



Indian Country TODAY

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

A Letter from the Publisher

Shekóli. Everything in Indian country comes down to one thing: the land. It all comes down to the land—how it sustains us, how we treat it, our responsibilities towards it, how we are tied to it, how we are a part of it, and how we all will eventually return to it. It is no surprise, then, that this is the subject of our four major stories this week. One involves a positive collaborative effort by the federal government and the Penobscot Indian Nation, who have joined together in a lawsuit against Maine over the state's restrictive interpretation over the Nation's historical hunting and fishing rights to the Penobscot River. In joining the lawsuit, the Justice Department stressed the import of its actions by declaring, "intervention...is not a step the United States takes lightly." At a recent ceremony celebrating the latest restoration project, Chief Kirk Francis said, "This river is simply who we are. It's the very core of our identity as a people and it's simply the most important thing in the Penobscot Nation's life."



So it is, too, with all other Indian nations on Turtle Island, many of whom are involved in environmental battles to preserve the necessary and sacred ground of their people. Some of the most environmentally embattled hotspots are summarized in the feature "Environmental Hot Spots"—a primer, if you will, on the major challenges of balancing a long-term, sustainable vision of the future with short-sighted, short-term exploitation of Mother Earth. One heartening development on the sustainability front comes in the news that the Confederated Tribes of Grand Ronde have purchased an equity stake in MicroGREEN polymers, a Washington area company that produces recyclable plastic cups from recycled plastics. Plastic cups are a \$7 billion industry, which bodes

well for the economic viability of the company, which also has its eye on diverting some of the 40 billion pounds of plastics that make their way into landfills each year. "As a tribal community we look for investment opportunities that fulfill our commitment to being stewards of our environment and supporting our tribal people looking seven generations forward," said Titu Asghar, director of the Confederated Tribes' Economic Development Department, in our coverage. Economic empowerment is also having an impact in the Navajo Nation, which has made good strides in the last five years thanks to gaming initiatives and other efforts. Soon the nation will open

a 24-hour solar panel plant in Fort Defiance, with plans for another amid other diversification projects.

A clear-eyed view of disseminating useful information has always been at the heart of what Indian Country Today Media Network aims to do, and we hope readers find this newsletter to work well within our mandate. In an era of so much environmental anxiety and uncertainty, our connection to the land is a beacon to people looking for hope—and answers.

Na'ki'wa,

Ray Halbritter

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Second Thoughts on the Buy-Back Plan

Although the \$1.9 billion Cobell Land Buy-Back Program appears viable, Jay Daniels, Cherokee Nation of Oklahoma and a veteran manager of trust lands, feels there are a few unanswered questions. He posed one of them to Assistant Secretary of Indian Affairs Kevin Washburn during a live panel discussion on Native American Calling:

I put forth the question, “Where has the \$1.9 billion been deposited, how long, and what is the plan for use and by whom for any interest funds earned?”

Initially Washburn said that was a good question and he couldn’t respond. Then later he stated that all funds for the program would be spent in the program. It would be nice to know exactly rather than to leave it on the table for a later discussion where tribes may not have any input.

It’s easy to develop plans behind closed doors in Washington, D.C. by folks who have never worked on the front lines, or at the agencies, where we have to deal with tribal members who are desperately waiting for a rental payment because their utilities are about to be shut off, their rent is past due

and they face eviction, they have multiple families living in the same housing unit, and without assistance from those frontline BIA staff and with very little hope. You can make a box and everything may not fit into it. But somehow, somehow, those frontline folks mostly resolve these issues in spite of plans made by those who have not seen a frontline day at a BIA reservation agency.

It might work, or it could work, and it should work. But it doesn’t always work and Indian country has very few shots left to make life better.

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

Rejecting the Assumptions Behind Repression

The landmark 1823 Supreme Court Case Johnson v. M’Intosh established that the rights of Natives “as independent nations were necessarily diminished, by the original fundamental principle that discovery gave title to those who made it.” It’s long past time, says Steven Newcomb, co-founder and co-director of the Indigenous Law Institute, to challenge such an outrageous decision:

Even when we search the writings of most Indian scholars from the 20th and 21st centuries, we find no real effort to develop a political counter-argument to the

U.S.’s claim that “discovery” by “Christian people” had “diminished” our original independence. Now is as good a time as any to ask, “What would such a counterargument look like?” If we argue that Christian “discovery” did not diminish the original independence of our nations, then what does this mean? What are the implications in terms of, for example, treaties, jurisdiction, and taxation? Do we have the stomach for making such a powerful political argument?

If the U.S. government begins to cry “secession” how shall we respond? Are we making a secessionist argument if we contend that the U.S. government has no right to dominate our nations on the basis of a claim of Christian discovery? Of course

we aren’t. Nor is it secession to point out that a system of domination lacks any political legitimacy.

Given that our previous generations were at such a disadvantage, and given the indoctrination we have been laboring under in the name of a “domesticating” federal Indian law, it makes sense to begin a meticulous investigation of the organic and fundamental laws of the dominating society. It is time to develop powerful political arguments based on that information. It is time to utterly reject the U.S.’s claim that “discovery” by “the Christian nations of Europe” of “heathens and infidels” resulted in the “diminishment” of our original independence as nations.

<http://bit.ly/15gUChT> 

The Need to Join With Others

In assessing the 50th anniversary of the March on Washington, former professor Steve Russell, Cherokee Nation of Oklahoma, finds that while Native Americans didn’t always find common cause with the civil rights movement, recent setbacks in voting rights demonstrate the need to put these differences aside:

To the extent that the mainstream civil rights movement succeeded, Indians benefited when they lived in the dominant culture or were forced to visit reservation border towns. They had, however, a different set of demands of the U.S. govern-

ment, demands for segregation rather than integration—namely, self-government on their own lands. They also had a different basis for those demands—in some cases, treaties, and in other cases, respect for cultures that far antedated the Constitution, to which Indians were not parties.

Other minorities, with exceptions like Sen. Daniel Inouye and African-American activist and comedian Dick Gregory, did not understand Indian demands. Some Indians even came to resent the successes of the mainstream civil rights movement, in spite of insightful explanations of the differing goals by Vine Deloria, Jr. and others.

Last year’s elections were held in the

face of state government voter suppression laws aimed at Indians, blacks, and Hispanics not seen since the Voting Rights Act of 1965. The Supreme Court has since pulled the teeth of that law, as well as the Indian Child Welfare Act, two civil rights laws that have been perhaps too successful for the comfort of some. I hope it’s a measure of what we’ve learned in the past 50 years that, at least on the voting rights issue, we stand together. I hope we understand now that if white people who believe in the promise of freedom stand together with African-Americans, Indians, Asian Americans and Hispanic Americans, then we are no longer a minority.

<http://bit.ly/16FsxdP> 

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Bison Return to Fort Belknap After a Century

Onlookers hooted, hollered and cheered as 34 disease-free, genetically pure bison were coaxed off the trailer and went racing off onto the plain of the Fort Belknap Reservation in Montana on August 22, marking the first time in a century the animals have roamed the area. "It's a great day for Indians and Indian country," Mark Azure, who heads the tribe's bison program, told the *Great Falls Tribune* moments after the final two big bulls rumbled out of a trailer and trotted away onto the prairie.

The animals had traveled the 190 miles from the Fort Peck Indian Reservation where Fish, Wildlife and Parks had put 70 of them last year from Yellowstone Na-

tional Park. Fort Peck already had a herd of some 200 animals, but the Yellowstone bison are the only remaining genetically pure and free ranging wild bison in the U.S. The intention was to move half of the Yellowstone bison to Fort Belknap, but the move was stalled by legal actions. Until the Montana Supreme Court finally ruled that it was legal earlier this summer, paving the way for the bison's return.

"It's a homecoming for the animals," tribal councilman Mike Fox told the *Great Falls Tribune*. "The fact that we're assisting in preserving the genetically pure buffalo out of Yellowstone is significant—the fact that we're ensuring the long-term survival of the species. But, on the cultural side... they took care of us and now it's time for us to take care of them."

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

Oklahoma City Indian Clinic Gets Grant to Fund Project POWER: Fitness

Oklahoma City Indian Clinic has received a \$55,000 grant from Blue Cross and Blue Shield of Oklahoma to help fund Project POWER: Fitness. This program provides opportunities for wellness, health education, exercise and recreation to American Indian families in central Oklahoma. Currently, the Project POWER: Fitness program encompasses many activities, including an after school program, rock climbing, garden club, sports clinics, family bike night and family fun night. Now the clinic is looking to expand on the project's success.

"We are ecstatic and honored to receive

this grant from Blue Cross and Blue Shield of Oklahoma," said Robyn Sunday-Allen, Oklahoma City Indian Clinic CEO. "We are always looking for ways to expand our Project POWER: Fitness program and I know this grant will go a long way to help us develop more fitness programs for the American Indian families we serve."

"Programs like Project POWER: Fitness are extremely important for families to get involved in to encourage good, life-long and healthy habits in children," said Ted Haynes, president of Blue Cross and Blue Shield of Oklahoma. "We are proud to support health and wellness programs that benefit the community, and we look forward to seeing how the Oklahoma City Indian Clinic will positively impact tribal communities with this grant."

<http://bit.ly/12wEHIB> 

Wisconsin River Board Denies Mining Permits

The Lower Wisconsin Riverway Board voted 6-2 at a meeting on August 22 to deny Iowa-based Pattison Sand Co. the right to extend a frac sand mine 41 acres into the protected riverway. The *Milwaukee Journal-Sentinel* reported that some members

of the river board who had doubts about the wisdom of the sand mine thought the permit might be approved because of a "loophole" in state law, which states that such a site must be 500 feet away from the river and not visible from water when leaves are on the trees.

"The board felt there was enough gray area in the law to vote to deny," said Mark

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Cupp, executive director of the board and a non-voting member.

However, the ruling has not stopped the company from further plans, said Beth Regan, Pattison Sand's permits and compliance coordinator. The company will continue to work with the remainder of the mining site, according to the *Capital Times*, an area of roughly 250 acres of land between Wisconsin Highway 60 and the lower Wisconsin River.

However, the *Capital Times* reported that the future of the rest of the mine that not planned on the state-protected riverway is in question. On August 21, several Bridgeport, Wisconsin residents filed a lawsuit arguing that the permits should be revoked for several reasons, chief among them a "conflict of interest allegation against four current and former Bridgeport officials who voted to approve the frac sand mine," the *Capital Times* said.

About 150 people attended the August 22 meeting and 50 spoke, the majority of them against the mine.

<http://bit.ly/13TuatQ> 

Trinity River Water Will Flow to Help Chinook Salmon

A federal judge has ordered that water from Trinity River in California be allowed to flow to prevent a massive fish kill of Chinook salmon returning to spawn in the Klamath River estuary. The news was greeted with relief by fishers and Hoopa Valley tribal officials but dismay by farmers who wanted the water for irrigation.

Judge Lawrence O'Neill issued the order on August 23, noting that a massive 2002 fish kill "had severe impacts on commercial fishing interests, tribal fishing rights and the ecology." He cited the testimony of Yurok Tribe fisheries biologist Josh Strange, who said that the fish disease *Ichthyophthirius multifiliis*, known as "ich," is more prevalent in warm, still water. The cool, running water of the Trinity is expected reduce pathogens, overcrowding and a consequent die-off.

"The Trinity River is our vessel of life and the salmon are our lifeblood," said Hoopa Valley Chairwoman Danielle Vigil-Masten. "We applaud the decision to release this water to avert a fish disaster."

The federal Bureau of Reclamation had authorized flows to start on August 13. But the Westlands Water District and the San Luis & Delta-Mendota Water Authority sued the bureau, arguing that such an action would decrease water available to farmers for irrigation.

San Luis & Delta-Mendota Water Authority Executive Director Dan Nelson said that a long-term solution to the issue is still needed. "It is clear that in order to move beyond this current conflict we must all work together to develop a lawful long-term approach to managing these requests that is balanced and scientifically supportable," he said.

<http://bit.ly/1c1oaiN> 📍

CDFI Fund Studies Access to Capital and Credit

Native communities face unique economic challenges that affect the availability of capital and credit for individuals and businesses. Now, a new study by the Community Development Financial Institutions Fund will identify these challenges as part of the long-term goal of overcoming them.

"I am confident that this new study will identify important economic issues within Native communities that the CDFI Fund will use to focus future efforts and renew our commitment to serving Native communities," said Fund Director Donna J. Gambrell.

The Fund solicited public comments for the report, "Access to Capital and Credit in Native Communities", late last year from Tribal leaders and organizations that work with Native communities. The feedback was incorporated into the Fund's approach to the study, which will use a combination of independent research, tribal consultations, and focus groups to determine the status of credit and capital access in Native Communities. The Fund has contracted GBS, Inc., a wholly owned subsidiary of Sitnasuak Native Corporation, to lead components of the study.

The tribal consultations and focus group sessions will focus on emerging trends, innovative concepts, or promising solutions that could significantly improve capital access and availability and the quality of credit in Native communities. The first focus group for the study will be held at the Native American Finance Officers Association's 2013 Fall Finance and Tribal Economies Conference in Seattle, Washington on September 9-10. As the details of additional tribal consultations and focus groups are confirmed, the schedule and registration information will be added to the Fund's website.

<http://bit.ly/17mhvwx> 📍

Yakama's Treaty Rights Affirmed in "Historic" Settlement

BY GALE COUREY TOENSING

The Yakama Nation's lawsuit over a 2011 raid of its reservation has been resolved out of court, with the Department of Justice and the FBI agreeing to honor the law enforcement protocols in the Yakama Treaty of 1855.

"Today is historic," said Harry Smiskin, Yakama Nation Tribal Council chairman and former police chief in a statement August 26. "From today forward the FBI will communicate with tribal police before they enter Yakama

Indian Country. I am confident that the resulting cooperation between federal and tribal cops will greatly improve public safety throughout our territories."

The settlement specifically promises that the Justice Department "remains committed to communicating with Yakama Tribal Police concerning its law enforcement activities in Yakama Indian Country, as operational integrity concerns, including officer and public safety, permit, and will communicate with tribal police at the earliest prudent and practicable opportunity about enforcement operations."

The Yakama Treaty, signed at Camp Stevens, Walla-Walla Valley in Wash-

ington State on June 9, 1855, states that the federal government set aside lands "for the exclusive use and benefit" of the Yakama Indians and promised not to allow "any white man, excepting those in the employment of the Indian Department" to live on the reservation without the Yakama's consent. The treaty further guarantees the Yakama people that U.S. citizens would not "enter upon" their lands.

But on a cold February morning in 2011, dozens of law enforcement officers invaded the Yakama reservation without consultation or notification to serve an arrest warrant on a Yakama businessman for alleged cigarette tax violations. 📍

Ex-Raiders CEO Scores 'Redskins'

'An opportunity to do something meaningful'

Former Oakland Raiders CEO Amy Trask says it's time to say goodbye to the Washington Redskins' offensive name. "It is unacceptable to use a derogatory term when referring to any person or any group of people," Trask told SportsIllustrated.com. "My belief is premised on the following: we should not consider skin color when interacting with any person or group of people." Trask also told the SI column Ten Things I Think I Think, "If we wish to inspire people to consider one another without regard to skin color, then it is antithetical to refer to any person or any group of people by skin color. The Washington Redskins have an opportunity to do

something meaningful." <http://bit.ly/140ic1x> ☞

Menominee Get Casino Approval

Proposal now goes to Wisconsin governor

The federal government has approved the Menominee Indian Tribe of Wisconsin's application to build an entertainment center and casino at Dairyland Greyhound Park in Kenosha. The proposal, which means more than 3,300 new jobs and more than \$35 million in annual new revenue for the state, now goes to Gov. Scott Walker. "Today is a great day for everyone who cares about jobs and economic success for Wisconsin," said tribal chairman Craig Corn. "We applaud the BIA approval, we applaud the hard work of so many across the state who have supported

this project for so long, and we are optimistic about the future."

<http://bit.ly/177KI1P> ☞

Geronimo Hotshots Fight Rim Fire

A role beyond containing blazes

The Geronimo Hotshots elite Native firefighting team is helping combat the Rim fire that has expanded to cover more than 180,000 acres. Hailing from the San Carlos Apache Indian Reservation, the team is one of seven U.S. Indian firefighting crews. One member, Jose Alvarez Santi Jr., said he welcomes the chance to fight a fire and serve as an ambassador of sorts to those who may not know much about American Indians. "We come from a people that were pushed around, shoved into reserva-

tions, and to me, I want our people to show that we can do a lot of things other than being pushed around and shoved around," he told National Public Radio.

<http://bit.ly/14961KA> ☞

Indian Village For Super Bowl XLIX

All Arizona tribes would be featured

Though the 2015 Super Bowl in Phoenix is more than a year away, planning has already begun for what is expected to be the participation of all 22 Arizona tribes at an American Indian Village as part of the festivities. "This is a fantastic opportunity to get the Indian country message out to the thousands who will attend," said Donovan Hanley, Navajo, president of the Arizona American Indian Tourist Association. Features



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would likely include a replica of a Navajo hogan and a Salt River Pima-Maricopa round house; demonstrations of traditional piki bread-making; performances by gourd singers accompanied by aboriginal instruments; and dancers performing the Pal'hik Mana (Water Maiden) and the Eagle Dance.

<http://bit.ly/19HVSTe> ☞

Museum Denies Objects to Apache

Sacred status is at issue

For four years, the American Museum of Natural History in New York City has denied 77 venerated objects to the Apaches because of a disagreement over their status. As *The New York Times* reported on August 20, the museum calls the objects, many of them more than a century

old, “cultural items,” while the Apaches say they are “sacred” and “items of cultural patrimony”—legal classifications under the Native American Graves Protection and Repatriation Act (NAGPRA). “This is them [the museum] telling us they know more about Apache culture than the Apaches,” said Vincent Randall, cultural preservation director with the Yavapai-Apache Nation. The museum said it “made the judgment consistent with established criteria.”

<http://bit.ly/12Qrryx> ☞

Mohegan Sun License Renewed

Will operate for another three years

The Pennsylvania Gaming Control Board has unanimously voted to renew the license of the Mohegan Sun

at Pocono Downs in Plains Township, Pennsylvania after determining that its operator, Downs Racing, has fulfilled all obligations under its initial license, reported golackawanna.com. The board approved the renewal on August 21, following a public input hearing held April 25 at the Plains Township Municipal Building, at which Downs Racing explained why the license should be renewed. Mohegan Sun at Pocono Downs opened its doors in November 2006 and has since generated \$840 million in tax revenue through slot machines and table games. The casino employs more than 1,700 people. <http://bit.ly/16LqRTs> ☞

Another Win For The NB3 Challenge

Team USA victorious despite Woods' injury

Shooting 21 under par, Team USA triumphed at the sixth annual Notah Betay III Foundation Challenge at Atunyote Golf Club in Verona, New York on August 28 to raise awareness and funds for the NB3 Foundation in its ongoing mission to empower and improve the health of Native American children. Although Tiger Woods had to drop out following a prior injury, Gary Woodland filled in to join Rickie Fowler, Bo Van Pelt and Begay in besting Team Asia and Team International. “Year after year,” said Begay, “this event serves as a unique platform to raise awareness for the disparities in resources and support facing Native American communities.”

<http://bit.ly/158Kty3> ☞

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Environmental Battles

A primer for the conscientious—BY TERRI HANSEN

Bottom Line: *From the uranium invasion of the Grand Canyon to the trashing of sacred places in the name of renewable energy, here are some of the most environmentally embattled hot spots in Indian country.*

Havasupai Tribe Challenges Grand Canyon Uranium Mine

The Havasupai, natives of Grand Canyon lands, sued the U.S. Forest Service on March 7 over its decision to allow Energy Fuels Resources Inc. to mine uranium near Grand Canyon National Park without initiating or completing tribal consultations, and without updating a 26-year-old federal environmental review. The lawsuit alleges violations of environmental, mining, public land and historic preservation laws.

Keweenaw Bay Indians Fight Global Mining Corporation

The Keweenaw Bay Indian Community of the Lake Superior Band of Chippewa in Michigan's remote Upper Peninsula had to fight for their clean water, sacred sites, and traditional way of life after the international Kennecott Eagle Minerals arrived 10 years ago to tunnel a mile underground near Lake Superior to reach metals in the ore. As the project moves toward completing its sulfide-extraction plan to mine copper and nickel from tribal lands in 2014, this fight is far from over.

Lummi Against SSA Marine's Cherry Point Coal Terminal

The Lummi Nation formally opposed SSA Marine of Seattle's proposed Cherry Point terminal in a July 30 letter to the Army Corps of Engineers, as it will infringe on treaty fishing rights. SSA Marine wants a shoreline terminal with multiple rail lines near Bellingham, Wash., to export 48 million tons of Montana and Wyoming Powder River Basin coal annually—some likely from Crow Indian country—to Asia. In the past, the Corps has refused to process other per-

mit applications if Indian tribes contend such projects violate treaty rights as defined by numerous federal court rulings.

Desert Natives Protest Cultural Annihilation

Multibillion-dollar solar power and wind projects that have been fast-tracked for California's pristine desert areas would destroy hundreds of petroglyphs as well as giant earth drawings called geoglyphs. The plan prompted lawsuits by Native American tribes and La Cuna de Aztlan Sacred Sites Protection Circle. A U.S. District Court ruling in December 2010 said that the Department of the Interior and Bureau of Land Management had

The Grand Canyon lawsuit alleges violations of environmental, mining, public land and historic preservation laws.

failed to consult with the Quechan Tribe before approving one project, stating that Native Americans are entitled to "special consideration" when agencies fulfill their consultation requirements under the National Historic Preservation Act.

Quapaw Tribe Sues Over Mining Mess

The Quapaw Tribe of Oklahoma filed suit on March 25 against the U.S. for \$175 million. They are charging financial mismanagement and failure to ensure that mining companies had appropriately cleaned and restored their reservation after discontinuing the largest lead and zinc mining operation in the country, which produced billions of dollars in ore. Now much of their land is polluted and lies within the Tar Creek Superfund Site.

Northern Wisconsin Tribes Take on Gogebic Taconite LLC

The problems keep coming for Gogebic Taconite's proposed open pit iron ore mine in Wisconsin's Gogebic Iron Range. Opposing the company are the Lac Courte Oreilles and Bad River tribes. A Wisconsin Department of Natural Resources July 2013 letter to GTAC, brought to light by ICTMN, warns of the potential presence of a deadly form of asbestos; GTAC dismissed the agency's concern in a written reply. ICTMN also reported that Wisconsin legislators ignored crucial scientific evidence when they passed legislation underwritten by GTAC last March that facilitated the project.

Sacred San Francisco Peaks Sewage Drench

The San Francisco Peaks in Arizona, sacred to more than a dozen tribes, prompted lawsuits when, in 2002, the U.S. Forest Service lessee, Arizona Snowbowl, began plans to expand a ski area on one of the peaks. Doing so meant clear-cutting a huge swath of rare alpine tundra and making snow from reclaimed wastewater, including sewage. The Hopi won its latest round on April 25, when the Arizona Court of Appeals cleared the way for the tribe to challenge the city of Flagstaff's contract to sell reclaimed wastewater to the Snowbowl.

Uranium Mine in Navajo Country

If Waste Mining wants to extract uranium from Arizona state land, a current joke goes, it will have to catapult the 500,000 annual pounds of ore to the processing mill in Utah. Why? Because Navajo country surrounds the state land. Officially, the Navajo Department of Justice responded to the mineral lease application in May, saying, "Given the [Navajo] Nation's history with uranium mining, it is the nation's intent to deny access to the land for the purpose of prospecting for or mining of uranium."

<http://bit.ly/17jCmlX> 

Recycling to Save the Planet

How the Confederated Tribes are going green—BY TANYA H. LEE

Bottom Line: *Plastic cups are a \$7 billion industry, and the Confederated Tribes of Grand Ronde have seized on them as both an investment strategy and an enlightened approach to environmental stewardship.*

The Confederated Tribes of Grand Ronde has made good on its commitment to environmental sustainability and economic diversity with an equity investment in MicroGREEN Polymers, a Washington State company that manufactures recyclable plastic cups from recycled polyethylene terephthalate (PET). Other investors joined the Confederated Tribes in a \$10 million preferred stock purchase announced on August 29.

“We look for investment opportunities that fulfill our commitment to being stewards of our environment and supporting our tribal people looking seven generations forward,” said Titu Asghar, director of the Confederated Tribes’ Economic Development Department. “MicroGREEN is very sustainable in their approach. They are committed to reducing plastics. What we loved about MicroGREEN is they are trying to tap into 40 billion pounds of plastics and reduce their infiltration into landfills.”

This marks the second tribal investment for MicroGREEN. In January, the Stillaguamish Tribal Enterprise Corp. came on board with a \$5 million commitment.

“We’ve found the ethos of MicroGREEN and the direction we’re going with our products and our technology resonate with tribes,” said MicroGREEN CEO and president Tom Malone. “We’re extremely excited that we’re able to fund the

company with investment from a group of people who believe in improving the planet, making this a greener, more sustainable world while also diversifying investments.”

Plastic cups are a \$7 billion industry. “Right now, plastic-coated paper is the dominant technology,” said Malone. “That’s a product that is not recyclable because it’s both paper and plastic. It can’t go in one [recycling] stream or the other. The InCycle™ cup can go straight into the blue bin and be recycled repeatedly.”

The blue bin plays a role in Alaska Airlines’ decision to use InCycle™ cups on all its flights beginning October 1. Not only do they weigh less than other options, but they can be recycled right along with PET cold-drink cups.

According to Malone, MicroGREEN

will use this funding to expand its production facilities. The company now buys the rolls of plastic it uses in manufacturing InCase™ cups. New production equipment will allow it to buy recycled plastic water bottles and plastic pellets on the open market and extrude the plastic sheets in-house.

With that capacity, MicroGREEN will begin manufacturing a family of hot and cold cups and lids ranging in size from seven ounces to 20 or 24 ounces, which in turn will lead to tripling its workforce to 150 employees by the end of the year. The company is expected to achieve profitability in 2014.

In its program to shift away from relying exclusively on gaming and timber revenues, the Confederated Tribes of Grand Ronde has made other investments in the two years since its Economic Development Department was formed. They include the purchase of Shasta Administrative Services and a 20 percent stake in SAM Medical Products, a collaboration that resulted in other tribes saving 50 percent on their prescription drugs and the installation of two EV charging stations on the reservation.

“We are in the forefront of what you will be seeing nationwide,” said Siobhan Taylor, director of public affairs. “As gaming demographics change and gaming markets change [other] tribes will be looking to diversify their economies.

“As part of our philosophy, we reach out to other tribes for collaboration,” said Asghar. “We are always open about our investments. We meet with other tribes... we understand the nuances of politics. We are open for business!”

<http://bit.ly/15jqF0M> 



Confederated Tribes of Grand Ronde Chairman Reyno Leno

Job Power for Navajos

A financial success story—BY ALYSA LANDRY

Bottom Line: *The Navajo Nation is today a stellar example of what the March on Washington for Jobs and Freedom 50 years ago last month was all about.*

The Navajo Nation still has an unemployment rate of 60 percent. But when it comes to economic development, it has been thriving in recent years—the first step to breaking the need to rely on the federal government. During its first five years of gaming, the Navajo Nation created more than 1,500 jobs, 90 percent of which are held by Navajo employees.

Although it joined gaming 20 years behind other tribes, the Nation opened four casinos in five years, with Twin Arrows Navajo Casino opening its doors near Flagstaff, Arizona, in May to 800 full-time employees and an annual payroll of \$34 million.

Construction on a five-story hotel at Twin Arrows is under way, promising more temporary and permanent jobs. Similar upgrades are moving forward at Northern Edge Navajo Casino, which opened in January 2012 in Upper Fruitland, New Mexico, with an annual payroll of \$12 million and 375 full-time employees.

Each and every job helps. “When we create jobs, it has to be jobs that make a sustained difference,” said Navajo Nation President Ben Shelly. “Jobs need to help people earn wages and make their lives better, while they’re also working on infrastructure for the Nation and training other Navajos.”

In August, Shelly attended the grand opening of a data center in Shiprock, New Mexico, which employs a 70-percent Navajo workforce. Negotiations are under way for the tribe to purchase Navajo Generating Station, a coal-fired power plant near Page, Arizona. In July, Shelly signed a 25-year lease extension, guaranteeing \$42 million per year in payments and protecting existing jobs.

The Nation plans to open a 24-hour solar panel plant in Fort Defiance, Arizona,

in mid-September and offer 450 jobs. A second solar panel plant is slated for Iyanbito, New Mexico, and the tribe is eyeing an agreement with Burlington Northern Santa Fe Railroad to develop a shipping facility in Thoreau, New Mexico.

Economic growth for the country’s largest tribe is a combination of successes at the community and tribal levels, said Raymond Etcitty, chief operating officer of the Navajo Nation Gaming Enterprise and former attorney for the Nation’s Division of Economic Development.

Although it battles a high unemploy-

“Every time we borrow money or finance something, we need to prove that other entities are working with a real, sovereign government.”

ment rate, the Nation has stability and potential, Etcitty said. Headquartered in Window Rock, Arizona, the tribe’s government comprises three independent branches formed in 1991 to help manage copy billion in natural resources and ensure leases and royalties stayed local.

“People generally frown on tearing up the land, exploiting the land for oil or coal exploration,” Etcitty said. “However, that allowed us to create our current government system in order to do oil and gas leases.”

This opened the door for the Nation to continue doing business with outside entities, Etcitty said. Increasing industry often means seeking loans from outside sources or signing agreements with established businesses. A stable, indepen-

dent government is paramount to these negotiations.

“Every time we borrow money or finance something, we need to prove that other entities are working with a real, sovereign government,” Etcitty said.

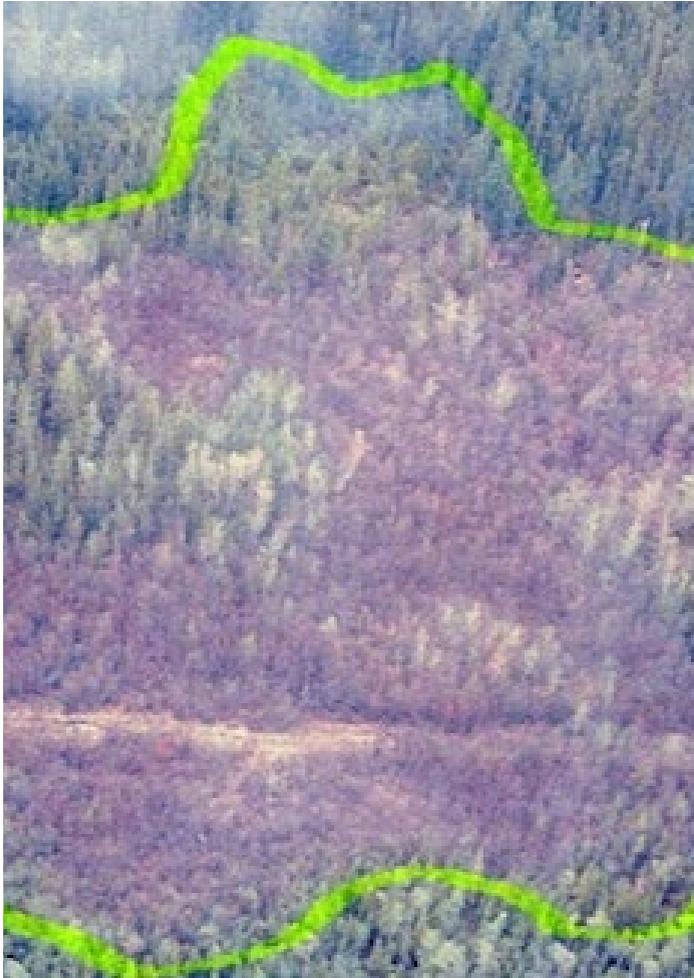
As it gains independence, the Nation can finance its own endeavors. The Navajo Nation Gaming Enterprise is one of 18 enterprises operating on the Nation with independent officers and governing boards, yet is majority owned by the Nation.

Industry development starts on the local level, said LoRenzo Bates, chairman of the Navajo Nation Council’s Budget and Finance Committee and a delegate representing six chapters in northwest New Mexico. Bates’ district includes two of the tribe’s four casinos. Chapters certified under the tribe’s Local Governance Act have the authority to seek out business agreements and keep taxes and revenues local. Under Bates’ direction, the Upper Fruitland Chapter invited gaming officials in for feasibility studies, which later resulted in Northern Edge Navajo Casino.

For a place like Upper Fruitland, located near the border town of Farmington, New Mexico, creation of jobs on the reservation keeps the workforce and revenues in the community, Bates said. However, growing a local economy depends on a chapter’s resources. “If it does not have the resources to create those jobs, it makes it difficult, almost impossible,” Bates said.

Bates also advocates reviewing all the Nation’s laws to streamline the process of developing and keeping jobs. When it comes to outside industries, too many still shy away from building on Navajo land. “The Wal-Marts, the Kmart of the world have little or no desire to deal with Navajo courts and laws,” he said. “They’d just as soon build in border towns because they know Navajos will come.”

<http://bit.ly/190ZO6V> 



This aerial view spotlights the area that has died from the Apache pipeline wastewater spill near Zama City, Alberta, Canada, in Dene Tha' territory.



Notah Begay III and Rickie Fowler high-five during the NB3 Challenge on August 28.



Cheers greeted the release of 34 genetically pure bison onto a 1,000-acre pasture on the Fort Belknap Reservation on August 22.



Mike Tyson debuted as a promoter at an August 23 world champion doubleheader at the Oneida Nation's Turning Stone Resort Casino.

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

Feds Join Penobscot Suit

A rare display of solidarity—BY GALE COUREY TOENSING

Bottom Line: *By joining with the Penobscot Indian Nation in suing the State of Maine over hunting and fishing rights, the Justice Department is signaling the seriousness of the case.*

In an uncommon act of solidarity, the federal government has joined the Penobscot Indian Nation in support of its lawsuit against the State of Maine over hunting and fishing rights in the Penobscot River.

The Penobscot Nation sued Maine in August 2012 over the state's assertion that the Nation has jurisdiction and regulatory authority over hunting and fishing only on its reservation islands and not in the "Main Stem" of the Penobscot River. The Main Stem flows south from the confluence of the river at Medway, Maine, where the East and West Branches meet, for around 60 miles to Indian Island where the Penobscot Nation's government is located and most of its citizens live.

The river is central to the Nation's identity and culture, said Chief Kirk Francis at a recent ceremony celebrating the river's ongoing restoration project. "This river is simply who we are," Francis said. "It's the very core of our identity as a people and it's simply the most important thing in the Penobscot Nation's life."

A month after filing the lawsuit, the Nation asked Washington to intervene. The Justice Department ultimately did, and in its motion in district court in Maine on August 16, the department acknowledged that it took them almost a year to do so. "Because intervention in this matter is not a step the United States takes lightly, time was needed to investigate and evaluate the merits of the legal claims at issue here, as well as determine whether intervention serves broader federal interests," attorneys said.

The Justice Department has asked the court to reaffirm that the Nation's reservation boundary includes the

Main Stem, reassert its sustenance fishing rights, and declare its "exclusive authority" to regulate hunting and fishing rights in its reservation waters.

Federal interventions in Indian lawsuits are rare. But in recent years, the Justice Department has intervened on behalf of the Oneida Indian Nation, whose litigation issues were settled recently in a historic agreement with the state, and in the Cayuga Indian Nation's land rights case.

In this case, the Justice Department found that the federal government, as part of its trust obligation to the Nation, "has a legal interest in protecting the Nation's reservation borders and in

"The river is the very core of our identity as a people and it's simply the most important thing in the Penobscot Nation's life."

ensuring that the Nation can fully exercise its sovereign powers within those borders without improper interference from the State and others." In addition, the lawsuit involves a dispute over how the 1980 Maine Indian Claims Settlement Act and Maine Implementing Act defines the reservation boundaries. Therefore, Justice said, the federal government "has an interest in how federal statutes affecting the rights and interests of Indians are interpreted by the courts."

The Justice Department tried unsuccessfully to negotiate a settlement of the case with Maine Attorney General Janet Mills and other state officials in June and July. "[I]n the wake of those talks, [we] concluded intervention was

appropriate," the court document says. Mills did not respond to a request for comment from Indian Country Today Media Network.

The Penobscot Nation's lawsuit, filed this past August 20, was in response to an opinion from former Maine Attorney General William J. Schneider to Maine Commissioner of Inland Fisheries and Wildlife Chandler Woodcock and the Colonel of the Maine Game Warden Services Joel T. Wilkinson. All three were named as defendants in the original lawsuit; Mills replaced Schneider in an amended filing last November.

Schneider compared the Nation to "private landowners" and said it has authority to regulate fishing, hunting and other activities only on Indian Island and the other reservation islands in the river. "The River itself is not part of the Penobscot Nation's Reservation, and therefore is not subject to its regulatory authority or proprietary control," he said, asserting state jurisdiction over the entire Penobscot River.

The Justice Department has pointed out that the Maine Implementing Act "reserves and protects" the right of Penobscot citizens to engage in sustenance fishing "free of State interference or regulation" within their reservation boundaries. They further state that "If . . . the Nation's Reservation does not include waters of the Main Stem of the Penobscot River, the intent of Congress to preserve a Nation sustenance right as part of the settlement of Maine land claims will have been nullified."

Almost two dozen municipalities and businesses, organized by attorney Matthew Manahan of Pierce Atwood LLP, have intervened on the side of Maine. They worry that if the Penobscots win the case, there could be stronger anti-pollution regulations against industries like the paper mills that discharge waste into the river.

The lawsuit is expected to come to trial early next year. <http://bit.ly/17hiv5b> 

INVITATION FOR RFQQ

Notice is hereby given that the Confederated Tribes of the Colville Reservation (CTCR) Facilities Maintenance Department is issuing a Request for Qualifications and Quotation (RFQQ) seeking a Project Management Firm to provide consulting oversight services for the construction of our new \$36,000,000.00 Colville Tribal Government Center until **3:00 p.m.** (prevailing local time) on **Thursday, September 26, 2013.** A **pre-submission conference** will not be held.

Responses shall be submitted on the form provided in the RFQQ or identical. Firms may obtain a copy of the RFQQ with **written request** to the Owner's Representative:

Paul Tillman, Facilities Maintenance Manager
 P.O. Box 150
 Nespelem, Washington 99155
 Ph. (509) 634-2402, Fax (509) 634-2433
 E-mail paul.tillman@colvilletribes.com

The Project Management Firm shall be licensed to do business in the State of Washington. CTCR reserves the right to accept or reject any or all proposals, to waive any informalities or irregularities in the Qualifications and Quotations process, and to accept the response considered to be in the best interest of the CTCR.

OVCDC Request for Proposals 13-14-45

The Owens Valley Career Development Center is seeking proposals from qualified vendors to provide an OVCDC Organization Wide Assessment and to produce and present a final narrative written report on findings, conclusions & recommendations.

For full Request for Proposals please visit www.ovcdc.com

Bids will be received by OV CDC until 5:00 pm, PST, September 27, 2013 at the office of OV CDC Finance, P.O. Box 847, Bishop, CA 93515 or 2574 Diaz Lane, Bishop Ca 93514. This RFP will remain open until awarded if sufficient qualified proposals are not received by September 27, 2013. For further information and to request a bid packet please contact the Purchasing/Contracts Administrator by telephone at 760-873-5107 or email contracts@ovcdc.com

OVCDC Request for Proposals 13-14-64

The Owens Valley Career Development Center is seeking bids (quotes) from responsible qualified vendors/independent contractors to provide:

Two modular buildings-One 36' X 64' and one 48' by 64' modular commercial office space units under lease/rental agreements for a term not less than three years to be delivered, setup and utilized for office space in Bishop, California at 2574 Diaz Lane. Site prep and utilities to the site will be completed by OV CDC. Utility connections to the building to be performed by bidder. Buildings must meet 40 lbs snow load roof specification.

For full Request for Proposals please visit www.ovcdc.com

Bids will be received by OV CDC until 5:00 pm, PST, October 11, 2013 at the office of OV CDC Finance, P.O. Box 847, Bishop, CA 93515 or 2574 Diaz Lane, Bishop CA 93514. This RFP will remain open until awarded if sufficient qualified proposals are not received by October 11, 2013. For further information and to request a bid packet please contact the Purchasing/Contracts Administrator by telephone at 760-873-5107 or email contracts@ovcdc.com



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Headlines from the Web

WHY THE MOHAWKS ARE NO LONGER WALKING THE HIGH STEEL
<http://bit.ly/193lsYj>

THERESA SPENCE RE-ELECTED CHIEF IN ATTAWAPISKAT
<http://bit.ly/17p6NW0>

RED CROSS DONATES BOTTLED WATER TO NORTH DAKOTA RESERVATION
<http://bit.ly/1433qHp>

FORMER INTER-TRIBAL COUNCIL EXECS INDICATED ON THEFT CHARGES
<http://bit.ly/1dU09vL>

PLATERO NEW MESCALERO APACHE PRESIDENT
<http://bit.ly/1a2NKqg>

NOOKSACK TRIBAL DISENROLLMENT DELAYED AGAIN
<http://bit.ly/15jC7ti>

Upcoming Events

NATIVES IN RECOVERY

CAMPOUT SEPTEMBER 6-8

Open to all American Indian families and friends of anti-substance abuse programs, with free camping available. Booths from Alcoholics Anonymous, Narcotics Anonymous, and Al-Anon will be present, along with guest speakers, drum, sweat lodge, children's daily activities and ribbon ceremony.

Location: Viejas Band of Kumeyaay Indians Ma-Tar-Awa Campground, Alpine, California

OPENING DOORS IN INDIAN COUNTRY 2013

SEPTEMBER 9-10

Geared toward helping businesses to form a solid foundation for government contracting and to find ways to nurture strong growth, this event blends educa-

tion, support, networking and cultural enrichment. On hand will be agency and primes representatives; native, tribal and veteran-owned businesses; and discussions on business support, tribal procurement and marketing for government contracting.

Location: Tulalup Resort Casino, Marysville, Washington

INDIAN CHILD WELFARE TRAINING INSTITUTES

SEPTEMBER 9-12

Two series are available: "Understanding the Indian Child Welfare Act" and "Tribal Child Welfare: In-Home Services Systems of Care." The former provides information about the basic legal requirements of the landmark 1978 legislation and offers training for advanced strategies for its implementation; the latter considers models, examples and practice implications in the process and planning of tribal child welfare in-home services systems.

Location: Red Lion Hotel Portland Con-

vention Center, Portland, Oregon

TRIBAL, U.S. TERRITORIES AND INSULAR AREAS ADMINISTRATIVE AND FINANCIAL GUIDANCE

SEPTEMBER 10-11

Offered to provide tribes, U.S. territories and Insular Areas with training in the managing of Environmental Protection Agency funds through assistance awards. Sessions will also cover the Office of Small Business Programs' Disadvantaged Business Enterprise rule.

Location: Liberty Inn, Lincoln City, Oregon

IMPROVING PATIENT CARE LEARNING

SEPTEMBER 10-12

The fifth session of the Indian Health Service's Improving Patient Care program, which is devoted to reducing health disparities. This virtual session will be held on Adobe Connect.

Contact: Candace Jones
candace.jones@ihs.gov

LETTERS TO THE EDITOR

Regarding trafficking Native children as the dark side of adoption (August 27):

Adoption is no longer about finding a home for a child. It is pure supply and demand. Demand is high but supply is limited. This has given rise to aggressive outreach to vulnerable expectant families. Recently, a pro-adoption group looked into middle school programs that would promote adoption to "potential

future birth mothers"—young girls who were not pregnant but could be "primed" into considering adoption should they find themselves with an unplanned pregnancy.

Think about that. Imagine talking to your child about love, commitment and responsibility, then adding that should there be an unfortunate situation in the future, the "loving option" would be to

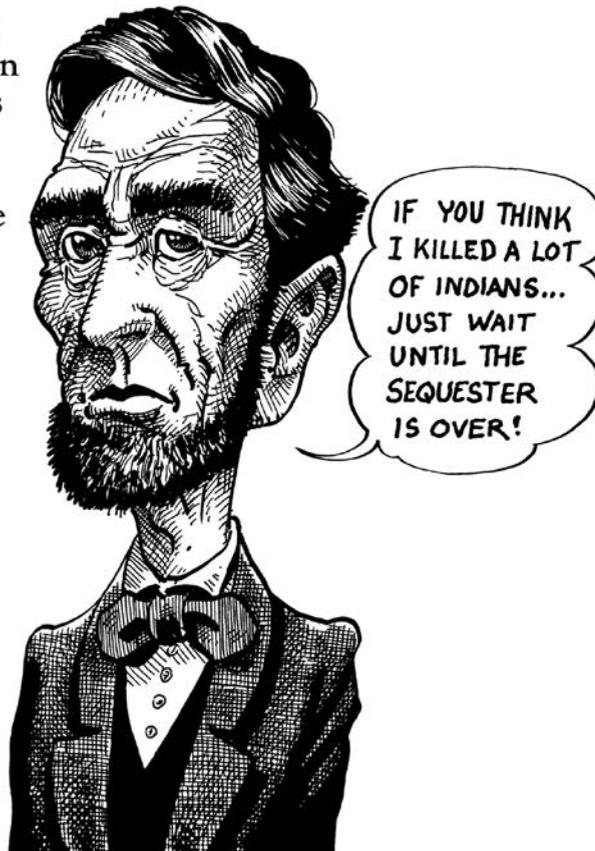
give that child to strangers.

Instead of saying, "We need to make sure that all adoptions are ethical and that no child is deprived of a relationship with a fit, loving and willing natural parent," adoption agency spin tells us about how the would-be adoptive parents only wished for "a child of their own."

—Gaye Tannenbaum
 Piriapolis, Uruguay

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

DECEMBER 26, 1862
 President Lincoln
 orders the mass
 execution of
 38 Indians for
 their part in the
 Dakota Wars.



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 MARTY
 Two Bulls
 m2bulls.com

TOP NEWS ALERTS

From IndianCountryTodayMediaNetwork.com

MYSTIC LAKE GOES WET

From its opening in 1992, Mystic Lake Casino Hotel was one of Minnesota's only dry gaming establishments. But in August, the Prior Lake-based venue debuted three unique gaming-floor bars, following approval given to the Shakopee Mdewekanton Sioux Community by the Bureau of Indian Affairs. "Since we opened," said John Kolander, Mystic Lake's director of food and beverage services, "it was the most requested item that we had—'Can we get a drink?'"

WHEN WOMEN RULED PERU

The discovery of an eighth tomb belonging to a Moche—or Mochia—priestess in Peru confirms that women ruled the

region 1,200 years ago. The remains were found in late July in an area called La Libertad. "This find makes it clear that women didn't just run rituals in this area but governed here and were queens of Mochica society," project director Luis Jaime Castillo told Agence France-Presse. "Our excavations have only turned up tombs with women, never men."

OFFENSIVE RODEO COMEDY SKIT

The organizers of the Central State's Fair Rodeo in Rapid City, South Dakota, are facing scrutiny for an August 22 comedy skit that involved a man in faux Native American regalia and painted face leaping from the

trunk of car and immediately being chased by a man dressed as a police officer. According to Chase Iron Eyes of Lastrealindians.com, the skit entailed the announcer exclaiming, "Look! It's the Indian; get him! Get him!" and ending with a performance of the Village People's 'YMCA.'"

DEATH OF ACTIVIST WAS ACCIDENTAL

The March 12 death of John Boncore, Mohawk, the only inmate convicted of murder in the 1971 Attica prison uprising, was drug related, authorities said last week. Boncore, who was found in his home on British Columbia's Adams Lake Indian Reserve, had an enlarged heart and had recently used cocaine

and alcohol. Granted clemency in 1976, Boncore made headlines in 2009 for trying to make a citizen's arrest on former President George W. Bush during a visit to Calgary.

'SQUAW CREEK' ON BORROWED TIME?

Squaw Creek in Moody County, South Dakota may soon have a new name. On August 27, the South Dakota Board of Geographic Names met to consider alternative names and should be able to vote on a prospective replacement at its next meeting, currently scheduled for October 24. "I know various leadership groups would welcome this discussion," Sioux Falls Mayor Mike Huether told the *Argus Leader*.

UPCOMING POW WOWS

67th Annual Navajo Nation Fairgrounds

September 2 - September 8,
Window Rock, Arizona
Contact: 928-871-6647
info@navajonationfair.com
NavajoNationFair.com

43rd Annual United Tribes International Pow Wow

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

Sixth Annual White Buffalo Pow Wow

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

24th Annual Wyandotte Nation Pow Wow

September 6 - September 9, Wyandotte Nation Pow Wow Grounds, Wyandotte, Oklahoma
Contact: Sherri Clemons
918-678-2297 x 244
sclemons@wyandotte-nation.org
Wyandotte-Nation.org

Indian Summer Festival Contest Pow Wow

September 6 - September 8, Henry Maier Festival Park, Milwaukee, Wisconsin
Contact: Indian Summer Festival Offices
424-604-1000
indiansummer@wi.rr.com
IndianSummer.org

51st National Championship Indian Pow Wow

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

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

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

The Grand Valley American Indian Lodge Pow Wow

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

36th Annual Nanticoke Indian Association Pow Wow

September 7 - September 8, Nanticoke Pow Wow Grounds, Millsboro, Delaware
Contact: Herman T. Robbins
302-945-3400
info@nanticokeindians.org
NanticokeIndians.org

Annual Intertribal Pow Wow

September 7 - September 8, Plug Pond, Haverhill, Massachusetts
Contact: Burne Stanley
617-642-1683
mcnaa@aol.com
MCNAA.org

13th Annual Akwesasne

International Pow Wow

September 7 - September 8, A'nowara'ko:wa Arena, Cornwall Island, Ontario
Contact:
akwesasnepowwow@yahoo.com
AkwesasnePowWow.com

Welcome Home Traditional Pow Wow

September 13 - September 15, St. Peters Church Grounds, Mendota, Minnesota
Contact: Sharon
651-452-4141
mmdc01@comcast.net
MendotaDakota.com

Sycuan 23rd Annual Pow Wow

September 13 - September 15, Sycuan Pow Wow Ground, El Cajon, California
Contact: Julie La Brake
619-445-7776
jalabrake@sycuan-nsn.gov
Scyuan.com

9th Annual Dakota Homecoming and Gathering

September 13 - September 15, Lake Park, Winona, Minnesota
Contact: 507-452-2278
DakotaHomecoming.org

93rd Annual Southern Ute Tribal Fair & Pow Wow

September 13 - September 15, Sky Ute Event Fairground, Ignacio, Colorado
Contact: Tara Vigil or Elise Redd
970-563-0100 x 3624 or 970-779-8149

tvigil@southernute-nsn.gov or
eredd@southernute-nsn.gov
SouthernUte-NSN.gov

Hocking Hills Chief Logan Pow Wow

September 14 - September 15, Rockbridge, Ohio
Ohio.edu

Muddy Run Pow Wow

September 14 - September 15, Muddy Run Recreational Park, Holtwood, Pennsylvania
Contact: 717-776-1075
ManyHawks@comcast.net
Lawilowan.com

Curve Lake Pow Wow

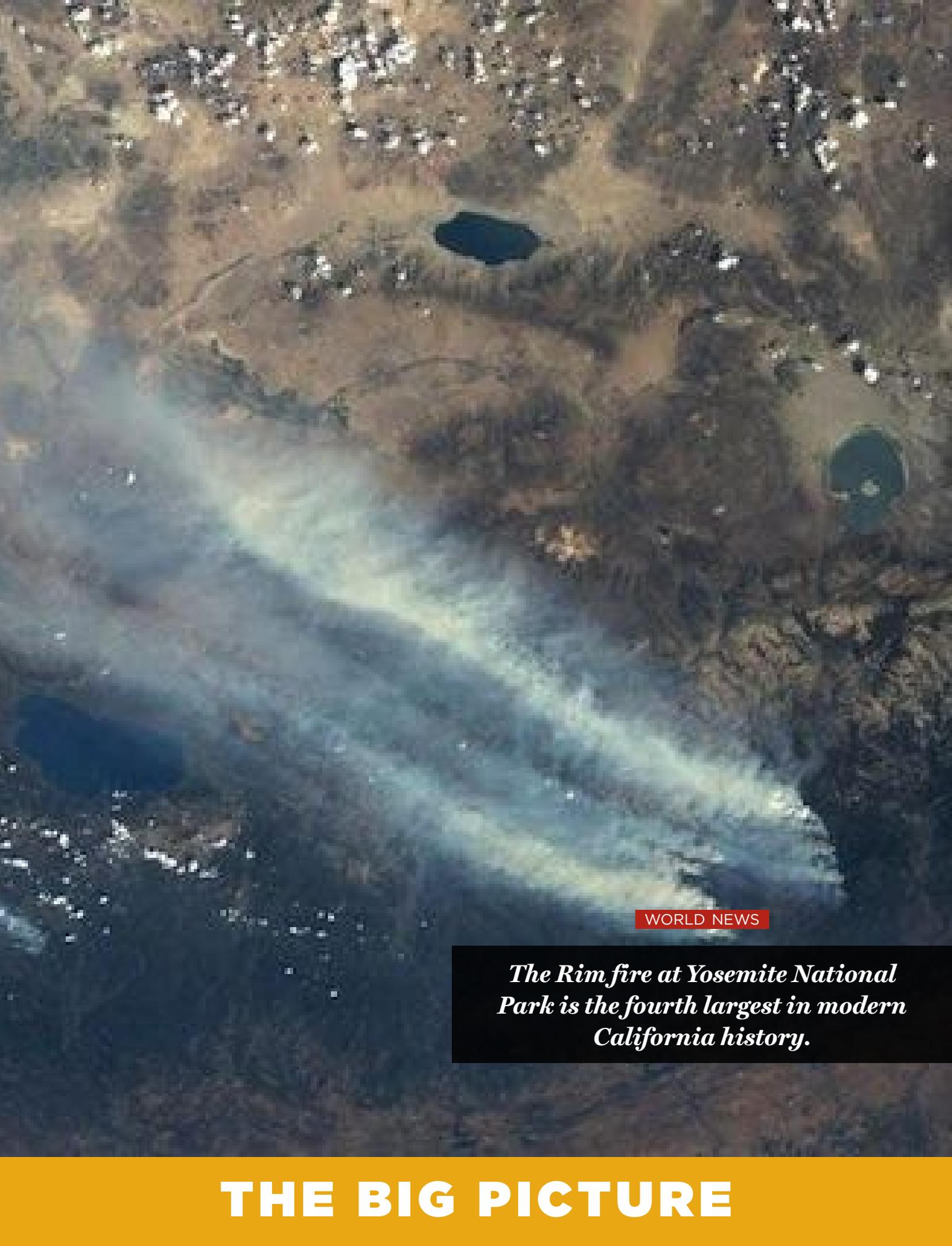
September 14 - September 15, Lancewood Park, Curve Lake, First Nation
Contact: Taylor
705-243-1646
info@curvelakefn.com
CurveLakeCulturalCentre.ca

9th Annual Bluff City Pow Wow

September 14 - September 15, Rockpoint City Park, Rockport, Indiana
Contact: Rock or Dorothy Blanchard
812-459-8643 or 812-459-8645
rock104@sbcglobal.net

10th Annual Mill-Luck Salmon Celebration

September 14 - September 15, Mill Casino Hotel & RV Park, North Bend, Oregon
Contact: 800-953-4800
themill@themillcasino.com
TheMillCasino.com



WORLD NEWS

The Rim fire at Yosemite National Park is the fourth largest in modern California history.

THE BIG PICTURE