



Indian Country

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

A Letter from the Publisher

Shekóli. There are two pieces of required reading for tribal leaders, activists and anyone else interested in the economic development of their nations in this edition of *This Week From Indian Country Today*. With “The Pitfalls of Medical Pot,” former FBI agent and ICTMN columnist Walter Lamar digs into the potential opportunity and drawbacks of the Department of Justice policy announcement at the end of last year regarding marijuana in Indian country. Of course, there has been a spate of conferences, consultations and speculation since that announcement. Lamar seizes on the statement of a non-Native consultant who proclaimed to HuffingtonPost that tribes “are able to get into this industry with complete immunity.”

To officials familiar with tribal law enforcement agreements with state and federal agencies, or who are acquainted with the complexity of negotiations between state and tribal governments, this statement would appear to be hopelessly naïve. To debunk breathless mainstream coverage of the significance of the Justice Department memo, Lamar takes a measured survey of various pitfalls present among such diverse nations as the Oglala Sioux, Mohegan and Hoopa. Each finds itself in a unique situation, with the way forward anything but clear.

The one unwavering truth? The only people to have made money to date are marijuana consultants, self-proclaimed experts in a field just a few



months old. Many observers have drawn comparisons between the early days of tribal gaming and nascent marijuana operations.

However, Indian nations need look no further for similar scenarios than recent imbroglios over e-commerce operations on sovereign tribal territory. This is the subject of an opinion column by Jane Daugherty, who cites multiple lawsuits initiated by states attorney generals and class-action lawyers as examples of how conflicting regulatory laws can erode profits. She argues that tribal Internet lending operations are no different than brick-and-mortar operations run by non-Natives.

Whether with agriculture, resource extraction, gaming or online, Native companies must enter the business arena with eyes wide open, and with every available piece of information at their fingertips. We hope this week’s issue helps in these endeavors.

Náki wa,

Ray Halbritter

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Gifts That Corrupt Through Deception

*The removal of Paiute Tribal Chairwoman Gari Pakyavit Lafferty after she accepted gifts from the Washington Redskins prompts **Phil Goyer** (Paiute, Pawnee, Comanche) to reflect on the deceptive nature of team owner Dan Snyder's Original Americans Foundation:*

I'm struck by the layered cynicism of Snyder's philanthropic enterprise. The first layer is an assumption about non-Native people—that by creating a foundation in the midst of crisis one can hand-wave the negative press away. That argument goes like this: “The Redskins

couldn't possibly be a racist name—look at all the good work they do in Indian country.” This is philanthropy as a public relations response to crisis management.

The second layer of cynicism concerns our communities. Snyder started his enterprise by submitting a survey across Indian country, asking what tribes needed. Here is my answer: We need better schools and better school leaders. We need more Native men and women with college and professional degrees. We need counselors to help our children understand why suicide isn't an answer. We need police to stop murdering our men in the street. We need to end the food deserts that make poor health a destiny.

We need shelter and protection for our battered women and education for our men who learned that beating someone is the way to get them to love you. We need our Native children to be affirmed and celebrated, not mocked and stung.

But Snyder's foundation only offers *things*—sponsored rodeos, playgrounds, passenger vans.

The last layer of Snyder's cynicism was on full display with the way his foundation worked with Chairwoman Lafferty. Thankfully, Snyder's poor management skill and lack of competence in sourcing talent has once again hampered his side's ability to be effective. <http://bit.ly/1aLrO5l> ☞

The Pitfalls of Medical Pot

*Former FBI Special Agent **Walter Lamar** (Blackfeet/Wichita) considers the downside of the recently disclosed Justice Department memo that effectively allows tribes to cultivate marijuana for medicinal purposes:*

Tribes may soon discover the difference between the promise of untold wealth from legal marijuana and the reality of navigating the legal maze that it entails. A number of for-profit firms have declared themselves experts in the field, despite the fact this industry never existed, and are happy to accept fees from tribes seeking economic development.

The example of the consultant who breezily promised “complete immunity” to tribes should be a chilling reminder that advice is only as good as the intentions of the person giving it. In the end, these self-proclaimed tribal marijuana experts are the first to make a buck on tribal marijuana. And it's unlikely they care much if they leave behind a pile of problems for tribes to deal with.

What's lost in the hubbub over whether tribes should pursue legalization is to what extent the Justice Department will support tribal enforcement of current marijuana bans. In fact, many tribes don't think marijuana cultivation and

distribution is ethical, healthy or desirable in any way. Indeed, one of the biggest issues for tribes, like the Yurok and the Hoopa in the “Emerald Triangle” of northern California, is how to get more help combating smuggling and illegal grows that threaten tribal lands and waters. Alaskan Native leaders are concerned about retaining enough drug-free workers, now that legalization of recreational marijuana is moving forward.

As tribal leaders sit down with each other in the months to come, they have lots to consider, not the least of which is the hucksters who are perfecting their pitch. <http://bit.ly/1aFtXPY> ☞

The Promise and Perils of E-Commerce

*Tribes looking for alternate sources of income may benefit from e-commerce, says investigative reporter **Jane Daugherty**. But the path is by no means without potholes, as this cautionary tale makes clear:*

Niche opportunities created by businesses shifting to the Internet have become an increasingly appealing way to generate tribal income. Some tribes are benefitting from new relationships with e-commerce companies operated from reservations. But various government agencies are putting up regulatory roadblocks.

For example, Connecticut regulators

sued the Otoe-Missouria tribe and fined Chairman John Shotton \$700,000—the first such action against a tribal leader. The tribe and Shotton have now sued two current and former state bank regulators, accusing them of violating the tribes' civil rights and sovereign status. Shotton said in his lawsuit that Connecticut's actions prevent him from ensuring the financial security and well being of tribal members and bar him from earning a living.

Kansas City could wind up being the next battleground between Native Americans and the federal government. The Otoe-Missouria, Modoc, Miami, and Santee Sioux tribes, all with Kansas City operations, have found their e-commerce loan businesses challenged in the courts

and criticized in the press. Multiple lawsuits have attacked their businesses for “breaking” laws. Initiators of these suits include states, the federal government, state attorneys general and class action lawyers. Many have also begun to target partners of tribes, including a software company owned by racecar driver Scott Tucker, as a way to attack the shield of tribal sovereignty. (Tucker previously was employed by the Miami Tribe of Oklahoma.)

These legal maneuvers may have dire consequences for American Indians around the country—many of whom live on reservations created by the federal government where employment opportunities are scarce. <http://bit.ly/1IW2kwu> ☞



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*Source: Georgetown University Center on Education and the Workforce forecasts of educational demand through 2020.


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Tribes Fight to Protect Yellowstone Grizzly From Hunters

The Pawnee Tribe of Oklahoma has joined the Shoshone-Bannock Tribes in opposing the removal of the Yellowstone grizzly bear from federal endangered species status, arguing that this action would allow trophy hunting.

"Tell them the Pawnee Nation means business," Pawnee Councilman Adrian Spottedhorsechief said in a statement issued with Guardians of Our Ancestors' Legacy (GOAL), an advocacy group. The Pawnee issued their statement earlier this month; the Shoshone-Bannock Tribes made their declaration last November.

Grizzlies were listed as "threatened" in 1975. But as their numbers have recovered and Washington has deemed them to be self-sustaining, the U.S. Fish & Wildlife Service has tried to remove their threatened status. However, this challenge has failed in court.

Now, tribes are trying to keep the bears listed as threatened. "If the grizzly is shorn of Endangered Species Act protections it will fall victim to the gun sight wildlife management practices of the states of Wyoming, Montana and Idaho, all of which intend to open extravagant trophy hunting seasons for the wealthy on this being held sacred by a multitude of tribal nations," the Pawnee said.

"Trophy hunting [of] sentient beings only appeals to a tiny minority of a particular demographic within the U.S. population, and it is antithetical to the traditional cultures and subsistence practices of tribal people," said Pawnee Business Council President Marshall R. Gover. <http://bit.ly/1afFRPy> ☞

Utah Tribe Removes Chairwoman For Receiving Redskins Gifts BY SIMON MOYA-SMITH

The Paiute Indian Tribe of Utah has unanimously voted to remove Tribal Chairwoman Gari Pikyavit Lafferty for having taken an all-expenses-paid trip to Washington, D.C., where she and her family attended a Washington Redskins football game last September.

The expenses were paid by the Original Americans Foundation, a nonprofit organization funded by the Redskins to garner support for their embattled team name, the resolution of removal stated. Lafferty admitted to the accusations on March 31. Two days later, she was officially removed.

"The role of a tribal official is to act to make the tribe better, but the actions of Gari Lafferty since she took office have served neither the Paiute Indian Tribe of Utah nor its elected council," Vice Chairwoman Jeanine Borchardt told ICTMN.

Lafferty stated at the March 31 hearing that she had previously filed a report to the Tribal Council informing them of her travel plans. But in a statement the tribe responded, "That is not true, and is not supported by the record." The Paiute further stated, "The Tribe's decision to remove the chairwoman was also based upon a larger pattern of behavior documented over a long period of time."

Tribal members are scheduled to elect a new chairperson on April 30. <http://bit.ly/1axYgIn> ☞

Interior Department Issues Rules For 'Safe' Indian Country Fracking

Amid protests, concerns and studies about the dangers of the hydraulic fracturing method of extracting oil and gas from shale formations, the Interior Department on March 20 released what it calls rules to "support safe and responsible hydraulic fracturing on public and American Indian lands."

The standards are geared toward improving safety and protecting groundwater with updates to infrastructure, wastewater disposal and disclosing the chemicals used to the public. They apply to the more than 100,000 oil and gas wells on lands managed by the federal government, 90 percent of which use hydraulic fracturing, the department said.

Taking effect in June, the rules will tighten monitoring of well integrity and the installation of strong cement barriers between wastewater well drilling sites and water supplies. Companies must also publicly disclose the chemicals they are using to the Bureau of Land Management; increase standards for interim storage of waste fluids to avoid contaminating air or water, or endangering wildlife; and assemble and submit detailed information on geology, depth and location of existing wells.

The new rules "will protect public health and the environment during and after hydraulic fracturing operations at a modest cost while both respecting the work previously done by the industry, the states and the tribes and promoting the adoption of more protective standards across the country," said Assistant Secretary for Land and Minerals Management Janice Schneider.

Four years of research and public involvement went into developing the rules, Interior said, along with detailed studies of state and tribal regulations and consultations with tribal regulators and other entities.

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Idaho Tribes Slam Veto of Horse Racing Machines Bill

BY JACK MCNEEL

A bill introduced by the Coeur d'Alene Tribe—and supported by other tribes—that would repeal instant horse racing machines in Idaho has been vetoed by Gov. C. L. “Butch” Otter, even though the state legislature passed it overwhelmingly.

Tribal reaction was swift and fierce. “To say we’re incredibly disappointed doesn’t even begin to describe it,” said Coeur d’Alene Chairman Chief James Allan.

“Every Supreme Court in this country that has ruled on these machines found them to be gambling slot machines prohibited by their respective constitutions,” said the Shoshone-Bannock Tribes of Idaho.

“We, as voters of the state, are not pleased with the governor on how this matter is being handled,” said Chairman Nathan Small of the Fort Hall Business Council.

The Idaho Senate tried to override the governor’s veto but could not secure the necessary two-thirds vote. However, according to Senate President Pro Tem Brent Hill, the governor’s veto may not be valid, the Associated Press reported. Otter had five days to veto the bill and did not return it within that time frame.

“It appears there are still some serious legal questions considering the validity of the veto and whether or not the governor complied with the constitution and the Idaho Code,” Helo Hancock, the legislative director for the Coeur d’Alene Tribe, told ICTMN. “So stay tuned.” <http://bit.ly/1CWKesI>

Possible Burial Mound Desecration Causes Clashes in Pennsylvania

By bulldozing a hill on his property in Lancaster County, Pennsylvania, a local farmer has aroused the ire of activists who believe that he is desecrating a Native American burial mound.

It is not clear if the site in question, Conestoga Indian Town—which is registered with the Pennsylvania Historical and Museum Commission—is on the property of the farmer, Donny Witmer. He is clearing the area to plant grass and yield hay and is legally entitled to do so, local authorities say.

“It’s (Witmer’s) property and he’s doing it with private funds, so he can do whatever he wants,” Howard Pollman, the commission’s director of external affairs, told LancasterOnline.

Others are not convinced. There is “pretty strong evidence” that the property is the site of a burial mound—and therefore subject to the Native American Graves Protection and Repatriation Act (NAGPRA), said Darvin Martin, who has written several books about local history. Martin cited records dating from 1714 that show Conestoga Chief Togodhessah, or Chief Civility, telling state government leaders that “our old queen,” Conguegos, was buried there.

Activists say they will try to invoke NAGPRA to force Witmer to stop work on the mound, LancasterOnline reported. However, the NAGPRA website states that the act applies only to federal agencies, public and private museums that have received federal funds. <http://bit.ly/1DL27hK>

Swinomish Tribe Sues to Stop Bakken Crude Oil Trains BY RICHARD WALKER


Swinomish tribal leaders are suing the Burlington Northern Santa Fe (BNSF) Railway over its transport of millions of gallons extra-inflammable Bakken crude oil across reservation lands in Washington State. The suit seeks a permanent injunction that would prohibit the BNSF from running more than one train of 25 cars in each direction, and forbid the shipment of Bakken crude across the reservation.

The suit, filed on April 7, alleges that the BNSF violated the terms of an easement by carrying the oil across Swinomish land without updating the tribe on the type of cargo it is conveying. Moreover, the number of rail cars used in the transport is quadruple the number allowed by the easement, the Swinomish lawsuit charges.

The Swinomish state that they never granted the BNSF permission to increase the number of railcars and have demanded that the BNSF stop violating the easement. So far, the BNSF has refused.

In addition, the Swinomish allege that tracks running across the northern edge of the reservation were laid in the late 1800s, without the consent of the Swinomish or federal governments.

According to the U.S. Pipeline and Hazardous Materials Safety Administration, the Bakken crude carried by the BNSF is particularly hazardous because it "has a higher gas content, higher vapor pressure, lower flashpoint and boiling point and thus a higher degree of volatility than most other crudes in the U.S., which correlates to increased ignitability and inflammability."

The rail tracks that are in question are adjacent to the Swinomish's primary economic development area. The oil cars also pass over Swinomish Channel and Padilla Bay, which are part of the tribe's fishing grounds. <http://bit.ly/1FqLAud> 

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Public Service, Private Practice

Regardless of venue, two attorneys remain concerned with Indian affairs

BY KRISTI EATON

Editor's Note: Brendan Johnson and Timothy Purdon made it their mission while serving as U.S. Attorneys for South Dakota and North Dakota, respectively, to work with American Indian tribes and improve public safety on some of the country's largest Indian reservations.

Johnson, who served as the U.S. Attorney in South Dakota from 2009 to 2015, is credited with designing a community prosecution strategy that helped increase prosecutions in Indian country by 90 percent. Purdon, who served from 2010 to 2015, devised an anti-violence strategy on North Dakota's reservations that helped increase prosecutions in his district by 80 percent.

Now, the two lawyers are joining the Minneapolis-based law firm of Robins Kaplan. Johnson has opened an office in Sioux Falls, South Dakota, while Purdon is opening an office in Bismarck, North Dakota. They plan to continue their efforts of working closely with tribal communities.

Here, ICTMN discusses with both men their government experience and their decision to transition to private practice.

Being a U.S. Attorney seems like a prestigious position. Why did you decide to go to private practice?

Johnson: Serving as U.S. Attorney was a great honor, and I am immensely proud of what the Justice Department has accomplished in Indian country during the Obama administration. We worked

private practice who will stand shoulder to shoulder with tribes across the country. That's what Tim and I intend to do in private practice.

Purdon: When you become U.S. Attorney, you serve as a nominee of the President of the United States and so you know that the job is not going to be forever. When I started I set several goals, the most important of which was reshaping the way the North Dakota U.S. Attorney's Office contributes to the public safety of the reservations that we serve. We did this through the adoption of our Anti-Violence Strategy for Reservation Communities (AVS), which we put into place in 2011. While the initial implementation of the AVS certainly has not



Tim Purdon (center) and Brendan Johnson (right): Advocates in transition

with, not against, tribes to promote tribal sovereignty. In South Dakota, I was particularly proud that we stood with the tribes on issues including the Violence Against Women Act (VAWA), the Indian Child Welfare Act, voting rights, and preventing the disestablishment of the Yankton Sioux Reservation.

But there are more fights that need to be fought on behalf of tribal sovereignty. There is a need for strong attorneys in

solved these issues on the reservations in North Dakota, we have made real, measurable progress during my term.

Given this, I felt that the time was right for me to take the next step in my career by joining Robins Kaplan with Brendan to continue our service to the people of Indian country by building an incisive, relentless team to help tribes deal with their most complex problems and disputes.

What did you learn during your time as a U.S. Attorney and how will that help you as you transition back to private practice?

Johnson: Tim and I learned that the odds are often stacked against the tribes. Local governments and major corporations can afford to hire some of the best attorneys in the country to advocate against the interests of tribes. We want to rewrite those odds.

Purdon: I learned a great deal about how the Department of Justice and other agencies like the Department of the Interior and the Bureau of Indian Affairs work. I have a much greater understanding of how policies and personalities drive hard decisions in Washington than I did before. It is my belief that I am going to be able to leverage this understanding of how the federal government works in Indian country on behalf of tribes and tribal entities.

What will you be doing in your new roles?

Johnson: Robins Kaplan has a long history of taking on high-stakes litigation, often on the side that others might consider to be an “underdog.” This includes successful litigation against big tobacco and pharmaceutical companies. Tim and I felt that this firm had the right values, as well as the assets and experience already in place, to assist tribes, and that’s what we want to do in private practice.

Purdon: Brendan and I now have a long history of managing complex criminal investigations and high stakes civil litigation from both the defense and plaintiff counsel’s table. This experience uniquely positions us to rewrite the odds for tribes and tribal entities that are caught up in complex disputes with powerful outside forces.

How important is it for the federal government to work with American Indian tribes? How can that relationship improve?

Johnson: The federal government needs to appreciate that the best ideas for strengthening tribal communities don’t come out of Washington D.C.; they come directly from the tribes. I think the Obama administration has done great work in Indian country, but we need to make sure that those changes are sustainable and not reversed by the next administration. Tim and I intend to be watchdogs in private practice to make sure that progress is not halted.

Purdon: I believe that when the history of Attorney General Eric Holder’s Department of Justice is written, one of its biggest achievements will be the prioritizing of public safety in Indian country, the deployment of additional Department of Justice (DOJ) talent and resources to address that issue, and the measurable results of that effort.

From the passage of the Tribal Law and Order Act and the re-authorization of the Violence Against Women Act with the restored tribal court domestic violence jurisdiction to the marked increase in the number of Indian country violent crime cases brought by U.S. Attorney’s Offices across the country; from the important work of the DOJ’s Task Force on American Indian and Alaska Native Children Exposed to Violence to the unprecedented levels of communication, cooperation, and collaboration between U.S. Attorney’s Offices and the tribes they serve; the initial progress that Brendan and I helped lead has been historic.

What did you learn about Indian country while a U.S. Attorney?

Johnson: I had the opportunity to work the night shift with the Rosebud Police Department, participate in a sweat in Pine Ridge, and visit with elders in Crow Creek and high school students on the Standing Rock Reservation. I consider my friends in Indian country to be my relatives, and each relationship taught me something new.

Purdon: One specific memory stands out for me. I will never forget the day that I learned that you have to listen in order to understand that the gen-

erational trauma suffered by American Indian people is not ancient history, but that it is real, recent and raw. I remember being with Attorney General Eric Holder and Brendan at a town hall meeting on the Pine Ridge Reservation in the summer of 2012. As the meeting was beginning to break up, an elder in a wheel chair was brought up to the front and he began to speak to the Attorney General in Lakota. He spoke for several minutes.

When he was done, his son translated his remarks. He related to the Attorney General that the elder’s grandfather had been a signatory of the Fort Laramie Treaty of 1868 and repeated in English the elders concerns about conditions on Pine Ridge. I was struck by the history of the moment, but also by how personal this man’s concerns were and how absolutely raw his grievances were.

What do you hope to see in the future in Indian country?

Johnson: I believe that tribes can increase their sovereignty through their court systems by implementing the Tribal Law and Order Act and the Violence Against Women Act. But that legislation is just a starting point. Tribes need to have greater control over their own future. I think that will happen, and I’m very optimistic about Indian country after working with incredibly talented Native American professionals within Indian country and the Obama administration.

Purdon: I am anxious to see the continued strengthening and growth of tribal court systems. TLOA and VAWA provide powerful incentives for tribes to invest in their court systems. As these tribal court systems mature and develop, this will have marked impact on public safety and, over time, can serve to spur economic development as investment will flow to places where strong court systems enforce the rule of law.

My work with the VAWA Implementation Inter-tribal Working Group has given me great hope for the future of tribal courts. <http://bit.ly/1CRDyw0> and <http://bit.ly/1O8xztH> ☞

The Navajo Are Parched

'It's going to get progressively worse, we know that.' BY LAURA PASKUS



'Temperatures are going to go up, precipitation is going to go down, and it's going to be like we're in a drought emergency,' said an official.

Bottom Line: In the southwestern U.S., lack of water has long been a way of life. Now it may be growing into a way of death.

For centuries, the Diné people have raised their families and livestock on the high desert lands of the Navajo Nation in New Mexico, Arizona and Utah. They

have survived the most difficult of conditions.

But as drought has dragged on, more or less for two decades—and the climate continues to warm—some are saying the tribal government needs to better protect its water resources and undertake more long-term planning.

"When you're living in the desert, you

don't expect it to get even worse," said Russell Begaye, a Navajo Nation Tribal Council Delegate from Shiprock, New Mexico. He pointed out that reservoir levels are dropping, farming plots are becoming sandier, and that rainfall and snowfall have declined.

"Some of our leaders, and some of our people concerned about environmen-

tal issues, are trying to make people aware," he said. "It's going to get progressively worse, we know that. But as a nation, the government, we are simply not ready."

According to the Third U.S. National Climate Assessment, issued by the White House last year, southwestern tribes such as the Navajo are among the most vulnerable to impacts from climate change. The report stated that Navajo elders have noticed declines in snowfall, surface water and water supplies. Certain sacred springs, medicinal plants, and animals have disappeared or declined and dust storms have increased.

And while scientists cannot say for sure at this point that extreme weather is tied to climate change, there is no doubt that the past two years have been challenging—and expensive.

Just ask Rosalita Whitehair, who directs the Nation's Department of Emergency Management. In the past two years, she said, there have been 11 emergency events, each costing the tribe between \$2 million and \$4 million. In 2013, for example, major flooding occurred in July, August and September. The flooding affected 88 of the tribe's 110 chapters, damaging 140 homes and costing millions of dollars.

Although precipitation is welcome during a drought, heavy rains cause problems.

"The warmer season will be followed by rain," said Whitehair. "And then when the rain comes, and hits the drought-impacted earth—which does not allow for percolation—it just runs off, and then we have all these homes that get flooded."

"My main thing I'm notic-

ing here is that we are having a lot of weather extremes, in terms of the severe drought," Whitehair said. In a recent e-mail to chapter leaders, she asked them to continue mapping and pursuing GPS efforts because of the need to pay close attention to those who are continually being affected by emergencies.

"We're seeing the same homes, the same people, the same places impacted by drought," she said.

Whitehair regularly reads the National Oceanic and Atmospheric Administration reports. Currently, forecasters are predicting that throughout the spring and summer, the Southwest will experience El Niño conditions.

The impacts of drought have been widespread, added Jeff Cole, wildlife manager with the Navajo Nation Department of Fish and Wildlife: "We've lost a lot of fishing lakes over the years because of the drought, and low snowpack and also because the water table is not recharging."

Over the course of three decades, Cole said, the Navajo have lost 30 lakes—human-made fishing lakes as well as playa lakes and natural water catchments atop the mesas. Drought has taken a toll on fauna other than fish; wildlife surveys have shown low fawn-to-doe ratios. And while drought has not directly affected priority species such as eagles, it does decrease the availability of their prey, Cole said, such as prairie dogs and rabbits.

"It's a trend that's just going to keep getting worse," Cole said. "Temperatures are going to go up, precipitation is going to go down, and it's going to be like we're in a drought emergency. Then when we do

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 Ruben Little Head - Happy Flats, MT
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 Thunder Hill - Weatherford, OK - '14 So. Champs
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get rain or a snowstorm, it will be much more intense—we've seen that in the last few years. And we end up going from a drought emergency to a snow emergency or a mud emergency."

Nearby cities have their own water plans, he noted. Some states are planning for long-term drought by moving surface water below ground and storing it within aquifers. But the Navajo face a different situation.

"When you live in a big city, there's always a plan on how much water is being used, and planning for the future," Cole said. "On the Navajo Nation, we don't have a policy in place that will address the drought, especially when it comes to livestock."

Over the last two summers, Cole has seen carcasses of livestock, wild horses, deer and other species where water holes once existed. "They're trying to find something with moisture," he said. "I've heard stories of cows trying to literally squeeze water out of dirt that maybe has a degree of moisture in it. It's sad to see."

If the wells that serve communities start to dry, the prospects would be disastrous,

Cole predicted. First, residents would have to sell off their livestock. Next, they might need to depart from where their families have always lived, for generations upon generations, to try and find water in other communities.

"Like I said, we live in a desert area," Cole said. "We have gone through many droughts on the Navajo Nation. But not on this large a scale. We have never gone through this kind of drought that I believe is coming in the near future. And we're not ready for it."

Whitehair is telling people that they need to be prepared: They should have not just a three-day supply of food, water and fuel as the federal government recommends, but a seven- to 10-day supply. Many homes and communities are far from paved roads, and it can take a long time for emergency workers to reach them.


Nonetheless, Whitehair emphasized that the Navajo people are resilient. "We've been taking care of our own and our families for over a millennia," she said. "Keep that in mind."

She recounted a story that occurred

during an operation a few years ago, when the National Guard flew into an area affected by a snow emergency. "There they were, they came in on their huge helicopters to bring help to the Navajo Nation," she said. "They fly in over the mountains and land by a hogan. The grandma comes out and tells them, 'Let me make you some food.'"

Whitehair continued: "She invites them into her home and starts making them tortillas on the stove; some potatoes, coffee. That's resiliency! That's how our grandparents were . . . and we've moved away from that. We need to get back to growing our own gardens, having that kind of resilience—like grandma."

Although she loves to tell that story—and laughs an easy, hearty laugh in recalling it—Whitehair is very serious about climate change and its impacts on the Navajo people and other American Indian communities.

"We know what the long-term effects are going to be," she said. "We here in the Southwest going to be out of water. That has to be everybody's concern." <http://bit.ly/1Cv6SFp> 

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Education and Resource Coordinator

LOCATION: TANF office Sacramento

POSITION SUMMARY:

Under the direct supervision of the TANF Director, the Education and Resource Coordinator provides counseling and referral services to participants in order to support individual evolving educational and career plans to all three counties, Placer, El Dorado and Sacramento Counties Service areas. One mission statement is to shift our community from a pattern of chronic unemployment and welfare dependency to one of self-reliance and sustainable prosperity by developing a comprehensive web of support services and activities that form a pathway that income eligible and at-risk individuals and families can take as they make their journey toward self-sufficiency through educational counseling, coaching and guiding by identifying educational opportunities.

MINIMUM QUALIFICATIONS:

1. Minimum educational requirement is a Bachelor's degree in Counseling and Guidance or related field.
2. Two years of relevant experience in managing projects.
3. Solid research skills and instructional savvy to create and present clear and effective instructional content.
4. Must have excellent writing, editing, and proofreading skills.
5. Intermediate knowledge of MS Word and PowerPoint.
6. Must possess a valid California Driver's License, a reliable automobile and auto insurance.
7. Must be able to travel between sites and to offsite events as needed, including some overnight travel, and working weekends.
8. Must pass a criminal background check from the Department of Justice.

SALARY INFORMATION: DOE (This position is full-time working 40 hours per week.)

Location: Shingle Springs Tribal TANF Program; Sacramento, CA

Application Deadline:

To apply, please forward a resume to:

APPLICATION DEADLINE:

To apply, please forward a resume to:

Human Resources Department

P.O. Box 1340, Shingle Springs, CA 95682

or email to: employment@ssband.org <<mailto:employment@ssband.org>>

Phone: (530) 387-4973 Fax: (530) 676-8033

Preference in hiring is given to qualified American Indians in accordance with the Indian Preference Act (Title 25 U.S. Code, Section 472 and 473). Applicants claiming Indian Preference must submit verification of Indian certified by tribe of affiliation or other acceptable documentation of Indian heritage.

EQUAL OPPORTUNITY EMPLOYER: Within the scope of Indian Preference, all candidates will receive equal consideration without regard to race, color, age, gender, religion, sexual orientation, national origin, medical condition or conditions of Acquired Immune Deficiency Syndrome (AIDS) and AIDS Related Complex (ARC) or other non-merit factors.

Age Discrimination in Employment Act (ADEA): The Shingle Springs Rancheria abides by the mandates of the ADEA (protecting individuals 40 years and older) and considers age a non-merit factor in all employment decisions and considerations.

Americans with Disabilities Act (ADA): The Shingle Springs Rancheria abides by the mandates of the ADA and considers disability a non-merit factor in all employment decisions and considerations. Furthermore, the Shingle Springs Rancheria will make any practical, feasible, and reasonable arrangements to accommodate qualified applicants and employees with disabilities.

Note to Applicants: Please be advised that you may be asked to get a Department of Justice Fingerprinting clearance and pre-employment drug test as a contingency for an offer of employment. Criminal clearances are obtained to protect the welfare and safety of clients receiving services at the Shingle Springs Rancheria Tribal TANF program.

**Circle of Nations School**

Wahpeton, ND has a Principal position vacancy. This position will require a Level 1 Principal credential for the State of North Dakota. We are looking for a candidate with a strong background in curriculum and teacher supervision. Circle of Nations is a 4th-8th grade off-reservation Native American Boarding School.

To obtain an application visit our website at: www.circleofnations.org

Preference will apply to qualified Native American candidates.

Submit application and resume to:

Circle of Nations School c/o

Chris Kappes 832 8th St. N.

Wahpeton, ND 58075 or

chriskappes@circleofnations.org

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The Pawnee Tribe of Oklahoma and the Shoshone-Bannock Tribe have opposed delisting the Yellowstone grizzly from endangered species status.



Darren Thompson (Ojibwe) has created an annual musical retreat devoted to the Native American flute, at the Lac du Flambeau Reservation.



The Department of the Interior has issued new rules for “safe” fracking in Indian country.



A buffalo skull and arrow points, on recent display at the Indigenous Cultures Center Native American Museum at Northland University.

Headlines from the Web

BILL AIMS TO KEEP AMERICAN INDIAN CHILDREN WITH FAMILIES

<http://bit.ly/1E6xOkf>

THREE TRIBES OPENS NEW BOYS AND GIRLS CLUB

<http://bit.ly/1aKX18O>

COMANCHE NATION ENLISTS LOCAL VETERINARIAN TO RESEARCH TRIBAL ARTIFACT

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

SENATE ISN'T GAMBLING ON SEMINOLE DEAL

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

WHO ARE SASKATCHEWAN'S MISSING AND MURDERED INDIGENOUS WOMEN?

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

APPEALS COURT DISMISSES QUECHAN TRIBE HEALTH CARE CLAIM

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

Upcoming Events

CHICKASAW NATION DYNAMIC WOMEN'S CONFERENCE AND FORUM APRIL 16-17

"Beyond Pink: Breaking Boundaries" is the theme of this year's event, which will celebrate the creative and empowering vision of trailblazing female Chickasaw artists, scholars, athletes and others. Dr. Karen Goodnight, 2014 Dynamic Woman of the Year, will be the keynote speaker.

Location: Artesian Hotel, Sulphur, Oklahoma

SYMPOSIUM ON AMERICAN INDIAN LANGUAGES APRIL 17

The gathering is dedicated to discussion of the documentation, conservation and revitalization of the Native languages of the Americas. It also provides a forum for the exchange of scholarly research on descriptive and/or theoretical linguistics focusing on American Indian languages. This year's theme is "Tools and Techniques for Language Documentation and Revitalization: Media and Technology."

Location: Rochester Institute of Technology, Rochester, New York

NATIONAL AMERICAN INDIAN CONFERENCE ON CHILD ABUSE AND NEGLECT APRIL 19-22

Sponsored by the National Indian Child Welfare Association, the 33rd annual conference will focus on child welfare, foster care and adoption services; children's mental health; youth and family involvement; and legal affairs and advocacy. Participants will learn about current research in the fields of Indian child welfare; how to use data to evaluate and improve program services; and will hear from tribal and urban Indian community programs that are using evidence-based practices or are establishing and documenting new best practice models. They will also learn how to share data effectively across systems; integrate data systems among tribal programs; develop tribal or community-based management information systems; and use data to inform budget and programming decisions.

Location: Hilton Portland & Executive Tower, Portland, Oregon

NATIVE AMERICAN FINANCIAL OFFICERS ASSOCIATION ANNUAL CONFERENCE APRIL 20-21

The conference will provide attendees with a deeper understanding of economic opportunities both on and off

the reservation; innovative investment strategies; legislation and legal cases that will affect economic growth and development; new approaches to accessing low-cost capital; and compliance with new Office of Management and Budget Uniform Guidance. Sessions will include "Tribal Business Sustainability," "Solving Tribal Defaults," "Capital Infrastructure Financing Development" and "The Jurisdictional Trap."

Location: Hyatt Regency Austin, Austin, Texas

IMPLEMENTATION OF INDIAN CHILD WELFARE ACT PUBLIC MEETING APRIL 22-23

Pursuant to a new rule to govern the implementation of the Indian Child Welfare Act of 1978 by state courts and child welfare agencies, the Bureau of Indian Affairs is holding a series of public meetings and tribal consultation sessions.

Location: BIA Northwest Regional Office, Portland, Oregon and Best Western Ramkota Hotel, Rapid City, South Dakota (for public meetings); Hilton Portland & Executive Towers, Portland, Oregon and Best Western Ramkota Hotel, Rapid City, South Dakota (for tribal consultation sessions).

LETTERS TO THE EDITOR

Re "Rape PTSD Equal to Effects of War" (April 6):

Having worked in a hospital emergency room for nearly 10 years, I have witnessed many rape victims who have come in for routine evidence gathering immediately after they have been attacked. These poor women (and one man) were so emotion-

ally fragile that it was immediately obvious to me that they would be likely to continue suffering "flashbacks" in their future years.

I only hope that victims of rape realize that there is help for the asking and that they are in no way responsible for what has happened to them. Post-traumatic stress disorder is a debilitating condi-

tion and, if left unchecked, it can ruin a life and the lives of people around the afflicted.

The important thing is that help is available to victims. They should seek it out.

—Michael Madrid
Las Cruces, New Mexico



TOP NEWS ALERTS

From IndianCountryTodayMediaNetwork.com

PAUL REACHES OUT TO NATIVES

Two days after Sen. Rand Paul (R-Kentucky) announced his presidential run, a Twitter account was launched to galvanize Native American supporters. The account, titled, "NDN For Rand," is specifically for "Native Americans Who Support Rand Paul," the page's description reads. Paul has previously proposed cutting funding for Native programs; ICTMN reported in 2011 that he called for the elimination of funding to the Bureau of Indian Affairs and wanted to cut at least half of the funds slated for the Indian Health Service.

TELESCOPE HALTED ON MAUNA KEA

Hawaii Gov. David Ige issued a temporary moratorium on construction of a giant telescope

atop sacred Mauna Kea Mountain on April 7, following almost two weeks of protests by Native Hawaiians. The demonstrations began on March 30, when protesters formed a roadblock outside the Mauna Kea visitors' center in Hilo, to oppose the building of the giant \$1.4 billion Thirty Meter Telescope by the University of Hawaii. No construction has taken place since April 2 when 31 people, who call themselves the Protectors of Mauna Kea, were arrested.

FORMER TRIBAL CHAIRWOMAN WALKS ON

Judith L. Peterson, chairwoman of the Flandreau Santee Sioux Tribe of South Dakota from 1987 to 1990, walked on April 7 at age 68. During her one term

as chair, Peterson was instrumental in negotiating the tribe's first Class III gaming compact; she later worked for 17 years in management positions at the Royal River Casino. Peterson was a graduate of the University of Wisconsin-Green Bay.

FIRST LADY ADDRESSES NATIVE YOUTH

First Lady Michelle Obama addressed a gathering of Native youth at the White House on April 8, emphasizing the importance of Generation Indigenous, the tribal initiative that her husband announced at the White House Tribal Nations Conference in December. "We can't just invest a million here and a million there, or come up with some five-year or ten-year plan and think

we're going to make a real impact," Mrs. Obama said. "This is truly about nation-building, and it will require fresh thinking and a massive infusion of resources over generations."

COUNCIL VOWS LAND NEGOTIATIONS

The city council of Eureka, California voted unanimously last week to work with the Wiyot Tribe to return additional land to the tribe on local Indian Island. The tribe lived on the island until they were nearly decimated by a massacre by an 1860. Part of the island is privately owned; the tribe purchased a small portion in 2000 and the city further returned another 60 acres several years ago. "The center of our world is Indian Island," said Tribal Councilwoman Cheryl Snider.

How Did I Miss That?

Wedding gowns for pregnant brides, fear of alien invasions and gold from intestines

BY STEVE RUSELL

Slapping incompetence if not fleas, Nigerian voters ousted bumbling Goodluck Jonathan for a former military dictator, Muhammadu Buhari, who claims to be a convert to democracy. Some observers expressed surprise that Jonathan complied with the election results, but the acid test will be if Buhari does.

My cousin Ray Sixkiller pointed out that one election does not confer an office for life “except in some tribal governments where terms end with federal indictments.”

The Daily Mail reported on the celebrity wedding of Benedict Cumberbatch and Sophie Hunter, noting the “jaw-dropping” custom-made bridal gown by Valentino. It was custom-made because Hunter is very pregnant—which gives me an excuse to offer legal advice in light of modern mating habits: Having a child together is a reason to get married because you cannot replicate the advantages to the child outside of marriage.

I’m not advocating shotgun weddings. Just saying that the third person you have brought to the relationship is helpless and real men take care of all children, but especially their own.

Paul Westerhoff of Arizona State University and six others published a study in *Environmental Science and Technology* about the feasibility of mining . . . ah . . . er . . . human solid waste. The authors estimate that the 13 most valuable elements present would be worth \$280 per ton of sludge, the technical scientific name for the goo that is left after separating the solids from the water that goes down the toilet. Among the elements currently flushed in commercial quantities are silver, gold, chromium, and titanium.

I would be skeptical if I had not studied at the University of Nevada, near enough to a major mining school, to lose my shock at 30 tons of ore bathed in cyanide for an ounce of gold. Interviewed in *Science*, Westerhoff cited one city in Japan that now extracts gold from sewage, retrieving two kilograms per metric ton of ash left from burning sludge.

Cousin Ray’s comment on extracting gold from human excrement was, “Finally, Congress will be doing something useful!”

CNBC reported on the resignation of a wealthy investment banker who will not be named in this column because his name is not news but his situation is. While he made the usual claim that he quit “to focus on family matters,” the divorce then pending included a pleading by his estranged wife that contained “allegations of cocaine and mushroom use, a four-person orgy involving a client and anecdotes of questionable parenting.”

After running down a number of other messy affairs involving Wall Street titans, CNBC quoted one of the lawyers about what is happening to the poor rich people: “Money, sex, drugs, betrayal, domestic abuse and dirty low-down tricks all playing out in a public courtroom.”

Cousin Ray claimed he hadn’t seen so much excitement since a tribal official ran his pickup truck into a ditch and his wife locked the door on him when he got home. I reminded him about when it came out that former Cherokee Principal Chief Chad Smith had two families.

CNBC’s point is that we’ve always treated entertainers this way, and the media circus has expanded to include

politicians. There was no reporting on extramarital hijinks by FDR, Dwight Eisenhower or JFK. Now it’s normal political reporting and the tabloids are expanding their publicity net to rich people.

“There’s no truth to the rumor,” Cousin Ray snickered, “that Monica Lewinsky’s blue dress will be displayed at the Clinton Presidential Library.”

A YouGov poll addressed the pressing question: What do you think will be the most likely cause of the apocalypse? Answers ranged from nuclear war (28 percent) to alien invasion (one percent). The margin of error was four percent.

Science took a pounding when climate change tied with Judgment Day at 16 percent. Nine percent expected a worldwide revolution, leading me to wonder—against whom? A hardy two percent anticipates zombies.

That two percent watches too much C-SPAN.

The Cherokee Phoenix reported that a non-Indian couple was asked to leave an advanced Cherokee language course offered by the Cherokee Cultural and Community Outreach Program. The couple had already been studying the Cherokee language at Northeastern State University, and they agreed to the condition of the Master-Apprentice Program that they teach Cherokee for two years.

Cousin Ray wondered if tribal government would next demand that Tahlequah take down the street signs in English and Cherokee because non-Indians might see them. <http://bit.ly/1bXgByN> ☞

UPCOMING POW WOWS

UNIVERSITY OF NORTH DAKOTA INDIAN ASSOCIATION WACIPI

4/17/15—4/19/15
University of North Dakota
Hyslop Sports Center
Grand Forks, ND
701-777-4291

UND.edu/orgs/indian-association

UNITED CHEROKEE POW WOW AND FESTIVAL

4/17/15—4/19/15
National Guard Armory
3550 Creek Path Road
Guntersville, AL
ucanonline@bellsouth.net
Air-Corp.org

TEXAS GULF COAST TIA-PIAH POW WOW

4/17/15—4/19/15
Albert V Sallas County Park
New Caney, TX
GulfCoastTiaPiah.com

PETAL SOUTHERN MISS POW WOW

4/17/15—4/19/15
University of Southern Mississippi
Willie Hinton Park
119 West 8th Avenue
Petal, MS
601-466-0948
tammy.greer@usm.edu

50TH ANNUAL HALIWA-SAPONI INDIAN TRIBE POW WOW

4/17/15—4/19/15
Haliwa-Saponi Tribal School
Pow Wow Grounds
130 Haliwa-Saponi Trail
Hollister, NC
Archie Lynch
252-586-4017
info@haliwa-saponi.com
Haliwa-Saponi.com

47TH ANNUAL KYI-YO POW WOW

4/17/15—4/18/15
Adams Center, University of Montana
32 Campus Drive
Missoula, MT
406-243-2669
cas.UMT.edu/kyiyo/kyiYoPow-Wow/default.php

32ND ANNUAL LAKOTA OMNICIYE WACIPI

4/17/15—4/19/15
Donald E. Young Sports and Fitness Center-Field House
1625 Saint Joe Street
Spearfish, SD
605-642-6578
mary.mitchell@yellowjackets.bhsu.edu
BHSU.edu/Research/Centers/AmericanIndianStudies/Events/tabid/57

29TH ANNUAL ARIZONA STATE UNIVERSITY POW WOW

4/17/15—4/19/15
Arizona State University Band Practice Field
6th Street and Rural Road
Tempe, AZ
Arizona State University Pow Wow Office
asupowwow@gmail.com
powwow.ASU.edu

DUKE UNIVERSITY POW WOW

4/18/15
Chapel Drive
Durham, NC

UMASS AMHERST HOSTS ANNUAL NATIVE AMERICAN POWWOW

4/18/15
University of Massachusetts Amherst
181 President's Drive
Amherst, MA
413-545-2517
UMASS.edu/multiculturalaffairs/about/

NATIVE AMERICAN EARTH FESTIVAL

4/18/15
Reed Canal Park
2871 South Nova Road
South Daytona, FL

LOUISIANA STATE UNIVERSITY NATIVE AMERICAN STUDENT ORGANIZATION SPRING POW WOW

4/18/15
Louisiana State University, John M. Parker Coliseum
Ag Center Drive
Baton Rouge, LA
225-578-5507
[nasos@lsu.edu](mailto:naso@lsu.edu)

RIO RANCHO POW WOW

4/18/15
Rio Rancho High School
301 Loma Colorado Boulevard
Rio Rancho, NM
Facebook.com/rioranchopowwow

FIFE INDIAN UNITED METHODIST CHURCH AZALEA POW WOW

4/18/15
Muskogee Civic Center
425 Boston Street
Muskogee, OK
918-684-6363 or 918-478-9227
Facebook.com/pages/Fife-Indian-United-Methodist-Church/108081072558218

13TH ANNUAL PONCA TRIBE OF NEBRASKA HEALTHY LIVING RUN/WALK AND POW WOW

4/18/15
Ponca Tribal Gym
1800 Syracuse Avenue
Norfolk, NE
402-438-9222
hfarley@poncatribene.org
PoncaTribe-NE.org

UNIVERSITY OF MASSACHUSETTS-AMHERST POW WOW

4/18/15
Curry Hicks Cage
100 Curry Hicks Way

Amherst, MA
413-577-0970

NORTHEASTERN STATE UNIVERSITY POW WOW

4/18/15
Northeastern State University Event Center
Tahlequah, OK
offices.NSUOK.edu/centerfortribalstudies/NSUPowwow.aspx

3RD ANNUAL SYMPOSIUM ON THE AMERICAN INDIAN POW WOW

4/18/15
Northeastern State University Event Center
600 North Grand Avenue
Tahlequah, OK
918-444-4354

32ND ANNUAL MICHIGAN STATE UNIVERSITY: POW WOW OF LIFE

4/18/15
Michigan State University Campus-Jenison Field House
East Lansing, MI
517-353-7745
ryerseas@gmail.com
Facebook.com/events/584494355027695/

30TH ANNUAL SHERMAN INDIAN HIGH SCHOOL POW WOW

4/18/15
Ira Hayes Football Stadium
9010 Magnolia Avenue
Riverside, CA
951-276-6326, ext. 120
galene.miller@bie.edu
sihs.BIE.edu/

23RD ANNUAL NORTHSIDE AZTLAN COMMUNITY CENTER SPRING POW WOW

4/18/15-4/19/15
Northside Aztlan Community Center
112 Willow Street
Fort Collins, CO
970-498-0290
ncipa@fortnet.org
FortNet.org/PowWow/NCIPA_powwow.html



*'Berimbau' is one of many
Native-themed works by
Kamon Lilly of Arizona.*

KAMON LILLY

THE BIG PICTURE