol

*After serving as staff director and chief* counsel for Senate Committee on Indian Affairs Chairman Daniel Akaka (D-Hawaii), Attorney Loretta A. Tuell, Nez *Perce, was barred by ethics rules from hav*ing any advocacy contact with senators or staff members for a year. A year later, she is now free to make these observations:

Hill

I believe it is critical that all the "collective voices" within Indian country are joined together. My vision was to strengthen tribal sovereignty; to protect and grow our homelands and resources; to safeguard our Native identity, culture and tradition; and to advance the well being of our children, elders and Tribal leaders. To that end, I offer two insights for strategic advocacy success:

• Use the Indian Affairs Committee's vast legislative record to achieve today's goals. Why start over? For example, during the 112th Congress, Chairman Akaka created a dynamic record on a host of priorities, like the "Carcieri fix", federal recognition and Internet gaming. The facts, figures, and impacts developed from written and oral testimony at hearings, mark-ups and filed reports are strategic weapons to be used as catalysts for action. Don't reinvent the wheel, but try to strengthen the existing record to propel forward movement. Keep in mind Our poverty is accentuated by the conspicuous wealth of our neighbors. We are alienated by a system of greed not of our making.

The capitalist system is the business approach to life, not a Mitakuye Oyasin ("we are all related") approach to life, the way we were taught by our elders. It was perhaps inevitable and beyond our control that we would get swept up into the capitalist paradigm. But now the limits to capitalism are painfully obvious. My hope is that we will look back and see the economic system that drives us now as just a phase of development the human race passed through to reach a more just and equitable society. http://bit.ly/Q5dkCo @

search at NIH, primary care services provided at community health centers, mental health and substance abuse services at SAMSHA, comprehensive health care provided by the Indian Health Service, and other vital public health programs," the Democratic plan says. "In contrast, the Republican budget cuts this category of funding by more than twice as much as it would be cut if the sequester went into effect and stayed in effect for 10 years."

These dueling budgets, these different approaches to governing, are the framework for the November elections. The only problem is that those who want budgets cut dramatically, the Tea Party folks, will turn out and vote. http://bit.ly/OKty2B 🐗

that few bills are introduced, passed and signed into law during one session of Congress. Instead, just like our ancestors we must persist and persevere. Our survival depends on it.

• Build nonpartisan support. "Today's enemies can be tomorrow's friends," goes the adage. The current political climate underscores the need to build non-partisan support in Indian affairs. It is not self-evident to Democrats, Republicans and Independents that they have a constitutional duty and a trust responsibility to Native Americans. Non-partisan support should be built with mutual respect and education. Don't let ignorance be an excuse. http://bit.ly/1hUXeFX 🐗

AN INTERNATIONAL WORLD CELEBRATION

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## **APRIL 24-26, 2014** ALBUQUERQÚE, NM

## NORTH AMERICA'S BIGGEST POWWOW

## **HEADLINING CAST**

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World

(Koring) Larry Yazzie - Tama, IA
(Roving) Larry Yazzie - Tama, IA
Young Spirit - Frog Lake, Alberta -'13 No. Champs Thunder Hill - Weatherford, OK - '13 So. Champs NVITEN DR Eagle Mountain - Thunder Valley, SD Black Bear - Atikamekw First Nation, Quebec Crazy Spirit - Mount Pleasant, MI Wild Band of Comanches - Fletcher, OK DIAN WORLD 2013-14: Kansas Begaye - Waterflow, NM



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 & Jason Whitehouse (Powwow Personality) Madison Hts, MI

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## Veronica's Birth Mother Drops Bid to Overturn ICWA in South Carolina

#### BY SUZETTE BREWER

The legal team for Christinna Maldonado, the birth mother of "Baby Veronica" Brown, has quietly dropped its class action suit, which sought to overturn portions of the Indian Child Welfare Act (ICWA) by contending it is "race-based" legislation, Indian Country Media Network has confirmed.

The case, *Maldonado et al v. Holder*, in which the United States and the Cherokee Nation of Oklahoma were also named as defendants, had been filed last July during the height of the legal firestorm in which Matt and Melanie Capobianco of James Island, South Carolina, were seeking custody of a Cherokee child they had named Veronica.

The Supreme Court had ruled in June 2013 that Veronica's biological father, Dusten Brown, could not sue under ICWA because he did not have "continued" custody of the girl. The case made headlines around the world, though the little girl was eventually returned to live with the adoptive couple in South Carolina in September of last year.

Maldonado had initially remained quiet during the legal proceedings, but eventually joined the class action suit, which included a dozen other women in filing the litigation in federal court in South Carolina. Their suit sought to declare the "Indian preference" under section 1915 of the ICWA "unconstitutional," because it "violated their civil rights to choose fit, stable adoptive parents for their birth children," according to one of their attorneys.

But on January 27, the plaintiffs quietly filed a voluntary motion for dismissal with the court, putting an end to one of the longest, most expensive and emotional custody cases in U.S. history.

"We are pleased Ms. Maldonado and the unnamed plaintiffs voluntarily dismissed the suit," said Chrissi Nimmo, assistant attorney general for the Cherokee Nation. "We never believed the suit had any merit and we were prepared to actively defend the suit had we ever been served." *http://bit.ly/11LMYD4 #* 

## Navajo Nation to Get \$1 Billion in Historic Kerr-McGee \$5.15 Billion Cleanup Settlement

Kerr-McGee Corp. and its parent Anadarko Petroleum Corp. will pay a record \$5.15 billion to remediate polluted industrial sites around the United States, with \$1 billion of that going to uranium cleanup on the Navajo Nation, the U.S. Department of Justice announced on April 3.

The settlement caps a years-long legal battle over whether the two companies were responsible for cleaning up the waste from their abandoned operations after a spinoff that held the liability went bust.

"Kerr-McGee spun off its chemicals business and old environmental liabilities as Tronox Inc. beginning in 2005," Bloomberg News explained. "About three months after the transaction was completed, Anadarko offered to buy Kerr-McGee's oil and natural gas assets for \$18 billion. Tronox filed for bankruptcy in 2009 and sued Kerr-McGee over the environmental debt. The U.S., as Tronox's largest creditor, intervened on behalf of the EPA."

The Justice Department held that the spinoff and subsequent bankruptcy were nothing more than a ploy to evade responsibility and in fact constituted fraud. In December 2013 a bankruptcy judge ruled that Anadarko and Kerr-McGee were liable for damages ranging from \$5.1 billion to \$14.1 billion.

Of the \$1 billion, \$985 million will go to the U.S. Environmental Protection Agency for cleanup of radioactive waste at 50 abandoned uranium sites within and surrounding the Navajo Nation, the Justice Department said.

Another \$43 million will go directly to the Navajo Nation so it can clean up radioactive waste at the Kerr-McGee uranium mill in Shiprock, New Mexico. http://bit.ly/1mVeuv7

## Yocha Dehe Wintun Nation Declares Drought Emergency As California Water Shortage Continues

The Yocha Dehe Wintun Nation has declared a drought emergency and called upon its members to cut their water use by 20 percent.

"The drought threatens how we eat and drink everyday, how we manage our businesses, how we protect our environment and how we plan for our families' futures," said Tribal Chairman Marshall McKay. "These threats are faced by everyone in California and we all must do our part, working together, to conserve and protect in every way possible." California has been laboring under a drought for many months, and this year it has reached crisis proportions. Gov. Jerry Brown declared a drought emergency in January, and several tribes, including the Hoopa, have followed suit.

In March, Brown signed a \$687 million bill enabling drought relief, though it was not clear how much specifically would go toward tribes.

The Yocha Dehe Tribal Council passed a resolution directing that the tribe "intensify its use of native, drought-tolerant plant species on all properties; closely monitor and reduce irrigation; use recycled water from its olive mill to water olive trees, and educate tribal citizens and employees on saving water."

Given the elevated fire risk, the Yocha Dehe Fire Department is also on high alert, the tribe said, and is working with the community to ensure that wildfires are put out quickly and do not spread. "We are used to the high risk of fire in our area during the dry summers and fall, but two straight years of drought have created a much more dangerous threat level," said Yocha Dehe Fire Chief Gary Fredericksen. http://bit.ly/1gXtUi5

## Ho-Chunk Inc. Subsidiary Awarded \$80 Million Federal Contract

All Native, Inc., a division of Ho-Chunk, Inc., the economic development corporation owned by the Winnebago Tribe of Nebraska, was recently awarded an \$80 million by the State Department's Diplomatic Security Training Center (DSTC) Professional Support Services Contract. The contract marks the single largest annual revenue contract award in the company's history.

All Native, Inc. will provide program management and administrative support to the State Department's Bureau of Diplomatic Security. The department is involved in an ongoing effort to upgrade security domestically and at its overseas facilities in order to better protect personnel, property and national security information. The company will assist in this effort by providing training to State Department agents and other employees at the DSTC.

All Native, Inc. will work with the DSTC to educate individuals on defensive measures against firearms; learning how to drive and navigate a vehicle through an attack while avoiding collision; identifying and averting a potential deadly explosive situation; as well as handling situations consisting of multiple life-threatening scenarios. The company will employ physical security specialists, many types of subject matter experts, investigative professionals, financial managers, cyber professionals as well as other personnel in professional support fields for these courses.

The DSTC provides varying levels of education from entry level to experienced agents in training. Therefore, the instructors for the courses are equipped with the most up-to-date information and experience. All Native, Inc. will work to employ instructors who have recently returned from high threat areas to enhance this level of training.

The DSTC Professional Support Services Contract will employ 225 personnel over a three-year period. The contract support is predominantly located at the domestic DOS facilities but will also support and train personnel globally which includes over 260 Foreign Service posts worldwide. http://bit.ly/1qlpPqo I

## Author Peter Matthiessen, Chronicler of Leonard Peltier, Walks On

National Book Award winner and champion of Indian rights Peter Matthiessen walked on April 5 at the age of 86. He was celebrated for *In the Spirit* of Crazy Horse: The Story of Leonard Peltier and the FBI's War on the American Indian Movement (Viking, 1991) and the prophetic Indian Country (Viking, 1984).

"In the Spirit of Crazy Horse is one of those rare books that permanently change one's consciousness about important, yet neglected, facets of our history," wrote Alan M. Dershowitz in *The New York Times*. It is an effort that is still under way today as Peltier, given consecutive life sentences after his 1977 murder conviction on the killing of two FBI agents, remains in prison.

Soon after that would come Indian Country, equally scathing in its indictment of the environmental, cultural and psychological damage that centuries of European occupation have wrought. The book provides insight not only into the hurt being inflicted on Turtle Island's First Peoples but also the injury that those who are attempting to eradicate them inflict on themselves.

"It isn't enough to admire Indian teachings; we need them," Matthiessen wrote in the introduction to Indian *Country.* "We belong to this earth, it does not belong to us; it cares for us, and we must care for it. If our time on earth is to endure, we must love the earth in the strong, unsentimental way of traditional peoples, not seeking to exploit but to live in balance with the natural world. When modern man has regained his reverence for land and life, then the lost Paradise, the Golden Age in the race memories of all peoples will come again, and all men will be 'in Dios,' people of God." http://bit. ly/1hsZZPU 🐗

## Tulalip Fundraiser Helps Residents Begin to Heal in Washington Landslide

BY RICHARD WALKER

A three-hour event in Tulalip, Washington on April 5 to assist victims of the nearby landslide-ravaged town of Oso raised more than \$3,000 in funds, food and supplies. The event was more than a fundraiser; it was a gathering to help people—Native and non-Native alike, from Tulalip and from the region—come together and begin to heal from the March 22 disaster in which 33 people died and 12 are still listed as missing

Remembrance was on the minds of those at the Tulalips Tribes Gymnasium that evening. The fire chief's young nephew, Tulalip citizen KC Hots, opened the event with a prayer in the Lushootseed language. He thanked the Creator for the day and for the table, symbolic of the fact that each day we live, we have much to be thankful for. Drummers and singers offered traditional songs, medicine for a hurting community. On the floor, children danced, symbolic of the fact that life is worth celebrating. Elders offered some classic hymns, each one telling a story that we don't walk alone through life's dangers, toils and snares, and that though this life is fleeting, it is followed by a life that cannot be wiped away by landslide or other catastrophes of nature or mankind.

The April 5 event was one of several fundraisers being held in the region to assist victims and families. Earlier, the Tulalip Tribes donated \$100,000 to the American Red Cross of Snohomish County and \$50,000 to the Cascade Valley Health Foundation to assist with the relief effort in Oso. http://bit.ly/OKHl9r @

## Grubbe Re-Elected Agua Caliente Chair

*Will serve second two-year term* 

Jeff L. Grubbe was re-elected on March 18 to a second consecutive two-vear term as the tribal council chairman for the Agua Caliente Band of Cahuilla Indians in Palm Springs, California. Larry N. Olinger was re-elected as tribal council vice chairman for a two-year term. Other tribal council positions decided by the tribal election were Vincent Gonzales III re-elected as tribal council secretary/treasurerm and Anthony J. Andreas III reelected to a fifth consecutive one-vear term as council member. Reid D. Milanovich, son of late chairman Richard M. Milanovich, was elected for a one-year term as council member. http:// bit.ly/1lQikZi 🐗

## Amendment Helps Navajo Tech

Accord between Arizona and Navajo

Arizona Gov. Jan Brewer and Navajo Nation President Ben Shelly have signed an amendment to the Arizona Funding Compact that would provide \$875,000 annually for the next eight years for a total of \$7 million to Navajo Technical University's (NTU) instructional sites in Chinle and Teec Nos Pos, Arizona. The allocated funds will be used for maintenance, renewal, and capital expenses, and will be instrumental for the construction of a fully functional campus at NTU's fastest growing site in Chinle. "In receiving the additional funds through the Arizona

Funding Compact," said NTU president Dr. Elmer J. Guy, "we will be able to provide the necessary resources for students in Chinle." http://bit.ly/10Qn3MD (#

## Cherokee Nation Veterans Center Opens

Accord between Arizona and Navajo

The new \$2 million Cherokee Nation Veterans Center is now open for military veterans to visit or seek guidance from the tribe's office of Veteran Affairs in Tahlequah, Oklahoma. The 700-squarefoot center, complete with a community room, library, kitchen and sunroom, was completely funded by the Cherokee Nation; it is located just east of the W.W. Keeler Complex, with hours from 8 a.m. to 5 p.m., Monday through Friday. The center has three full-time tribal emplovees on staff to assist veterans with benefits and tribal programs. A Veterans Affairs readjustment counselor is also onsite part time. http:// bit.ly/1kwbWXj 🐗

## Redwood Poaching Attracts Attention

Spotlight on growing thievery

Redwoods that have stood like sentinels for a thousand years or more are being brutalized by poachers, their burls hacked off and sold, with at least 18 known cases of burl poaching from redwoods in the past year, *The New York Times* reported on April 8. The slabs of raw wood that are used to make furniture can sell for hundreds or even thousands of dollars each, the newspaper reported. "It's not just a property crime," said Brett Silver, supervising ranger for Redwood National and State Parks in California. "It's a legacy, like hacking up a church." The Yurok Tribe agreed, noting on its website that redwoods are "sacred living beings" that "stand as guardians over our sacred places." *http://bit.ly/1lNOmma 4* 

## FireKeepers To Debut IGaming Website

More options for customers

The Nottawaseppi Huron Band of the Potawatomi is extending the presence of FireKeepers Casino Hotel through a new free-to-play iGaming website. The preexisting website www.Fire-KeepersCasinoHotel.com will soon offer "FireKeepers Casino Hotel Online Games" while also rendering a more user-friendly interface. To further enhance guest experience, FireKeepers Casino Hotel's gaming commission is creating a mobile app for use on smartphones and tablets. Initial specs of the app, currently in development, show it featuring a slot locator, restaurant menus, floor maps and many more tools. Guests at the brick-and-mortar facility in Battle Creek, Michigan, can also enjoy the FireKeepers' "Free Zone", featuring free slot games located on the gaming floor. *http://bit.ly/* OLyy7g 🐗

## Eastern Shawnee Boy Locked in Wire Cage

Father was unaware of his existence

Eastern Shawnee tribal

member Kevin Nelson has just learned he is the biological father of a 5-year-old boy whose mother allegedly locked him in a wire dog cage for up to 14 hours a day. The Department of Human Services notified Nelson, a father and husband in Tulsa. Oklahoma, earlier this year that he had a son with former girlfriend Suzanne Satterfield, 33. Unaware that Satterfield had been pregnant, Nelson requested a DNA test; results confirmed his paternity. Satterfield and her live-in boyfriend Johnathan Lee, 31, were both charged with child abuse on March 25, reported The HuffingtonPost. "I'm dying to see him," Nelson said of his son. http://bit.ly/1gFMjep 🐗

## Chickasaw Nation Partners On Clinic

New capacity for pharmacists

The Chickasaw Nation has agreed to partner with the Oklahoma City Indian Clinic on the CARES Capital Campaign, a \$2 million fundraising project to construct a new 7,000-squarefoot pharmacy at the clinic. The clinic currently operates a 900-square-foot pharmacy that fills 200,000 prescriptions every year. The existing space does not allow pharmacists to play an important role in helping patients with their needs and answering their questions. The new pharmacy, by contrast, will enable the staff to fill more than 400,000 prescriptions a year and provide confidential patient consultation space, training rooms and drive-thru operations for patient convenience. http:// bit.ly/1hGCXiU 🐗



"Just because you're Native American," says Shadow Wolf John Bothof (Sioux), "you don't always have the inherent skills to be a tracker. They have to be learned and practiced regularly."

# A Smuggler's Worst Nightmare

## In the desert shadows, Native vigilance awaits BY LEE ALLEN

**Bottom Line:** Beware of the Shadow Wolves, an elite group of Native American trackers who will surely intercept you if you are intruding on their corner of the Arizona-Mexico border.

The Tohono O'odham Nation straddles the Arizona/Mexico border, where the Sonoran Desert's drastic temperature shifts can be dangerous. It is an area where, at any given time, a drug smuggler or undocumented migrant is caught by something just as dangerous–a Shadow Wolf.

The Shadow Wolves, an elite group

of Native American trackers, rely on centuries-old tracking skills on a daily basis while patrolling their portion of the 150 miles of border between Arizona and Mexico, a labyrinth of corridors and conduits allowing for illegal activity. This stretch along the reservation proves to be one of the highest-risk entry points.

In the summer, the desert heat can hover between 110-120 degrees Fahrenheit, and remains very dry, with an annual rainfall of 10 inches. In the winter season, those temperatures drop to freezing conditions. It's a place where the sun beats down relentlessly, winds whip up grains of desert sand, and "parched" and "dry" are the passwords for entry. Noted naturalist Edward Abbey once said the terrain offered miles and miles of things that "sting, stick, stab, or stink."

"Things are wide open out there," said one law enforcement officer. It is estimated that nearly half the narcotics bought by Americans each year comes through Mexico, and much of the bulkier marijuana component makes its way across the international boundary through the reservation, at or near the town of Sells, Arizona. There is a continual supply of transporters or "mules" willing to strap a 50-pound bale onto their back and take on the dangers of the desert.

The Shadow Wolves pride themselves on being one of those dangers, operating by this motto: "In brightest day, in darkest night, no evil shall escape my sightfor I am the Shadow Wolf."

Created by an act of Congress in 1974, the Shadow Wolves celebrated their 40th anniversary on April 12. "While it was recognized that a drug trafficking corridor ran through tribal lands, this is a sovereign nation and you don't just move in," said Amber Cargile, Public Affairs Officer for Department of Homeland Security, U.S. Immigrations and Customs Enforcement. "When talking with tribal leaders about their lands being exploited by the bad guys, they said an office could be established on the Nation, but they wanted it staffed by Native Americans."

Shadow Wolf John Bothof, Sioux, likes to tell the story of one of the original group of seven trackers, Stanley Liston, who epitomized the process of stealth: "He was so good he could sneak into a throw-down camp when the bad guys were sleeping, survey the scene, and come back out and tell waiting law enforcement officers that this guy is here and that guy is there and the dope is here. He got the nickname of 'Shadow Man' because he could become a part of the scene without being detected and that title morphed into the Shadow Wolves."

The wolf pack, once as large as 20plus members, has been hit hard by the recession and subsequent budget cuts. It has now been reduced to about a dozen trackers who work in inter-governmental cooperation with the U.S. Customs and Border Patrol, the Bureau of Land Management, Homeland Security Investigations personnel, sheriff's deputies in two adjacent counties, and the Tohono O'odham Police Department.

"There's a huge federal footprint on tribal lands now that wasn't there years ago," says Angel Rascon, Assistant Special Agent in Charge of the Homeland Security operation in Sells. "Because of the sheer amount of traffic we see here on the Nation—different corridors run by different smuggling operations—several task forces come together to handle federal, state, and tribal issues." Politics notwithstanding, the two veteran supervisors of the Shadow Wolf unit, Kevin Cross (Tohono O'odham) and David Scout (Lakota Sioux) have their eyes trained on the desert and unexplained clouds of dust. "We don't catch smugglers every day, but the ones that get away just make us want to catch them even more," Scout said.



Shadow Wolf Kevin Cross (Tohono O'odham) with rug slippers. Smugglers of both people and dope wear such home-made garments over their shoes to minimize the footprints available for tracking.

Although the desert is huge, certain smuggling corridors are used frequently. "But it's not just a single corridor, a specific route they rely on," said Shadow Wolf Kevin Carlos, "it's a spider web of routes they can utilize to their advantage. This is obviously a lucrative business and those spider webs are owned and operated by an individual belonging to a particular cartel organization. The spotter in the mountains is the key because he can warn the smugglers to change their route. And if we take those 'eyes' out of the picture, a replacement will quickly arrive. It's a challenge for us on the scouting end. We could take them down, all day long, but it's like ants-they just keep coming.

"Marijuana is the big problem here," Carlos added. "Hard drugs tend to be discovered more at ports of entry, where it's easier to hide small packets of drugs in a vehicle or on a body, but a 50-pound bale of sweet-smelling marijuana is hard to conceal."

Over the years, the Shadow Wolves and smugglers have played a version of catand-mouse. As spotters sit in the mountains using binoculars and encrypted radio transmissions to guide the drugs in transit, the wolves track "cut signs" to chase and apprehend the bad guys. Using traditional tracking methods, agents can look at desert vegetation and tell how recently a twig has been broken, a blade of grass trampled by a human, or how many smugglers there are and in which direction they were headed.

Patrol members grew up comfortable with nature and innately know how to read the subtle messages. Knowledge that was passed down from elders shows the wolves that it is possible to hear silent things and see the invisible in the desert. The tracking skills have been likened to playing an instrument: once the rudiments have been learned, it takes continual practice before skill levels improve.

"Just because you're Native American, you don't always have inherent tracking skills," said Bothof. "Over time, anybody can be taught the basics, but it takes ongoing practice to keep the edge and retain what it takes to be a success."

Forty years after their creation, the Shadow Wolves are legendary. Former Tohono O'odham Police Chief Richard Saunders recently paid homage to their particular brand of vigilance. Modest technical improvements in the form of night vision goggles, he said, were getting underway about the time he retired. But such equipment, he noted, can only get you so far.

"What little we had in the way of equipment was a far cry from the bad guys who had lots of money and could afford the high dollar toys to avoid detection," Saunders said. "But no matter how great the technology, you still need a physical body to respond to the sensor hits in the field—and that's what the Shadow Wolves do well." http://bit.ly/1krefuP @

LEE ALLEN

## First Nations Save First Foods

## Northwest Tribes Seek to Restore Fish Runs BY JACK MCNEEL

**Bottom Line:** *Man-made barriers have decimated or slashed many fish populations. But the damage may not be irreversible* 

Salmon and other migratory fish attempting to return to their spawning grounds in the Pacific Northwest face no fewer than 400 man-made barriers in the Columbia River Basin, the earliest dating back to 1885—and there may be as many as 100 more constructed illegally on private property, tribal fish biologists estimate.

Now, however, biologists with the Columbia River Inter-Tribal Fish Commission (CRITFC) are attempting to reverse the situation by restoring historic fishing runs. On April 23 and 24 they will discuss various possibilities at the Future of Our Salmon conference in Portland, Oregon. They have done their groundwork, having documented most of the obstructions on a massive map of the basin and gathered at a CRITFC workshop in mid-March to review their individual projects ahead of the conference.

Eliminating the obstructions is essential not only from a food-security standpoint, the experts said, but also for cultural and spiritual reasons.

"The deal we made with the Creator is that if we take care of our first foods, the first foods will take care of us," said CRITFC Executive Director Paul Lumley. "Salmon are the first of the first foods."

The impediments to fish migration posed by such monolithic barriers as the Grand Coulee Dam are well documented. But anadromous fish face myriad other obstacles as well. In the 129 years since the Grand Coulee was built in Spokane, Washington, fish passage has been restricted, if not totally eliminated, in many areas, tribal experts said at a recent workshop addressing the issues. Nor are the problems restricted to the Columbia River.

"The tributaries and main stem Snake River habitat are probably in worse shape than on the Columbia," said Dave Johnson, program manager for the Nez Perce Department of Fisheries. "The main stem is a mess. All the Snake River salmon and steelhead populations are listed under the endangered species act or have been extirpated."

By 1980, river flows had been reduced by 50 percent, causing migration time to increase from weeks to months and decreasing survival, said Sheri Sears of the Colville Tribes. The granddaddy of all these barriers is the Grand Coulee, completed in 1942, which completely blocked upstream migration all the way into the headwaters in western British Columbia. Also notable are the Brownlee, Hells Canyon and Oxbow dams on the Snake River, which totally block fish migration across western and southern Idaho nearly to the Wyoming border as well.

Moreover, these are all towering dams. The Grand Coulee, for example, is 551 feet high. The Brownlee tops out at 420 feet. Others are only slightly lower. Their construction, and lack of any means to transport fish beyond them, has changed the culture of Northwestern tribes, whose members once depended on these fish for food.

Ever since the first dams were built, biologists from tribes and governmental agencies have sought ways to get fish over, around, and through these barriers: large and small dams, culverts and even waterfalls. Currents and water temperatures have changed over the years, as well.

At the March workshop, different locations reported various problems and possible solutions. One practice that has proved effective is the use of pit tags to compare survival rates between dams. National Oceanic and Atmospheric Administration (NOAA) Fisheries biologist Ritchie Graves pointed out that this procedure was relatively cheap, no handling was required, fish were from a known source, and it was an easy estimate to understand. In addition, he said, everyone using this technique sends their findings in, making for highly accurate reporting statistics.

New technology sometimes replaces old, as cited by James Bartlett, fisheries biologist with Portland General Electric. For instance, Round Butte Dam once had a 2.8-mile fish ladder. That was discontinued a few years later, and a truck and haul method is now used for both juveniles and adults. A pipe releases the fish 20 feet below the surface to prevent thermal shock.

Cracking down on the roughly 100 mostly illegal dams in central Washington would be a good starting point for restoring the fish runs, Sears said. The smaller dams and barriers notwithstanding, the single overriding problem continues to be moving fish past the major hydroelectric dams. Solutions are possible, but funding is key, which is one hope for the outcome of the renegotiation of the Columbia River Treaty, which is nearly complete.

Perhaps the most unusual option for boosting fish over large dams is being developed by Whooshh Innovations, a company that is testing a flexible sleeve that rapidly moves fish using a pressure differential. The first tests will move fish 200 feet with a 50-foot rise. But the company is already thinking of much larger numbers, a minimum of 1,000 feet with a 236-foot rise.

"Our model indicates it would take a fish 25 seconds to make that rise," said Whooshh's Vice President-Fish Transport Systems Todd Deligan. "Do we want to go over something like Chief Joseph Dam? Absolutely." http://bit.ly/1g1cHjA

# **Rethinking Wind River's Borders**

## Who should have the last word? BY IRINA ZHOROV

**Bottom Line:** Wyoming and the tribes who share the Wind River Indian Reservation in the state are waiting for their day in court to resolve a border dispute. But one senator has drafted a legislative alternative.

A bill drafted by Sen. Mike Enzi (R-Wyoming) seeks "to clarify the boundaries of the Wind River Indian Reservation" by defining them as the borders drawn by a 1905 treaty.

Enzi drafted his bill in response to a December decision by the Environmental Protection Agency (EPA) to grant the Northern Arapaho and Eastern Shoshone Tribes, who share the reservation, status as a state for the purpose of air monitoring. The reservation has air pollution sources on its land, including energy development, and lies downwind of additional pollution sources beyond its borders. With only one air monitor within Wind River's borders and various health concerns, the tribes want to expand their air-monitoring network. In granting the tribes the right to apply for grants to fund monitoring efforts, the EPA had to define the tribes' jurisdiction.

After consultation with the Department of the Interior, the EPA concluded that a 1905 treaty that opened sections of the reservation to white settlement did not diminish the reservation's borders. According to the EPA, Wind River's borders encompass the city of Riverton and thousands of acres the state has long considered non-tribal land. "Most of the Native people have said this is righting a historical wrong and we've always owned the land, which I would agree with since we've been here since time immemorial," said Eastern Shoshone Business Council Chairman, Darwin St. Clair Ir. when the EPA announced its decision.

But Wyoming Gov. Matt Mead said the

EPA overstepped its jurisdiction and the state filed an appeal with the 10th Circuit Court, where the case remains stalled. Mistrust among tribal and non-tribal governments about each side's intentions has grown, and the quick state reaction roused racial tensions in Riverton. Grassroots efforts, like a new group made up of reservation residents and called the Wind River Citizen's Equality Commission,

'The EPA has no business deciding land boundaries, but its action and arguments in court could be used for these purposes.'

have formed to encourage cooperation among stakeholders in the region.

Wyoming, meanwhile, has pushed ahead efforts to undo the EPA's border decision. During the state's legislative session this winter, state lawmakers passed a bill appropriating funds to fight EPA's decision and others like it in the future.

Now, Sen. Enzi's draft bill attempts to address the issue on a federal level. Enzi said he does not want to change what he sees as the current borders of Wind River, but rather to define them in order to maintain the status quo.

Asked why the senator decided not to wait for a resolution from the federal court, Enzi's spokesman Daniel Head responded, "The EPA and court decision based on EPA actions should not be used to change long-established boundaries. The boundaries were set by Congress a long time ago and they should be set by the elected representatives of the people. The EPA has no business deciding land boundaries, but its action and arguments in court based on those actions could be used for these purposes."

Gov. Mead's spokesman, Renny MacKay, said that Mead appreciates Enzi's efforts and believes any changes to jurisdictional boundaries should stem from congressional action.

But the Northern Arapaho Tribe called Enzi's draft bill a betrayal, saying that Enzi has "turned his back" on his tribal constituents in the state. And, citing Enzi's opposition to the tribes' efforts to establish Indian gaming a decade ago, the tribe said this was not the first time he had done so.

"It's chilling to see this kind of attack on Indian country in 2014," said Darrell O'Neal, Northern Arapaho Business Council Chairman.

Fremont County Commissioner Keja Whiteman, who lives on an undisputed part of the Wind River Reservation, also does not support the bill. She said the political climate in the state is such that "there is no effort to do anything that is beneficial for our tribal nations. Which is unfortunate because if Native people were more prosperous Fremont County and Wyoming would benefit. There is a continuous effort to 'fight' tribes by our own elected officials."

Enzi has not yet introduced his bill; Head said he is awaiting comments from stakeholders. But Enzi does have support from the rest of the Wyoming congressional delegation, which includes Sen. John Barrasso (R) and Rep. Cynthia Lummis (R).

Meanwhile, the tribes can proceed with air monitoring initiatives on undisputed land. The status as a state has been put on hold on the disputed parcels pending resolution. http://bit.ly/1g86YvN I



National Book Award winner and Indian rights champion, Peter Matthiessen, author of In the Spirit of Crazy Horse, walked on April 5.



Grand Coulee Dam is a focus of the Columbia River Intertribal Fish Commission's attempts to restore historic fish runs.



The newly opened Cherokee Nation Veterans Center is located just east of the W.W. Keeler Complex in Tahlequah, Oklahoma.



U.S. Sen. Mike Enzi (R-Wyoming) has a plan to define the borders of the Wind River Indian Reservation by the terms of a 1905 treaty.

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# Headlines from the Web

A KING'S RANSOM: CANDLEBOX, MOBILE MIKE SUE SEMINOLE TRIBE http://bit.ly/1sBr9aH

MARIJUANA RAISES ISSUE OF TRIBAL AUTHORITY http://bit.ly/1gM0cb8

## Upcoming Events

#### AMERICAN INDIAN/ALASKA NATIVE CHILDREN EXPOSED TO VIOLENCE IN THE COMMUNITY APRIL 16-17

This is the third in a series of four public hearings on the subject of Native childhood violence undertaken by the Justice Department. Based on testimony at the hearings, on comprehensive research, and on extensive input from experts, advocates, and affected families and tribal communities nationwide, the departmental task force will issue a final report to the Attorney General, presenting its findings and comprehensive recommendations, this fall. **Location:** Hyatt Regency Pier 66, Fort Lauderdale, Florida

### NATIVE WOMEN'S LEADERSHIP FORUM AND ENDURING SPIRIT HONORING LUNCHEON APRIL 17-18

"Weaving a Tapestry Together for Our Future" is the theme of the 10th annual forum, which annually unites Native women of all ages to celebrate the power of positive change in their communities. Sponsored by the Native Action Network of Seattle, Washington.

## LETTERS TO THE EDITOR

Re your feature about potentially fraudulent Native charitable organizations ("Be Wary When Giving: There Are Some Rotten Indian Charities", March 28):

I appreciate the sensible advice to be careful in selecting the recipients of charitable donations. But this article provided no information on how to go about vetting those recipients. Does the author have no suggestions on how to TRIBAL LEADERS CRITICIZE LAND-BUYBACK PROGRAM http://wapo.st/1iyhF9r

ONONDAGA NATION CRITICIZES AMPHITHEATER AT WASTE SITE http://alj.am/1krDTQ4

**Location:** Great Wolf Lodge, Chehalis, Washington

#### AMERICAN INDIAN LEARNERS CONFERENCE APRIL 19

This ninth annual one-day conference addresses the issues of American Indian students and their relationship with faculty, curriculum content, and their school. The principal objective is to be able to take back into their classrooms and schools key ways of introducing the Native culture into their subjects, using art and language integration.

**Location:** University of Central Oklahoma, Edmond, Oklahoma

#### BIENNIAL GATHERING OF PEACEMAKERS APRIL 22-24

The Tribal Judicial Institute, in collaboration with the Chickasaw Nation, Fox Valley Technical College, the National Tribal Judicial Center and the Native American Rights Fund, will host "No Justice Without Peace," devoted to introducing participants to indigenous justice methodologies and examples of how they are being incorporated into tribal justice systems. Agenda items include "Peace and Justice Between

find out if a charity is actually providing the help it promises?

— Hilary Ray Moorhead, Minnesota

I am very impressed with Killaq Enuaraq-Strauss, the young Iqaluit woman who urged Ellen DeGeneres to reconsider her charitable choice of the Humane Society of the United States, which campaigns against seal hunting TENSION RISES OVER CHUMASH INDIAN PLAN FOR YNEZ VALLEY CASINO http://lat.ms/1qsjVSI

TRIBAL MEMBERS SUSPECT LOWER BRULE NOT INVESTED IN KXL FIGHT http://bit.ly/1lQK6EU

World Views," "Victimization to Criminality: How the Cycle of Injustice Continues", "Child Protection Programs and Peacemaking", "Preparing the Next Generation of Peacemakers Through Academia", and "Specialty Courts Using the Peacemaking Model".

Location: Artisan Hotel, Sulphur, Oklahoma

## CONSORTIA OF ADMINISTRATORS FOR NATIVE AMERICAN REHABILITATION MIDYEAR TRAINING CONFERENCE APRIL 22-24

"Renewing Our Spirit" will showcase models and strategies to improve and expand tribal vocational rehabilitation practices; exchange of ideas to design and enhance the provision of culturally appropriate vocational rehabilitation services for consumers residing on or near tribal lands; and presentations on techniques to enhance the skills and competencies of project administrators, counselors, and support staff. Hosted by the Tribal Vocational Rehabilitation Programs located in Arizona, Colorado, and New Mexico.

**Location:** Marriott Uptown Conference Center, Albuquerque, New Mexico

("Inuit Flood Twitter With 'Sealfies' After Ellen DeGeneres Selfie Funds Hunt Haters," March 31). She is much more articulate and magnanimous than I could ever be. To me, the liberal-left do-gooders are not our friends. We may have similar views on a number issues and help each other from time to time, but they are more dangerous (always with a kind face) than most of us think. — Bruce Schaefer

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



## TOP NEWS ALERTS

From IndianCountryTodayMediaNetwork.com

#### MACKINAC TRIBE SUES FOR RECOGNITION

The Mackinac Tribal Nation of Michigan, Indiana and Ohio has sued the Secretary of the Interior in pursuit of its quest for federal recognition. The Nation said that its suit, filed on March 20, "comes after decades of harmful neglect by the Bureau of Indian Affairs," according to a statement. The suit has been put forth by the Mackinac Tribe of Odawa and Ojibwa Indians and the Mackinac Band of Chippewa Indians.

#### FOUR HEARTH ACT APPLICATIONS ARE APPROVED

Assistant Secretary-Indian Affairs Kevin K. Washburn has approved leasing regulations submitted by four federally recognized tribes, restoring their authority to control the leasing of their trust lands and promoting their self-determination and economic development consistent with the objectives of the Helping Expedite and Advance Responsible Tribal Homeownership (HEARTH Act). The four tribes are the Dry Creek Rancheria Band of Pomo Indians in California, the Jamestown S'Klallam Tribe in Washington State, the Mohegan Indian Tribe of Connecticut, and the Wichita and Affiliated Tribes in Oklahoma.

### CODE TALKERS RECOGNIZED BY NSA

The National Security Agency inducted the Native American Code Talkers into its Cryptologic Hall of Honor on April 8, the first time that a group has received the agency's top award. The ceremony took place at the National Museum of the American Indian in Washington, D.C. "The Native American Code Talkers epitomize the strength of multiculturalism that makes America great," said Kevin Gover, director of the museum. "Their contributions saved thousands upon thousands of lives."

#### NATIVE AMERICAN STATUE STOLEN FROM YARD

A large bronze statue of a Native American on a horse gripping an eagle was taken from a woman's front yard in Arnold, Missouri on April 7. Witnesses said the statue, valued at \$6,500, was loaded onto the bed of a white truck and hauled away around 2:10 a.m., reported NBC St. Louis news affiliate KSDK. "It's a very valuable statue," said the owner, Charlene Stephens. "It's bronze, life size, extremely heavy. How they got away with that one, I don't know."

#### ZUNI REQUEST RETURN OF SACRED ART

The Zuni Tribe of New Mexico has undertaken a major effort to recover hundreds of ceremonial Ahayuyda, or war gods, that are currently in museums in Europe. "We believe if you listen to us about the power these objects have to our community, that these are exemplars of sacred objects," said Zuni elder Octavius Seowtewa in The New York Times on April 8. The objects are held by, among other institutions, the British Museum, the Ethnological Museum in Berlin, and the Musée du Quai Branly in Paris.

# **UPCOMING POW WOWS**

## 12th Annual Southern Miss Pow Wow

4/17/14 – 4/19/14 University of Southern Mississippi Payne Center University of Southern Mississippi Hattiesburg, MS 601-466-0948 tammy.greer@usm.edu MSHumanities.com/index.php/event/12th\_annual\_southern\_miss\_ powwow/

## **Rock Creek Pow Wow**

4/18/14 – 4/19/14 Rock Creek Longhouse Rock Creek, WA 509-823-3564 YakamaNation-NSN.gov/events.php

## Haliwa-Saponi Indian Tribe Pow Wow

4/18/14 – 4/20/14 Haliwa-Saponi Tribal School Pow Wow Grounds 130 Haliwa-Saponi Trail Hollister, NC 252-586-4017 arichardson@haliwa-saponi.com Haliwa-Saponi.com

## 46th Annual Kyi-Yo Pow Wow

4/18/14 – 4/19/14 Adams Center, University of Montana 32 Campus Drive Missoula, MT 406-243-2669 *kyiyo@yahoo.com Facebook.com/pages/Kyi-Yo-Pow-Wow/337255636055* 

## 28th Annual Pow Wow at Arizona State University

4/18/14 – 4/20/14 ASU Band Practice Field 6th Street and Rural Road Tempe, AZ 480-965-5224 *LetsPowWow@asu.edu PowWow.ASU.edu* 

## 14th Annual Red Eagle Lodge Intertribal Pow Wow

4/18/14 – 4/20/14 3100 South Old Floral City Road Fort Cooper State Park Inverness, FL 352-419-5382 pansey.greyeagle@gmail.com RedEagleLodge.org/?page\_id=248

## 15th Annual Tutxinmepu Pow Wow

4/19/14 – 4/20/14 University of Idaho Moscow, ID 208-885-4237 *UIdaho.edu/nativeamericancenter/tutxinmepupowwow* 

## Sherman Indian High School Pow Wow

4/19/14 Ira Hayes Football Stadium 9010 Magnolia Avenue Riversid, CA 951-276-6326, ext. 120 galene.miller@bie.edu SIHS.BIE.edu/

## **Art Under the Oaks Festival**

4/19/14 – 4/20/14 Five Civilized Tribes Museum 1101 Honor Heights Drive Muskogee.OK 918-683-1702 5civilizedtribes@sbcglobal.net FiveTribes.org

## 42nd Annual UC Davis Pow Wow

4/19/14 UC Davis University of California Davis Outdoor Quad 1 Shields Avenue Davis, CA 530-752-7032 *cmarich@ucdavis.edu http://ccc.ucdavis.edu/powwow.html* 

## **21st Annual Seven Arrows Contest Pow Wow**

4/19/14 – 4/20/14 Boise State University Jordan Ballroom 1600 University Drive Boise, ID 208-426-5950 *mss.BoiseState.edu/pow-wow* 

### 16th Annual Modesto Junior College Intertribal Pow Wow

4/20/14 Modesto Junior College, East Quad 435 College Avenue Modesto, CA 209-575-6700 *MJC.edu* 

Lakota northern traditional dancer Nathan Lee performed during an intertribal entry on March 29 during the inaugural University of Redlands Powwow.

## THE BIG PICTURE