



Indian Country

THIS WEEK FROM

TODAY

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

A Letter from the Publisher

Shekóli. When Senate Committee on Indian Affairs Chairman Jon Tester (D-Montana) introduced a solution for the *Carcieri* fix—legislation that would reaffirm the Interior Department’s ability to take land into trust on behalf of Indian Nations regardless of when they received federal recognition—he made an important point. Sen. Tester stressed that the *Carcieri* ruling has created a divide between two classes of Native Nations—those that were recognized prior to 1934, and those that were recognized afterward. As an example of the harmful litigation spurred by *Carcieri*, he cited the decision in *Big Lagoon Rancheria v. California*. He called this a case “where the Ninth Circuit essentially ruled that there is no time limit on challenging a tribe’s status or its trust land acquisitions.”

In this week’s feature “Bracing for Impact,” ICTMN’s Washington, D.C. Bureau Chief Rob Capriccioso alerts us to the news that tribal advocates are watching, with some trepidation, a hearing by an *en banc* panel of 11 federal judges who will review the *Big Lagoon* opinion. The hearing will be held on September 17, when the judges will listen to oral arguments presented by the tribe and state. The land in question was taken into trust by Interior in 1994; the federal government recognized the Nation after 1934.



Big Lagoon is a prime example of how the balance between states and tribal nations has been thrown off course. It should be emphasized once again that the new legislation put before the Senate by Mr. Tester, like a similar resolution passed in 2010 through the House of Representatives, is the right bill. It will put a stop to these types of court rulings that will work against Native nations. It will return the federal governments stance on Indian lands to where it was maintained by 75 years before it was disrupted by the Supreme Court.

Sen. Tester has called on the support of Indian country, and it should be stressed that regardless of whether a nation’s homelands is affected by such rulings, now is the time to lend him that support for the collective good.

Na ki’ wa,

Ray Halbritter

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Police and People of Color

While praising the performance of many police officers, activist, attorney and author Gyassi Foss (Blackfeet) says that the shooting death of Michael Brown at the hands of law enforcement in Ferguson, Missouri should concern Native Americans:

I've received hundreds of Facebook messages and emails from Native people who understand the connection between black folks' interaction with law enforcement and Native folks' interaction with law enforcement. The Natives who have contacted me seem to know, "We're not saying all police officers are bad. Heck,

most are okay."

But those Natives know that when things do go haywire and a police officer does do something bad to someone, it's usually someone brown. And when that brown-skinned person is killed or hurt badly, it's usually for something small.

There are plenty of good police officers. I know that there are many who do their jobs every day respectfully and lovingly. There are amazing police officers who engage in good and healthy practices. Just the other day, a member of the Suquamish Tribal Police took time out of his day to give instruction to my nephew that literally might save his life. That's com-

munity policing. That's beautiful. That's the opposite of police brutality.

But when police brutality happens in this country, it happens to black and brown-skinned people entirely too much. I'm not saying I want it to happen to white people more. All I'm saying is that there is a bunch of white folks who were convicted of ugly, violent crimes, and they were around and healthy to stand trial. And then there is a bunch of black and brown people who weren't alleged to have committed any crimes, and those black and brown people aren't alive anymore.

It seems inconsistent. <http://bit.ly/VJ-t00i> ☞

The Rise of 'Fourth World Nations'

Rudolph Ryser postulates the emergence of a new species of nontraditional states whose novelty is undergirded by their ethnic solidarity:

Fourth World nations have already established such independent states as Vanuatu, Papua New Guinea, Nauru, Kiribati, Samoa, Lithuania, Estonia, Latvia, Azerbaijan, and Armenia. They are among the member states of the United Nations.

Inside or outside of the U.N., Fourth World nations have distinct political identities. Some, like the Haudenosaunee, persist in their efforts to present themselves to the world as legitimate political nations that are

engaged in the international environment.

Seeking political equality with states and other nations is a complicated matter that is currently being considered by Scotland, Catalonia, Basque, Tibet, Palestine, Biafra, West Papua and Kurdistan, to name a few. Independent statehood is only one option. There are now and can be in the future many other forms of political status that ensure self-government. But nations must develop and define these political forms.

Members of Fourth World nations, exercising their recognized and inherent powers of governance, and participating in democratic dialogue and negotiations, can guarantee their positions as free human beings. It is not necessary to complain about

state domination when the willful initiative of a nation can change the political relationship, by whatever means has proved beneficial. The World Conference on Indigenous Peoples is but one opportunity to achieve Fourth World nations' political goals.

There is no doubt that Fourth World nations are slowly emerging to establish their political equality among the world's peoples. Much has yet to be learned and understood about how to achieve full self-government, respect for social, economic and cultural rights and establishing political equality between nations and states.

But Fourth World nations are developing their capacities and are already changing the global political landscape. <http://bit.ly/1q8qUnq> ☞

The Fight for Voting Rights Goes On

Oliver Seamans (Rosebud Sioux), executive director of the Native voting-rights group Four Directions, is cheered by recent government efforts to make elections easier, especially in Minnesota. But elsewhere, the process has been frustrating:

The Minnesota process could not have been more different from Four Directions' journey through South Dakota, Montana and Wyoming. In each of these states, counties (except Dewey, in South Dakota) dug in, claiming they didn't have office space, funding, or additional personnel

needed to run reservation polling places—and by the way, they couldn't hire Indians to help because "We don't know them," a coded way of saying they don't trust us.

In South Dakota, Four Directions offered to pay for the offices, and the Republican secretary of state countered this offer by introducing state legislation to stop any type of donations to counties for such activities. He raised the specter of Bill Gates or a New York City billionaire donating money and thus gaining influence in South Dakota. Really? Do we have that many moguls wandering around the state?

In Montana, a Democratic secretary of

state claimed that the state's voting program could not handle two offices running simultaneously in one county. She also claimed that a garden-variety negotiation to allow her to exit the voting-rights lawsuit that had to be filed to get the polling places was "extortion," and that Four Directions staffers were banned from various state and federal offices. These offices included those of Montana's Sen. Jon Tester and the Senate Committee on Indian Affairs.

I cannot say for certain that I am banned from these places. If I do go, I will attempt to enter these offices. If I am ejected, I will have another adventure to write about. <http://bit.ly/YUjNVt> ☞

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United Nations and World Bank Issue Climate Change Warnings

The United Nations and the World Bank have issued renewed warnings about the cost, both environmental and economic, of not heeding the signs of climate change.

Climate change is already affecting the world, says a draft of the next U.N. Intergovernmental Panel on Climate Change report, due out on November 2. The effects of global warming are already evident on “all continents and across the oceans,” said Bloomberg News, quoting a draft of the report that it had obtained. If current practices of releasing heat-trapping gases into the atmosphere continue, there will likely be “severe, pervasive and irreversible impacts for people and ecosystems,” said Bloomberg, again quoting the report.

“Using blunter, more forceful language than the reports that underpin it, the new draft highlights the urgency of the risks that are likely to be intensified by continued emissions of heat-trapping gases, primarily carbon dioxide released by the burning of fossil fuels like coal, oil and natural gas,” *The New York Times* said.

The U.N. draft follows the release of a World Bank report at a conference in Australia that warned of profound food system disruption within a decade because of climate change, said the *Sydney Morning Herald*.

“The challenges from waste to warming, spurred on by a growing population with a rising middle-class hunger for meat, are leading us down a dangerous path,” said Rachel Kyte, World Bank Group Vice President and special envoy for climate change, to the annual conference of the Crawford Fund, an Australia-based think tank that works to raise awareness on food policy. “Unless we chart a new course, we will find ourselves staring volatility and disruption in the food system in the face, not in 2050, not in 2040, but potentially within the next decade.” <http://bit.ly/1li9IRF> ☞

Treasury Awards Majority of \$195 Million in Grants to Native Enterprises

The Treasury Department has announced more than \$195 million in grants to dozens of tribal and other organizations to promote affordable housing, as well as to promote investment in low-income and economically distressed community.

Most of the recipients were Native American, Alaska Native and Native Hawaiian communities, the department said. The funds were allocated under the Treasury’s Community Development Financial Institutions Fund (CDFI Fund). In total, 185 organizations received some \$195.4 million through fiscal year 2014.

The allocations included grants from the Community Development Financial Institutions Program (CDFI Program) and the Native American CDFI Assistance Program (NACA Program). These awards are designed to enable Community Development Financial Institutions (CDFIs) and Native CDFIs across the U.S. to boost lending and investments in those low-income and economically distressed communities.

The First Nations Oweesta Corporation, of Longmont, Colorado, which was accorded a NACA Program grant of \$750,000 and a CDFI Program grant of \$500,000, led the recipients with a total of \$1.25 million. Following closely behind, with grants of \$750,000 each, were the Cherokee Nation Economic Development Trust Authority, Inc., of Tahlequah, Oklahoma; Hopi Credit Association, Keams Canyon, Arizona; Wind River Development Fund, Fort Washakie, Wyoming; Cook Inlet Lending Center Inc., Anchorage, Alaska; Four Bands Community Fund Inc. of Eagle Butte, South Dakota; and the Salt River Financial Services Institution of Scottsdale, Arizona.

Grants were awarded for affordable housing, small business, consumer finance, microenterprise and commercial/intermediary, the Treasury Department said. Technical assistance awards were also given out for line items such as personnel, professional services, travel and training. Equipment and other capital expenses also netted awards. <http://bit.ly/1qxRR3K> ☞

First Nations Fisherman Donates 500 Sockeye to Vancouver Homeless

Vancouver’s Downtown Eastside is known as one of the poorest areas of one of British Columbia’s best known cities. Its reputation is one of forgotten souls.

But a pile of sockeye salmon changed all that on August 23, when a First Nations fisherman donated 500 of the fish to organizations and a homeless encampment in the downtrodden neighborhood.

“It’s been a long time for a lot of those people to have salmon in East Vancouver and a lot of those people are First Nations,” Joshua Duncan, a commercial fisherman with R.A. Roberts Fishing Ltd. in Campbell River, told *The Province*. “I was doing this as a gesture to people who really would like and appreciate the fish, and are trying to make a

stand for themselves in their small part of the world.”

The encampment holds 150 people who have been living in Vancouver’s Oppenheimer Park for weeks to protest the city’s dearth of affordable housing. Friendship centers and women’s centers in East Vancouver also received fish, *The Province* reported.

Recipients were moved. “Bless that man’s heart. What a glorious day for the people of Oppenheimer Park,” said Karen Clark, who has been homeless for two years after fleeing an abusive relationship, to APTN News. “This is going to bring what we commonly refer to as the inside circle and the outside circle together, finally, with a feast of fish given by a man—obviously a humble man—who wants nothing more than to see us fed and happy and family and housed.” <http://bit.ly/1qMv2po> ☞

North Dakota Briny Spills Are Still Unanswered, a Month Later

More than a month after a million gallons of briny wastewater leaked from an underground pipeline on the Fort Berthold Reservation in North Dakota, a tribal environmental official said he is still seeking confirmation that the spill did not enter the reservation's water supply.

It was one of the largest spills in an oil field in the state's history, according to the Associated Press, and the two-mile-long flow of saltwater left a swath of dead grass, bushes and trees. Discovered on July 8, it had probably been under way since the Fourth of July weekend, authorities estimated.

The spill region was tested by contractors hired by pipeline owner Crestwood Midstream Services Inc., whose subsidiary Aero Pipeline LLC operated the pipeline. At an environmental forum on the Fort Berthold Indian Reservation, home to the Three Affiliated Tribes, tribal environmental director Edmund Baker—who is running for election as head of the tribal council—said he had not been shown any study results.

Three Affiliated Tribes natural resources administrator Claryca Mandan told AP that Baker would have had to request that paperwork, which could not be made public without clearance from the tribe's legal department.

"Both Crestwood and the tribe have refused requests from The Associated Press for those tests and soil tests," AP said. "The tribe has also refused Associated Press requests for spill reports, even though they are identified as public documents in the tribes' environmental code."

"We're in the absolute dark as to what the severity was when it happened, both soil and water," Baker said at a recent environmental forum. "They say that it didn't reach the lake. They say, no, it's not in the groundwater. Show me the studies." <http://bit.ly/1qHwaud> ☞

Navajo Presidential Race, Offering Generational Challenge, Firms Up

Joe Shirley Jr., the Navajo Nation's only two-term president, may win a third term. Primary voters on August 26 selected Shirley and Chris Deschene from a slate of 17 presidential candidates that featured seasoned politicians, newcomers and the sitting president. Sixteen men and one woman from locations all over the 27,000-square-mile reservation vied for a chance at the tribe's top elected position. Nine, including Shirley and Deschene, were from Arizona, seven from New Mexico and one from Utah.

Shirley and Deschene will face off during the November 4 general election. Shirley, who served back-to-back terms from 2003 to 2011, led the polls with 10,910 votes. Deschene, a first-time presidential candidate and a former Arizona state representative, earned 9,734 votes. Russell Begaye, a one-term delegate to the Navajo Nation

Council, came in third with 7,404 votes.

Incumbent Ben Shelly came in seventh with 2,446 votes. "I got a lot of projects that would have supplied a lot of jobs, but the people couldn't see that," he told the *Navajo Times*. "My political career ends here."

The general election promises more than a race between a familiar face and a newcomer, however, said Ron Wood, the author of a recent White Paper calling for reform in the tribal government. Shirley, who speaks fluent Navajo, campaigned by singing traditional songs, greeting voters in Navajo and offering traditional meals. Deschene, who does not speak fluent Navajo, earned support from the more contemporary crowd, Wood said.

"We've got the traditional candidate who appeals to the older, traditional Navajos, and the younger candidate who represents the new generation," he said. "I think that's what this election is going to hinge on." <http://bit.ly/1vmdVld> ☞

FEMA Boosts Tribal Engagement With New Consultation Policy

Building on last year's Stafford Act amendment, which allows eligible tribes to apply directly for federal disaster aid, the Federal Emergency Management Agency (FEMA) has upgraded its engagement with tribes further with a new policy designed to promote closer relations with Native Americans.

FEMA Administrator Craig Ferguson called the new Tribal Consultation Policy a "new phase of engagement and collaboration with American Indian and Alaskan Native tribes." It will, he said, foster "regular and meaningful con-

sultation and collaboration with tribal officials on Agency actions that have tribal implications." He also said the policy would emphasize the importance of consultation with Indian country.

"This policy strengthens FEMA's effort to support the emergency management needs of Indian country," Fugate said. "Providing direct federal assistance to tribal governments has been a top priority for FEMA, and this policy will ensure that tribal leaders continue to have a voice in shaping how FEMA partners with communities before, during and after disasters."

In January 2013, President Obama signed the Sandy Recovery Improvement

Act, which included changes to the Stafford Act that allow tribes to exercise their sovereignty and request aid instead of doing so through state governments. Since then, several tribes have requested and been granted such aid after disasters.

FEMA is the second major agency that in recent months has established policies specifically geared toward enhancing communication and consultation with tribes. In July, the Environmental Protection Agency finalized an environmental justice policy to support American Indians, as well as distributing grants for environmental health research on issues that specifically affect tribes.

<http://bit.ly/1q2UsTd> ☞

Washington Post Says 'No' To Redskins

Editorial board won't print team name

The editorial board of *The Washington Post* will no longer print the word "Redskins" when referring to the Washington, D.C. franchise of the National Football League. "The *Post*'s newsroom and the editorial page operate independently of each other," said Executive Editor Martin Baron. "Standard operating policy in the newsroom has been to use the names that established institutions choose for themselves. That remains our policy, as we continue to vigorously cover controversy over the team's name and avoid any advocacy role on this subject." Baron said, however, that the *Post*'s news division would continue to use the team name. <http://bit.ly/1tCloZb> 📱

Haircut Sends Navajo Boy Home From School

Dismissal despite official approval

A 5-year-old Navajo boy was sent home on his first day of kindergarten last week and ordered to cut his hair because its length allegedly violated school district policy. Malachi Wilson had been looking forward to his first day of kindergarten at F.J. Young Elementary in Seminole, Texas, said his mother, April Wilson. School administrators had required that Ms. April present documentation proving Malachi's indigenous parentage; she told the local CBS television affiliate that her son was enrolled after the school approved the documentation. According to the school's handbook, "certain

recognized religious or spiritual beliefs may qualify from an exemption from provisions of the dress code." <http://bit.ly/1AYdlldR> 📱

Land Exchange Bill Goes To Obama

Congress passes Ute legislation

The Ute Indian Tribe's SITLA [School and Institutional Trust Lands Administration] Exchange bill is headed to President Obama's desk to be signed into law. The bill, which was passed by the House in May and the Senate last month, provides for the return of lands in the Hill Creek Extension to the tribe, promotes tribal energy development, and also protects environmentally and culturally significant areas on the reservation. Tribal Chairman Gordon Howell praised this cooperative effort between the Tribe and the state of Utah: "Our work in Washington, D.C., and the work of Business Committee members before us, finally paid off." <http://bit.ly/1nqPB9C> 📱

Oglala Sioux Officer Indicted For Tazing

Unresponsive man shocked repeatedly

An Oglala Sioux Tribe police officer has been indicted for the use of "excessive force" after tazing an unresponsive man approximately 17 times. A federal grand jury indicted Rebecca M. Sotherland on August 26 for violating the constitutional rights of a man in her custody on August 15 by repeatedly using her Taser on him without justification, said U.S. Attorney Brendan V. Johnson of the District of South Dakota. Tribal officials have met with the Bureau of Indian Affairs (BIA) and the Tribe's Depart-

ment of Public Safety regarding the incident; departmental reports have been turned over to the BIA's Office of Internal Affairs in connection with an investigation. <http://bit.ly/1wJD0bq> 📱

Red Lake Tribal Council Inauguration

Second gathering in as many months

For the second time in as many months, hundreds gathered in Red Lake, Minnesota to inaugurate members of the new tribal council of the Red Lake Band of Chippewa Indians. On June 10, Darrell G. Seki Sr. was sworn in as tribal chairman; Gary Nelson was also sworn in after being re-elected as representative from Ponemah. Then, two months later on August 12, the tribe gathered to honor Don Cook Sr.'s re-election as secretary and Annette Johnson's election as treasurer. Also honored were Roman Stately Jr., re-elected representative from Red Lake District; Julius Thunder, re-elected representative from Redby; and Robert Reynolds; elected representative from Little Rock. <http://bit.ly/1qE7m6o> 📱

Gerald One Feather Walks On

Oglala Sioux leader revered for service

Gerald One Feather, who at the

age of 32 became the youngest president of the Oglala Sioux Tribe, and who founded Oglala Lakota College on the Pine Ridge Reservation, passed away on August 21 in Rapid City, South Dakota. Before becoming president of the tribe he spent years as a tribal councilman, two years as chairman, and five two-year terms as tribal treasurer. During his council membership he was criticized for banning the sale of alcohol on the reservation, a ban that was not overturned until last August. One Feather received many awards over the years, most recently a doctorate of Humane Letters from the University of Colorado-Boulder in 2013. <http://bit.ly/YXOWRI> 📱

Rosebud Sioux Soldier Found Safe In Florida

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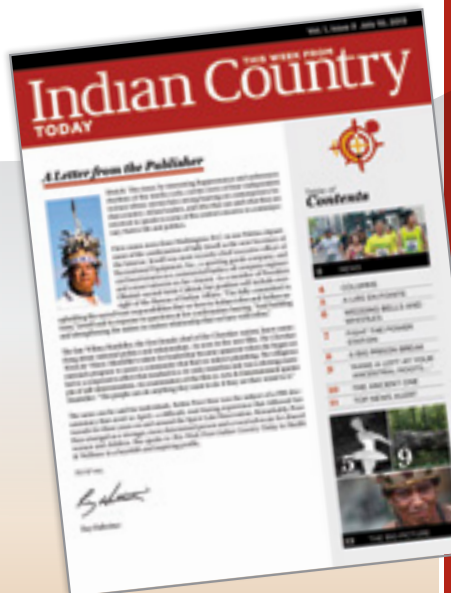
*Disappearance
will be investigated*

Private Juliet Striped Wolf (Rosebud Sioux), an intelligence analyst with the 95th Civil Affairs Brigade, was found safe on August 22 in Volusia County, Florida, after having been missing under suspicious circumstances since July 1. At press time, Striped Wolf was slated to return to Fort Bragg, North Carolina, where an investigation will determine the circumstances of her disappearance. Striped Wolf was last seen leaving Fort Bragg with Amanda Lee Cardone on the morning on July 1. Breaks in the case came when persons who knew Cardone, a convicted felon who is wanted for assault, came forward with information about possible sightings and contact. <http://bit.ly/1tGMLx5>

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Millions of Tribal Acres At Stake In Upcoming Court Ruling

California braces for impact BY ROB CAPPRICIOSO

Bottom Line: Tribal advocates anxiously await a meeting of an en banc panel of federal judges who will soon decide whether a legal opinion that could have a negative impact on millions of acres of tribal lands should be overturned.

Eleven federal judges will soon scrutinize the January 21 opinion of a three-judge panel of the Ninth Circuit Court of Appeals that will have profound consequences for the fate of millions of acres of tribal land in California.

In the 2-1 opinion in *Big Lagoon Rancheria v. California*, the judges ruled that California was not required under the Indian Gaming Regulatory Act (IGRA) to negotiate in good faith with Big Lagoon on a new gaming compact.

But the *en banc* panel will hear oral arguments by the tribe and state on September 17, according to an order announced on August 22 by the U.S. Court of Appeals for the Ninth Circuit.

In the original decision, the judges ruled that the tribe was not under federal jurisdiction in 1934. Therefore, 11 of the acres it proposed for gaming could not be considered Indian lands under IGRA as a result of the 2009 *Carcieri v Salazar* U.S. Supreme Court decision. The Department of the Interior placed the acres into trust in 1994.

The *Carcieri* decision limited the Interior Department's ability to take lands into trust for tribes recognized by the federal government after the Indian Reorganization Act (IRA) of 1934. The decision has been widely controversial in Indian country. Members of Congress and the Obama administration alike have been vowing since 2009 to remedy the decision through legislation—so far, to no avail.

A major concern for tribal advocates is that the Big Lagoon precedent could be applied to all tribes formally recognized after 1934 if it holds. This would thus limit Indian lands, sovereignty and gaming. According to a list referred to in the original decision, 258 of the 566 tribes that are currently recognized by the federal government were recognized after 1934.

'The decision was so poorly decided and out of touch with relevant legal precedent.'

An *amicus* brief in support of the *en banc* review filed by the National Congress of American Indians, the United South and Eastern Tribes, and the Navajo Nation said that the decision "threatens tribal jurisdiction over millions of acres of land acquired in trust pursuant to the IRA."

The Justice Department has also expressed concern, noting in its own *amicus* brief that since 1934, the United States has acquired millions of acres of land in trust for Indian tribes.


"The majority's ruling in this case would open the door to time-barred lawsuits, allowing parties to litigate the validity of decades-old trust acquisitions and challenge the United States' property interest in these lands," Justice argued in its brief. "The decision is particularly

troubling because it suggests that parties may litigate the propriety of longstanding decisions to accept land in trust in the absence of the United States and where a challenge is not timely brought under the Administrative Procedure Act."

A victory for those opposed to the decision came in June when the appeals court announced that there would be an *en banc* review. The announcement signaled that a critical mass of judges on the court thought that scrutiny was necessary. Now, with oral arguments coming soon, hope is on the rise.

"I'm optimistic the entire Ninth Circuit will overturn the original three-judge panel," said Michael McBride III, chair of Crowe & Dunlevy's Indian Law & Gaming Practice Group. "[T]he decision was so poorly decided and out of touch with relevant legal precedent."

One criticism of the original decision by leaders with the National Indian Gaming Association (NIGA) was that a senior U.S. district judge visiting from outside of the Ninth Circuit wrote the majority opinion. A senior Ninth Circuit judge joined in that opinion. The third judge on the panel, a Ninth Circuit jurist in active service, dissented.

"The case is clearly a blow to the tribe and to all of Indian country," NIGA leaders said in a legislative alert issued earlier this year. "It not only sets negative precedent with regard to the application of IGRA's good faith negotiation requirement, but it also will serve to encourage litigants seeking to undermine tribal sovereignty and/or the status of trust lands to assert *Carcieri*-related claims in all lawsuits involving federal laws or federal actions relating to Indian lands." <http://bit.ly/1zGbVCc> 

The Special Needs of Wyatt DuBois

One Chippewa family's struggle to educate their child BY TANYA H. LEE

Bottom Line: *Forging an education plan for a child with multiple special needs can be challenging. If that child lives on a remote American Indian reservation, it can be almost impossible, as Paula and Rick DuBois discovered.*

Paula and Rick DuBois, of the Turtle Mountain Band of Chippewa Indians, adopted their son Wyatt when he was 2 years old. Wyatt had been exposed to drugs and alcohol prenatally and was born prematurely. In his first two years of life he allegedly was severely abused in his foster homes.

Paula describes him at 2 as an angry, distrustful child who would head butt, kick and bite. He was also nonverbal, and, as his parents found out when he was almost 4, he had a severe-to-profound-hearing loss.

In addition to deafness, Wyatt was diagnosed with attention deficit hyperactivity disorder, extreme separation anxiety and difficulties with mood regulation. He had trouble with planning and organizing, impulse control and synthesizing information. But because of his difficulty communicating, his cognitive functioning could not be accurately evaluated.

Wyatt attended the Lake Region Kids in Developmental Services (KIDS) Program until age 3. Then, in the fall of 2005, he entered the Turtle Mountain Community Schools Preschool Special Needs Program. In the spring of 2006 he was fitted with a cochlear implant in his right ear at the University of Minnesota Medical Center.

A cochlear implant is significantly different from a hearing aid. With a hearing aid, which is an external device, speech sounds are amplified so damaged ears can detect them. Cochlear implants, by contrast, bypass the damaged parts of the ear and are permanently inserted into the



Eleven-year-old Wyatt DuBois is about to begin sixth grade. His teacher says he is making good progress—but is still behind his peers academically.

PAULA DUBOIS

cochlea, where signals picked up by the implant stimulate the auditory nerve. Those stimuli are sent to the brain, which learns—over a period of time and with intensive training—to interpret them as sound and then to translate those sounds into speech.

Wyatt's language skills were significantly delayed by the time he received the implant. The Turtle Mountain Community School strongly recommended that he be sent to the North Dakota School for the Deaf (NDS) in Devils Lake, an hour and a half from his home. His father drove him to and from school every day until September of 2007, when he was put in a dormitory at the school.

Paula said she was pressured into sending her son to the residential school. First, she was urged to do so on the grounds that it was in his best interests. Later, when she began to push hard for placement in the local school, she was threatened with being charged with educational neglect if she did not send him to the boarding school.

"I would take him to the school and when I left he would run behind my car crying for me to come back," Paula said. "I watched him chase me down the road, but they kept telling me I had to do it because it was in his best interests."

Wyatt spent a year and a half at the boarding school, beginning at age 4. His parents tried to enroll him at the Bureau of Indian Education/Belcourt School District #7 school near their home. But according to Paula, the school would not accept him because they did not have a teacher for deaf children. All deaf and hard-of-hearing tribal children were sent to the NDS as a matter of policy that had been in place for decades, she said.

Paula likened Wyatt's placement at the residential school to the forced removal of American Indian children—also against their parents' wishes and also ostensibly for their own good—to government- and missionary-run boarding schools in the late 19th and early-to-mid 20th centuries.

For Wyatt, according to his mother and the family's attorney, Monique Vondall (Turtle Mountain Band of Chippewa Indians), the boarding school experience was disastrous. First, it exacerbated the extreme separation anxiety caused by his early history of abuse. Second, in 2008 he had to have emergency brain surgery to replace his cochlear implant. It had been dislodged when a teacher allegedly slapped him in the back of the head.

Third, he was not provided with the specialized therapy he needed to learn to use his cochlear implant and develop his language skills.

Wyatt was treated as if he were a deaf child with a hearing aid who needed to learn lip reading and sign language, instead of a child with a cochlear implant who needed to learn how to speak and

The deaf education program at NDS was counterproductive for a child with a cochlear implant in that it consumed valuable time teaching him to become a visual learner. This was the time in Wyatt's narrow window of opportunity when he ought to have been taught to become an auditory learner. As a consequence of the counterproductive teaching methods at NDS, he made no progress in processing or producing sounds correctly and made no progress in learning to speak."

After the emergency surgery, Wyatt's parents pulled him out of the dormitory and had him driven to school and back each day—a three-hour trip. Then they rented an apartment in Devils Lake so one of them could live near the school and Wyatt could attend as a day student. Eventually, however, they pulled him out

of NDS. He received some outreach services from the School for the Deaf while Paula continued to try to enroll him at Turtle Mountain Community School.

In 2010 the school district hired Marlene Shroeder, Turtle Mountain Band of Chippewa, an experienced early childhood and elementary teacher who had been going to school to get her credentials in

deaf education, to teach Wyatt and other deaf and hard-of-hearing children at Turtle Mountain.

"When I got Wyatt he didn't talk at all," Shroeder said. "He had his own language and it was a language that only he understood. No one else would understand it, not even his parents. He had little sign language; knew his numbers and knew his alphabet. He didn't know how to read or sign. The teachers there [at NDS] were there for many, many years and accustomed to sign language and not ready for the current trend in cochlear implants."

Wyatt started in grade 2 at Turtle Mountain Community School when he was 8 years old. <http://bit.ly/1mIideK> 

This is the first half of a two-part story.

'When I left he would run behind my car crying for me to come back,' said Paula. 'I watched him chase me down the road, but they kept telling me I had to do it.'

understand spoken language.

A resolution settlement agreement was reached between Wyatt's parents and Turtle Mountain Community Schools. It reads, "The district [Belcourt School District #7] acknowledges Wyatt's placement at the North Dakota School for the Deaf was inappropriate and a denial of his right to FAPE [Free Appropriate Public Education, an educational right of children guaranteed by the federal government] and LRE [Least Restrictive Environment, another federal law that says special needs children must generally be educated in a mainstream schools]."

The resolution settlement agreement continued, "In three years at the School for the Deaf, Wyatt made no progress toward his expressed educational goal of learning to speak. In fact, he regressed.

Alaska Gubernatorial Shake-Up

Tlingit Democratic nominee takes back seat to independent **BY MARK TRAHANT**

Editor's Note: On August 19 Byron Mallott, Tlingit, won Alaska's Democratic gubernatorial nomination. If elected, he would have been the state's first Native governor.

But as ICTMN went to press, Mallott renounced his candidacy, convinced that he and independent candidate Bill Walker would split the vote and re-elect Republican incumbent Sean Parnell. On September 2, Mallott said he would run with Walker as lieutenant governor on an independent ticket.

"I could see no way forward to win in a three-way race," Mallott, a former mayor of Juneau, told The New York Times. "The second factor was that I had come to trust, and to believe in the integrity and honor of, Bill Walker." As the Times noted, Mallott's decision means "that for the first time since Alaskan statehood in 1959, no Democrat will be on the ballot for governor." (<http://nyti.ms/1qbKgmR>)

Immediately following this dramatic move, ICTMN contributor Mark Trahant offered this assessment:

The Alaska deal is done. The state's Democratic nominees for governor and lieutenant governor are withdrawing from the race. And the independent candidate for lieutenant governor, Craig Fleener, gives up his spot. And so begins the fusion candidacy of the Alaska First team of Bill Walker and Byron Mallott.

In June I was moderating a "debate" between Walker and Mallott. And it became clear how close these two candidates were on many issues. Not all. But there was a lot more in common between

Walker and Mallott than with either and the current governor, Sean Parnell. I asked, then what about teaming up? Both answered that it was a question that came up often and they weren't there yet.

Last month I moderated another forum at the University of Alaska-Anchorage. This time Mallott was ill and could

Walker my version of the Montana story and governorship of Brian Schweitzer. That one state executive put American Indians front and center with symbols (flags at the state capitol), by making decisions in partnership with tribes, and by appointing Native Americans to a variety of positions across state government.


I asked, why that couldn't happen in Alaska? This is a state where the Native population is the highest in the country and yet the Alaska Native voice is so often missing from routine discourse.

"I like that concept. It's not the first time I have heard that," Walker responded. "Alaska is broke in many areas and it's not going to be fixed by someone trying to win the next election. I don't worry about the next election, I worry about the next century in this state."

Walker is specific about many of the issues that are important to Alaska Native

communities. One of Walker's primary themes is reducing the cost of energy across Alaska. In a state where oil and gas are exported, Walker said, the price of energy in villages threatens their future. "Energy is in a disaster mode across the state," he said. "We've been overpaying for energy for too long."

I asked Walker what he thought about Medicaid expansion. He said he'd look at it for about one hour—and then accept it, bringing some \$2.1 billion to Alaska in new resources.

"We paid for it. Alaskans paid for it," he said. "It helps between 10,000 and 40,000 Alaskans. And it creates 4,000 new medical jobs in our state and brings down the cost of health care. Why would we not do that?" <http://bit.ly/1HFJh3> 



Former Alaska gubernatorial rivals Byron Mallott, left, and Bill Walker, announcing their fusion ticket last week. At right is Walker's wife, Donna.

not attend, so it became a long conversation between Walker and myself. It was clear that the focus was on what would it take to defeat Parnell. Walker said (something that he has repeated often) that he did not fear losing the election. Instead, he was afraid of losing the state. This election was that important.

A lot of people shared that sentiment, and over the weekend a lot of people gave up on their own personal ambition to create the Alaska First ticket. Agree with them or not, it was an unselfish act because there was no way to win in a three-way race. That all changes now. There is no guarantee that Walker and Mallott will triumph, but at least it's a race now.

I began the August forum by telling

Ute Indian Tribally Designated Housing Entity

is hiring for (ICDBG) Director and Resident Services Coordinator

Indian Community Development Block Grant (ICDBG) Director

Closing Date: September 12, 2014

The Ute Indian Tribally Designated Housing Entity (UITDHE) is seeking Qualified applicants for the position of ICDBG Director to oversee two ICDBG projects. The position will be full-time for the duration of both projects which will be funded for the next five years.

ICDBG project #1 will consist of the rehabilitation of up to approximately 16 Mutual Help home located through-out the Ouray and Uintah reservation. The rehabilitation will consist of exterior and interior work depending on the need as identified in the needs analysis for each home.

ICDBG project #2 will consist of the rehabilitation of up to approximately 23 private homes owned by low-income tribal members through-out the Ouray and Uintah reservation. The rehabilitation will consist of exterior and interior work depending on the need as identified in the needs analysis for each home.

The ICDBG Director's responsibilities will consist of and not limited to:

- Coordinating the implementation of all grant activities, including the over-sight of outside contractors.
- Maintaining records for all contract status and financial monitoring.
- Serves as a liaison to MH participants and private homeowners.
- Coordination of temporary relocation of MH participants and private homeowners.
- Provide monitoring of project implementation to insure projects are on schedule and within budget.
- Under the supervision of the Executive Director.

Qualified applicants will have a minimum of five years of construction/rehabilitation experience along with knowledge of relevant HUD regulations pertaining to the ICDBG Program and any professional licenses or certifications pertinent to the construction/rehabilitation profession. Salary DOQ.

Interested applicants may contact the UITDHE at 435-722-4656 to request an employment application.

Resumes may also accompany a completed employment Application which can be mailed to:

Tom Yellow Wolf
Executive Director UITDHE
P.O. Box 250
Fort Duchesne, Utah 84026

Title: Resident Services Coordinator

Supervisor: Executive Director

Closing date: September 12, 2014.

PRIMARY FUNCTION:

The Resident Services Coordinator will work with UITDHE staff, other tribal departments, and outside service providers to connect tribal residents to supportive services that will help them attain economic and housing self-sufficiency. The Resident Services Coordinator will focus primarily on helping residents to achieve homeownership and employment.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

- Coordinate a local Program Coordinating Committee of service providers and facilitate quarterly meetings of the Committee
- Outreach to tribal housing residents to market available services
- Conduct individual assessments of interested residents to determine assistance needed
- Connect residents to local and regional supportive services to improve financial literacy, complete education goals, access job opportunities, and receive vocational training
- Coordinate service providers and oversee delivery of services, including working with both internal and external parties to provide service, training, and mentoring
- Communicate and network with local, state, and federal agencies and organizations to tap into development opportunities for program participants, including indentifying additional funding sources and programs
- Market and coordinate homeownership assistance, financial literacy, and home maintenance courses
- Monitor progress of program participants
- Report on and evaluate program activities, including tracking outcomes
- Other duties, as assigned

MINIMUM QUALIFICATIONS:

- Associate or Bachelor degree preferred. A combination of work experience may be considered in lieu of a college degree.
- Working knowledge of mortgage financing
- Counseling experience, with the ability to communicate with local tribal members in a manner that fosters a comfortable working relationship.
- Demonstrated success in producing results through facilitation of supportive services within the last five years, such as the number of jobs found as a result of training, improvement of credit scores, or the number of new homeowners assisted.
- Experience preparing marketing materials and presenting materials to individuals and groups.
- Must be able to travel as needed.

Interested applicants may contact the UITDHE at 435-722-4656 to request an employment application.



'nda girlz/rez girlz,' (2009) by Teri Greeves, Kiowa, is typical of her distinctive beadwork, which she began producing at the age of 8.



Members of the University of North Carolina Pembroke's Weightless Lumbees recently floated under NASA supervision in a periodic ritual.



Fancy dancer Max Yamane made a vivid impression at the 26th annual Nansemond Powwow in Suffolk, Virginia.



Rickie Fowler, Navajo, hailed as golf's next superstar, was in action at the PGA Championship tournament at Valhalla Golf Club on August 10.

TERI GREEVES; NASA; VINCENT SCHILLING; AP IMAGES/DAVID J. PHILLIP

BANKRUPTCY COURT FOR THE DISTRICT OF MONTANA

**In re: The Roman Catholic Bishop of Helena, Montana, a Montana Religious Corporation Sole
(Diocese of Helena)**

Case No. 14-60074

NOTICE OF DEBTOR'S MOTION TO APPROVE SETTLEMENT AGREEMENT, RELEASES AND POLICY BUYBACKS WITH AMERICAN HOME, CATHOLIC MUTUAL, FIREMAN'S FUND, MONTANA INSURANCE GUARANTY ASSOCIATION, ONEBEACON, AND TRAVELERS (COLLECTIVELY "THE SETTLING INSURERS"), INCLUDING THE SALE OF INSURANCE POLICIES FREE AND CLEAR OF LIENS, CLAIMS, ENCUMBRANCES, AND OTHER INTERESTS; AND NOTICE OF HEARING

NOTICE IS GIVEN that the debtor Roman Catholic Bishop of Helena, Montana, ("Debtor"), has filed in the United States Bankruptcy Court for the District of Montana, a motion for approval of a Settlement Agreement with Settling Insurers which includes the sale by the Debtor of all insurance policies allegedly issued by the Settling Insurers back to the Settling Insurers free and clear of liens, claims, encumbrances, and other interests (the "Motion")

The Motion seeks, among other things, an order of the Court, pursuant to 11 U.S.C. §§ 105(a) and 363 and FRBP 6004 and 9019, approving a settlement, release, and compromise of all claims as more fully described in the Settlement Agreement. If the Motion is approved, the Debtor will sell, and Settling Insurers will purchase, the insurance policies described more particularly in the Settlement Agreement, free and clear of all liens, claims, encumbrances, and other interest for the aggregate amount of \$10,901,500 as follows: (a) \$487,500 by American Home; (b) \$3,800,000 by Catholic Mutual; (c) \$4,000,000 by Fireman's Fund; (d) \$500,000 by MIGA; (e) \$114,000 by OneBeacon; and (f) \$2,000,000 by Travelers, to be paid to a trust to be established under a plan of reorganization as to the Debtor in which all Tort Claims (as specifically defined in the Settlement Agreement) will be channeled as the sole and exclusive source of payment of any such claims against the Debtor or Settling Insurers. The Settlement Agreement is conditioned on Confirmation of a Plan of Reorganization incorporating its terms.

IN ADDITION, THE MOTION SEEKS A RULING THAT SETTLING INSURERS ARE ENTITLED TO THE BENEFIT OF AN INJUNCTION, PERMANENTLY BARRING ALL CLAIMS BY ANY PERSON OR ENTITY AGAINST SETTLING INSURERS AND CERTAIN RELATED ENTITIES (THE "INSURANCE PARTIES," AS SPECIFICALLY DEFINED IN THE SETTLEMENT AGREEMENT) RELATING TO (A) POLICES ISSUED OR ALLEGEDLY ISSUED TO THE DEBTOR OR (B) "TORT CLAIMS" (AS SPECIFICALLY DEFINED IN THE SETTLEMENT AGREEMENT, WHICH INCLUDES CLAIMS RELATED TO SEXUAL OR CORPORAL ABUSE), AS PART OF THE DEBTOR'S CONTEMPLATED PLAN OF REORGANIZATION, THE CONFIRMATION OF WHICH IS A CONDITION OF THE SETTLEMENT AGREEMENT. IF YOU HAVE A CLAIM AGAINST THE DEBTOR AS TO WHICH INSURANCE COVERAGE IS OR MAY BE AVAILABLE, YOUR RIGHTS MAY BE AFFECTED.

If you object to any aspect of the Motion or the sale of the insurance policies, you must: (1) file with the Clerk of the Court at U.S. Bankruptcy Court, District of Montana, Room 263, 400 North Main Street, Butte, MT 59701, a written response stating the specific facts upon which the objection is based, and (2) serve a copy thereof on Bruce Anderson, counsel to the Debtor, at Elsaesser Jarzabek Anderson Elliott & Macdonald, Chtd., 320 East Neider Avenue, Suite 102, Coeur d'Alene, ID 83815, no later than October 9, 2014, and (3) attend the hearing on October 22, 2014 at 1:30p.m. If no objections are filed, the Debtor may seek entry of an order approving the Motion without further notice or hearing. A copy of the Motion (Docket No. 300-3 proposed Motion) can be obtained through the PACER system on the Court's

Website at <https://ecf.mtb.uscourts.gov> or by contacting Bruce Anderson, Elsaesser Jarzabek Anderson Elliott & Macdonald, Chtd., 320 East Neider Avenue, Suite 102, Coeur d'Alene, ID 83815.

Headlines from the Web

FEDS: REPORT SHOWS PROGRESS IN TRIBAL PROSECUTIONS

<http://wapo.st/1oqUNKe>

CHUKCHANSI TRIBAL COUNCIL HAS ANOTHER SHAKEUP

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

CONTROVERSIAL EX-PASSAMAQUODDY CHIEF WINS TRIBAL PRIMARY

<http://bit.ly/1q8JfJt>

MILLER SEEKS TO BECOME FIRST FEMALE SENECA PRESIDENT

<http://bit.ly/1teK4KQ>

POTAWATOMI WITHHOLD \$25 MILLION PAYMENT TO STATE

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

TRIBAL LANGUAGE CHARTER SCHOOL INCHES FORWARD

<http://bit.ly/VPY3Ix>

Upcoming Events

NATIVE YOUTH HEALTH SUMMIT

SEPTEMBER 4-9

This year's summit will feature a series of workshops that will guide youth to create digital stories that highlight their own experiences and thoughts on Native health, as well as educational panels and fitness activities. Events will include workshops to create personal digital stories; health education and prevention workshops on diabetes, suicide and other critical health issues; and presentations by notable speakers.

Location: Navajo Nation, Window Rock, Arizona and Albuquerque, New Mexico

LAKE SUPERIOR WILDERNESS CONFERENCE SEPTEMBER 5-6

"50 Years of Wilderness" celebrates the golden anniversary of the signing into law of the Wilderness Act by President Johnson, which established the Wilderness Preservation System and protected an initial 9.1 million acres of wild lands. Participants will learn about wilderness areas in the Lake Superior region; become part of the movement to return wilderness management issues to the regional agenda; and strengthen their relationship with those who are similarly interested in the wilderness through networking opportunities.

Location: Inn on Lake Superior, Duluth, Minnesota

NATIONAL INDIAN HEALTH BOARD CONSUMER CONFERENCE SEPTEMBER 8-11

The 31st annual conference, "Advancing Native Health Care Through Consultation, Technology and Tradition," will include opening remarks by NIH Chairperson Cathy Abramson; a keynote address by American Medical Association President Robert M. Wah; an address and updates from Indian Health Service Acting President Yvette Roubideaux; and forums and discussions with Swinomish Tribe Chairman Brian Cladoosby, National Indian Health Board Vice Chair Rex Lee Jim, and Northwest Portland Area Indian Health Board policy analyst Jim Roberts.

Location: Hyatt Regency Downtown, Albuquerque, New Mexico

INDIAN EDUCATION SUMMIT SEPTEMBER 9-11

The 2014 summit is geared to address a variety of culturally relevant educational issues and to work to improve opportunities and outcomes for all Native American students. Conference strands will focus on Oklahoma academic standards; culture and language; STEM (science, technology,

engineering and mathematics) issues; and tribal services. Pre-conference institutes will include "American Indian AP Summit," which will promote a broad understanding of the urgency of preparation for the stress of higher education through planning, scheduling and systematic recruitment by high school counselors of increased numbers of American Indian students.

Location: National Center for Employee Development Conference Center & Hotel, Norman, Oklahoma

INDIAN LAW SYMPOSIUM SEPTEMBER 11-12

The 27th annual University of Washington Indian Law Symposium will feature comprehensive litigation and legislation updates and topics of interest to a broad array of practitioners. "White House Initiatives in Indian Country" "Columbia River Treaty Negotiations" and "Basics of Criminal Jurisdiction Under VAWA [Violence Against Women Act] & TLOA [Tribal Law and Order Act]" will be among the highlights; scheduled participants include Assistant Secretary-Indian Affairs Kevin Washburn and White House Policy Advisor Jodi Gillette.

Location: University of Washington School of Law, William H. Gates Hall, Seattle, Washington

LETTERS TO THE EDITOR

Re Donna Ennis's commentary, which argued that "there is nothing 'traditional' about the smoking of marijuana" ("Yo, Potheads! Being a Stoner is Not the Native Way," August 8):

Is it better to use a plant found in nature or to use man-made chemicals? For me it is the plant of life. Is this still a topic?

There are more devastating drugs out there taking over our reservations. Drugs are being made every day out of nothing. This plant is real and has been around for thousands of years.

I was chemically dependent on Oxydone for four years. The problem started when tribal clinic doctors gave me hydro-

codone for arthritis pain. Opiates from our clinics are taking over our people at an alarming rate, while the plant of life can heal them. Opiate dependency is no joke, whereas marijuana is the only medicine that healed me.

—A.D. Youngman
Nixon, Nevada

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

POSITION DESCRIPTION:



Type of Position –

Independent Contractor (individual or firm), not employee of Tribe

Level of Effort Required –

FTE – 1776 hours (Fed. Gov't guideline for # of productive hours)

Compensation – fixed price @ \$100K to \$125K for Senior Project Manager or firm, depending on experience

The Project Manager will provide project coordination and direction to Tribal Staff and outside consultants to implement Move To Higher Ground legislation in accordance with instructions from Tribal Council and the Tribal Executive Director. Specific duties of the Project Manager: (a) ensuring on-schedule completion of project tasks within or below budget, in conformance with schedules and goals set by the Tribal Council and Executive Director, (b) reporting to Tribal Council and Executive Director on achievement of key MTHG action items and time-lines, and (c) monitoring and reporting project delays and problems, and helping to develop options to resolve delays.

The Project Manager will oversee work of assigned Tribal Staff and outside consultants regarding the following specific project tasks: a) MTHG funding, including legislative appropriations, federal/state grants and/or charitable donations; b) MTHG land transfer process with USDOL, including MTHG environmental hazard assessments, the NEPA process, natural resource planning, boundary surveys, easement negotiations, federal trust responsibilities and title/easement recordation; c) MTHG construction planning and design; d) federal and state legislative projects needed to advance MTHG; (e) MTHG-related Tribal intellectual property rights; (f) MTHG communications and publicity; and (g) Tribal procurement of goods and services needed for (a) – (f).

A detailed request for proposals with a complete scope of work is available upon request from the Quileute Tribe.

Larry Burtness at larry.burtness@quileutenation.org
360-374-9651



The Quileute Tribe has a job opening for an Enterprise Business Manager, the successful candidate will oversee all aspects of the enterprise operations including: business planning and development, marketing, finances, team building, and staff development. Must possess the ability to analyze and solve problems, strong communication skills, both verbal and written, and demonstrate outstanding leadership. Must have a Master's degree in Business Administration or related field. Strong background in accounting and/or fiscal management.

For a complete job description and a job application visit our website at www.quileutenation.org or call 360-374-4366

The Quileute Tribe has a job opening for a Controller for our accounting department. Visit our website at www.quileutenation.org for a complete job description and job application. Or call 360-374-4366.

REQUEST FOR PROPOSAL

RFP #2014-3110

San Carlos Apache Tribe
Finance Department
Audit Services

Notice is hereby given that proposals will be received by the San Carlos Apache Tribe-Finance department for Audit Services for fiscal year 2014 with an option to extend to an additional two years if approved. You may request a copy of the RFP from Rose Polk, Purchasing Agent, email rose.polk@fin.scas-nsn.gov. The proposals will be received until September 11, 2014 until 1:00 pm Arizona time.

The proposals must be mailed to RFP #2014-3110, San Carlos Apache Purchasing Department, PO Box 0, 20 San Carlos Avenue, San Carlos, Arizona 85550.

Please direct any and all questions to Rose Polk, Purchasing Agent, email rose.polk@fin.scas-nsn.gov.



**Torres Martinez
Desert Cahuilla
Indians TANF**

**Invitation for BID DUE
SEPTEMBER 8, 2014
RFP # 10246**

TMTANF Case
Management System

www.torresmartinez.org
or email
Jswenson@TMDCL-nsn.gov



TOP NEWS ALERTS



From IndianCountryTodayMediaNetwork.com

PECHANGA RAISE MORE THAN \$100,000

The Pechanga Band of Mission Indians hosted a two-day charity golf tournament that raised more than \$100,000 for the Semper Fi Fund, School on Wheels, Operation Safe-House, and United Friends of the Children. In its 16th year, the Pechanga Charity Golf Classic has brought together tribal government and Indian gaming industry leaders to raise nearly \$1 million for regional nonprofit groups. The event has grown in recent years to a two-day event that now includes more than 300 golfers at the championship.

EAGLE FEATHERS FOR NON-FEDERAL TRIBE?

A tribe in Texas might be legally permitted to possess eagle feathers for their ceremonies

even though the federal government does not officially recognize them. The case against the Lipan Apache Tribe began when Interior Department authorities seized the feathers during a 2006 powwow. But on August 20, the 5th Circuit Court of Appeals unanimously ruled that the department did not have the authority to prevent the tribe from using the feathers. "It's been a long hard-fought battle that we just had to win," said tribal vice chairman Robert Soto.

HOOPA AND BIA INVESTIGATE ARSON

The Hoopa Valley Tribe and the Bureau of Indian Affairs (BIA) have teamed up to investigate a rash of fires, many of them caused by arson, that have occurred on the reservation this summer. The findings of the investigation are confidential,

but the outside help includes personnel and equipment from the Fort Apache Indian Reservation, the Tuolumne Rancheria, and the Wewoka Agency in Oklahoma. John Simmons, fire management officer for the BIA, said that Hoopa is among the top five reservations suffering from human-induced fires.

DECENNIAL FOR INDIAN MUSEUM

The Smithsonian Institution's National Museum of the American Indian is celebrating the 10th anniversary of its opening this month. After being authorized by an act of Congress in 1989, the 250,991 square-foot venue, located in Washington, D.C., opened on September 21, 2004. "Amid the fanfare surrounding this auspicious time, we are launching a series of major new exhibitions and

groundbreaking education programs," said Director Kevin Gover, Pawnee. An anniversary gala will be held in the nation's capital on September 20.

TOHONO O'ODHAM BREAKS CASINO GROUND

The Tohono O'odham Nation of Arizona broke ground last week for its off-reservation \$400 million West Valley Resort and casino. The project has been met with lawsuits and legislative action from parties who question whether the site can legally be used for gaming; opponents include Arizona senators John McCain and Jeff Flake. But Assistant Secretary-Indian Affairs Kevin Washburn said that the site was eligible under the terms of the Indian Gaming Regulatory Act. "This is going to be a neat project," said Glendale City Council member Gary Sherwood.

NEWLY CONSTRUCTED SENIOR APARTMENTS FOR RENT

COUNCIL TOWERS VII HDFC is pleased to announce that applications are now being accepted for 78 Section 8-assisted one bedroom housing rental apartments now under construction at **2219 Givan Avenue** in the **Co-op City** section of the **Bronx**. This building is being constructed through financing from the New York City Housing Development Corporation (HDC), the New York City Department of Housing Preservation and Development (HPD), and the U.S. Department of Housing and Urban Development (HUD).

ONE HOUSEHOLD MEMBER MUST BE AT LEAST 62 YEARS OF AGE TO QUALIFY

Apartments Available	Apartment Size	Household Size*	Total Annual Income Maximum**
78	1 Bedroom	1 2	\$29,400 \$33,600

*Subject to occupancy criteria

**Income guidelines subject to change

Tenant Rent is approximately 30% of Gross Household Income based on Section 8 guidelines and includes gas for cooking. Qualified Applicants will be required to meet Section 8 guidelines and additional selection criteria.

Applications may be requested by mail from:

Council Towers VII; c/o Met Council
120 Broadway, 7th Floor
New York, NY 10271

OR by telephone:

(212) 453-9613 (please speak clearly)

Applications can also be picked up in person at the following locations:

Council Towers I

777 Co-op City Boulevard
Bronx, NY 10475
Monday – Thursday 9am – 4pm
Friday – 9am – 2pm only

Met Council

120 Broadway, 7th Floor
New York, NY 10271
Monday – Thursday 9am – 4pm
Friday – 9am – 2pm only

Individuals can also download an application from the internet at www.metcouncil.org/housing or email requests to ct7inquiry@metcouncil.org. Completed applications must be returned by **REGULAR MAIL ONLY** to a post office box number that will be printed on the application, and must be postmarked by **September 24, 2014**. Applications received after this deadline will not be processed until applications received by the deadline are processed. One household member must be at least 62 years of age to qualify. Applications will be selected by lottery; applicants who submit more than one application will be assigned a higher log number (least chance of obtaining an apartment). Eligible households that include persons with mobility impairments will receive preference for 4 of the units.

No Broker's Fee. No Application Fee

Bill de Blasio, Mayor

New York City Department of
Housing Preservation and Development
Vicki Been, Commissioner

New York City Housing Development Corporation
Gary Rodney, President



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UPCOMING POW WOWS

United Tribes International Pow Wow

9/4/14 — 9/7/14

United Tribes Technical College, Lone Star Arena
3315 University Drive
Bismarck, ND
701-255-3285

UnitedTribesPowWow.com

7th Annual White Buffalo Pow Wow

9/5/14 — 9/7/14

Lou Yeager Lake
Picnic Area #4
Litchfield, IL
Rick or Patty Rhodes
217-710-1950 or 217-556-7050

WhiteBuffaloPowWow.org

Sixth Annual Intertribal Pow Wow

9/5/14 — 9/7/14

Fischer's Pine Lake
3924 Maple Road
Ashtabula, OH
440-319-4483
redwolf_0801@yahoo.com
Ueln.com

Indian Summer Festival Contest Pow Wow

9/5/14 — 9/7/14

Henry Maier Festival Park
200 North Harbor Drive
Milwaukee, WI
Indian Summer Festival Offices
414-604-1000
indiansummer@wi.rr.com
IndianSummer.org

5th Annual Neerchokikoo Honoring Powwow

9/6/14

5135 NE Columbia, Portland OR
Portland, OR
503-288-8177, ext. 206
shawnf@nayapdx.org
Nayapdx.org

14th Annual Georgian Bay Native Friendship Centre Sainte-Marie Among the Hurons Pow Wow

9/6/14 — 9/7/14

Highway 12 at Wye Valley Road
L4R 2A7 Midland, Ontario
United States Minor Outlying Islands
705-526-5589
GBNFC.com

Miigwech Manomin Pow Wow

9/6/14 — 9/8/14

Nett Lake School Gymnasium
5344 Lakeshore Drive
Nett Lake, MN
Donald L. Chosa Jr.
218-757-3261
dchosajr@boisforte-nsn.gov
BoisForte.com

Annual Intertribal Pow Wow

9/6/14 — 9/7/14

Plug Pond
Sanders Road off Mill Street
Haverhill, MA
617-642-1683
mcnaa@aol.com
MCNAA.org

37th Annual Nanticoke Indian Association's Pow Wow

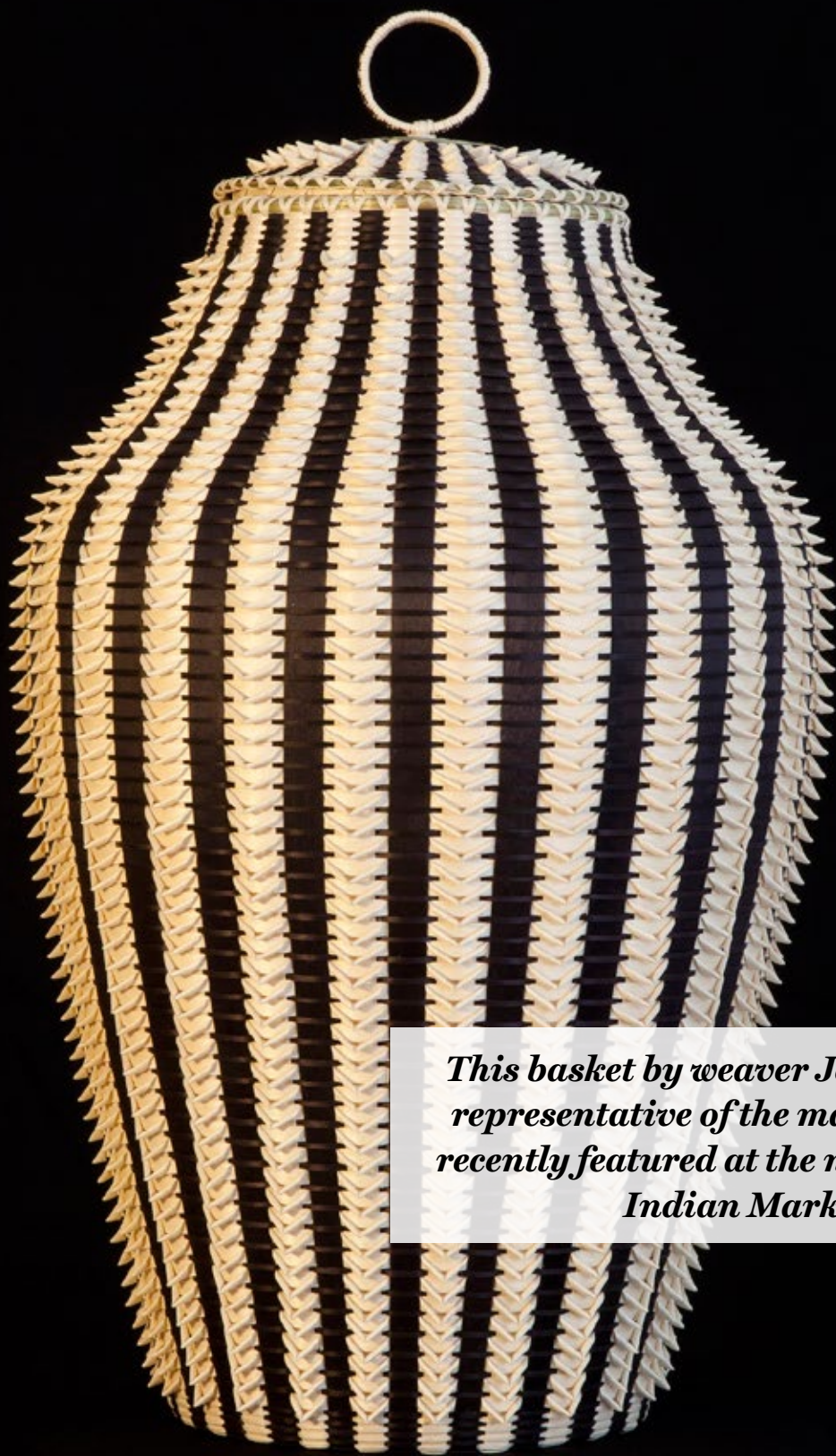
9/6/14 — 9/7/14

Nanticoke Pow Wow Grounds
27073 John J. Williams Highway
Millsboro, DE
302-945-3400
info@nanticokeindians.org
NanticokeIndians.org

14th Annual Akwesasne International Pow Wow

9/6/14 — 9/7/14

A'nowara'ko:wa Arena
K6H 5R7 Akwesasne
United States Minor Outlying Islands
akwesasnepowwow@yahoo.com
AkwesasnePowWow.com



This basket by weaver Jeremy Frey is representative of the many artworks recently featured at the noted Santa Fe Indian Market.