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April 29, 1976

Court upholds Act

Sioux lose jurisdiction

By David Roach

FORT YATES, N.D. - Uncertainty prevails here at Standing Rock Sioux Reservation and Corson County, S.D., after a U.S. District Court ruling stripped the tribal and federal courts of jurisdiction over portions of the reservation's eastern lands.

The ruling, handed down earlier this month by Chief Judge Fred J. Nichol, U.S. District Court of South Dakota, declared all unallotted lands within the boundaries of a 1913 Surplus Lands Act were "terminated and returned to the public domain" by that Act.

Those affected lands, bordering on the Missouri River and stretching westward into the heart of the reservation, now fall under state jurisdiction.

Nichol's ruling came in the case of *U.S. v. Long Elk et al.* Along with five other defendants, Chauncey Wesley Long Elk Jr. argued, because of the 1913 Act and its legislative history, the federal court lacked jurisdiction over his case.

Long Elk had been charged with nine counts of assault in McLaughlin, S.D.

An Uncertain Situation

Both Standing Rock Tribal Chairman Pat McLaughlin and Corson County State's Attorney Robert Mines are unsure of the effects Nichol's decision may have. Both agreed the ruling will complicate, at least temporarily, the criminal justice system for the county, state and tribal government.

An uncertain issue for the county and state is how the added burden of increased police and court caseloads will be financed.

Mines told the *United Tribes News* the criminal caseloads in county and state courts is expected to almost double, with cases from one to two years old, scheduled for or in federal courts, now being transferred to state courts for adjudication.

"In similar situations in the past, the state has been reluctant to increase funding to meet the increased needs," said Mines. "At the start, at least, it will be quite difficult. We've already made an application for an LEAA grant (Law Enforcement Assistance Administration)."

For the tribal government, there may be a question of reduced jurisdiction affecting the level of federal government funding of their law enforcement system.

"It's a possibility I've thought of," said McLaughlin. "I haven't said anything about it. It's a 'maybe-maybe not' thing. You don't know what will come of it."

Checker Board Situation

Because of the "checker board" situation in the court affected area, with unallotted lands scattered among allotted and tribal lands, there presently is a definite uncertainty over which agency, state or tribal, has authority over which lands.

Said McLaughlin: "The police will have to start carrying around maps to figure out where they're at and who they can arrest."

Apparently, according to Mines, the Corson County sheriff's office and the State Highway Patrol are already preparing those maps. Consideration is

also being given to "cross-deputizing" BIA and county police so both would have authority to arrest on either tribal or unallotted land, Mine said.

At present, there seems little chance for cross-deputization. "I really don't see any possibility for that happening," said Shirley Plume, Standing Rock BIA superintendent.

McLaughlin spoke adamantly on that issue: "No way. No way. The county and state...it's all on them now. They wanted this for a long time, and now they've got it. And it's going to cost them."

Appeal Planned

While charges against the six defendants are currently being pressed in state courts, according to William F. Clayton, U.S. District Attorney for South Dakota, the *U.S. v. Long Elk* suit apparently will be appealed to the U.S. Circuit Court of Appeals by the tribe and the U.S. Justice Department.

"I have no authority to tell you this," Clayton said late this week "but I'm confident the Justice Department will pursue the case."

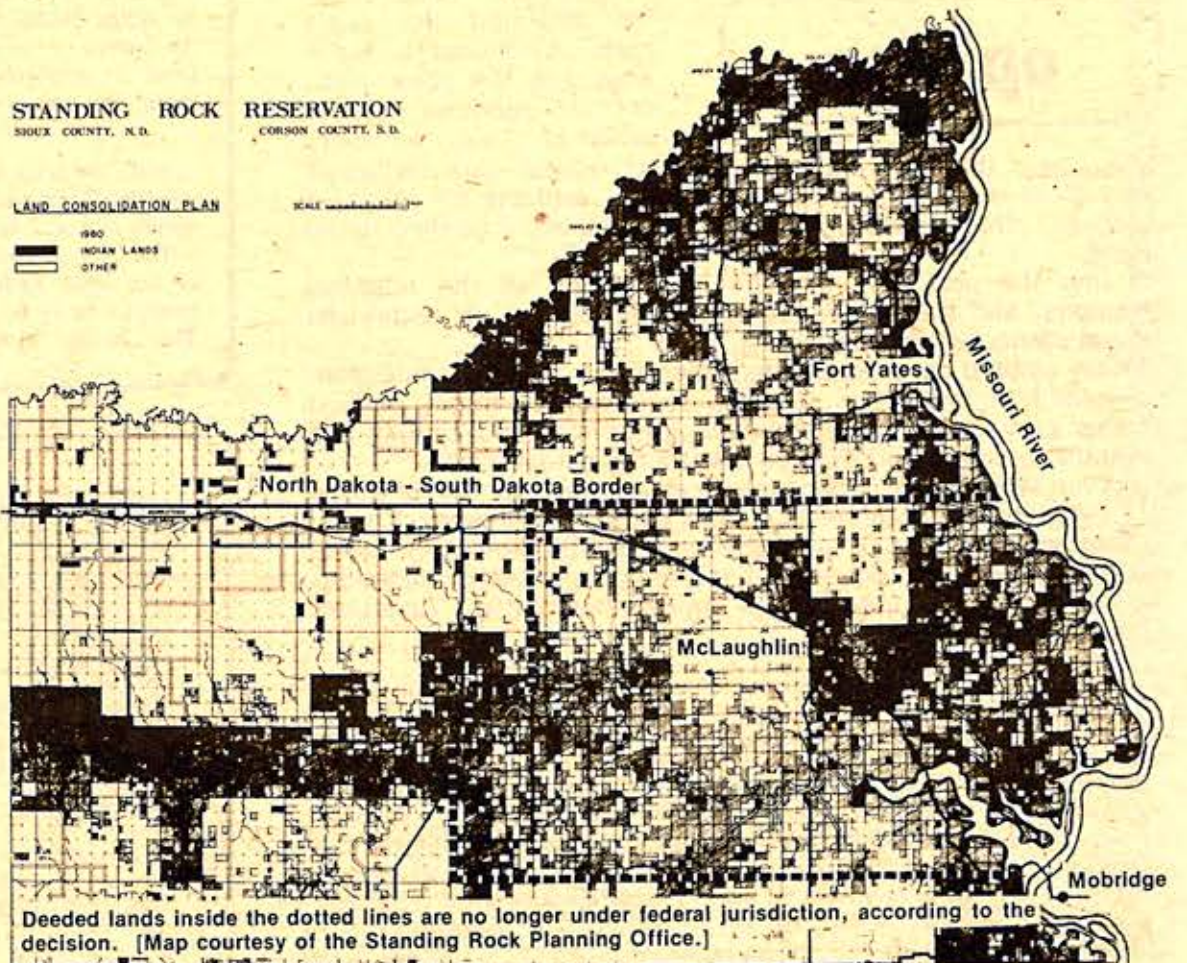
The loss of any appeal of the Long Elk case could have significant repercussions for the Standing Rock Sioux. Because of the jurisdiction of this court, Nichol's decision, according to a law clerk in his office, affects only those lands of the 1913 Act which lie below the North and South Dakota state line.

But the surplus land act included most all of the upper portion of Standing Rock Reservation which extends into North Dakota. A ruling upholding Nichol's decision by a Court of Appeals, with jurisdiction over both North and South Dakota, could deny tribal and federal jurisdiction in those northern portions also.

Aware of the chance, McLaughlin said: "It has to be appealed. This has to be resolved, one way or the other."

"It is the holding of this Court that the Act of Feb. 14, 1913...terminated and returned to the public domain all unallotted land embraced within the eastern portion of the Standing Rock Indian Reservation."

**Chief Judge Fred J. Nichol
U.S. District Court**



Indian newspapers can direct change

Letters to the editor are a newspaper's manna. Whether as objections to stories or to editorial policies and practices, or whether in agreement with either, letters to the editor means a newspaper is read.

A read newspaper is communication, a flow of information between persons, between groups. That is why we have to disagree with the writer of the letter printed below. Holding in abeyance Monett's rebuke of the eagle parts requirements, we disagree with his opinion that Indian editors may lack direct power to change situations, to change the status quo.

opinion

We disagree because effective communication is power. Uncovering, exploring or simply stating issues and needs, inequities and problems through the press is a wellspring of power. Unstated issues are likely to be unchangeable issues. It is the clearly defined, communicated issues which are most receptive to change or the attempt to change. That is where newspapers and their editors have their power: in making aware and prodding and pushing change through the awareness communication brings.

We need to understand this. We need diligent, trained Indian journalists on reservations and in urban Indian centers to report in depth the problems stifling Indians and Indian tribes, problems which the established press skates over or simply ignores. We need the pressure and strength objective, cogent Indian journalism can bear on those officials in positions of authority.

There is an Indian journalism seminar coming up at Bemidji State University in Minnesota which will address those needs and ideas. Slated for May 20-21, Indian and non-Indian journalists will be talking with Johnson O'Malley and Title IV high school students about the need for a strong Indian press, for trained Indian journalists.

Support for this seminar and others like it is needed. Active support throughout Indian Country for getting Indian journalists and developing Indian newspapers is needed and is crucial.

It is often said that ignorance is bliss. But it is also impotence. Awareness through communication is the opposite. It is power. Good Indian journalism could offer that power.

Objections raised to eagle regulations

To the editor:

This is a simple reaction to one of the items in the April 2, 1976, edition of the *United Tribes News*, page 13: the article entitled "Eagle Parts Available."

opinion

letter to the editor

I find the outlined format for obtaining the eagle parts objectionable. Since when has the government or its agencies overtly assumed the authority to require that an individual must reveal his religious convictions in order to acquire the private artifacts for religious practices? That is exactly what is being required, according to the article.

I find the part that asks for the naming of the religious ceremony, and the part requiring certification by an authorized official particularly objectionable.

In my cultural paranoia that has been created by the white man, I wouldn't be surprised if these requirements might be just another ploy by the "mastah" (U.S. government) to catalog and infiltrate and ultimately destroy true traditional practices.

I'm not writing to you because I feel you have any direct power to change these requirements, but as editor of the paper, I feel it is your responsibility to recognize these subtle attacks on Indian heritage. The whole concept of the article smacks of numerous moral and legal irregularities upon the native American. (Remember Wovaka?)

F.C. Monett
Turtle Mountain Chippewa
Belcourt, N.D.

Editor's Note: The article in question cited the process required by the U.S. Fish and Wildlife Service for securing eagle parts and a permit for their use. Applications from the Wildlife Service for eagle parts and their use require the following information: species and number of eagle parts requested, name of tribe, name of religious ceremony for which the parts will be used, certification from a tribal religious group that one is authorized to participate in the ceremony, and name and address of bus lines near one's home for shipping of the parts.

Skye's Horizons



by harriett skye

In last month's issue of the *United Tribes News*, I really goofed, and the Indian inmates over at the "joint" aren't letting me forget it. The correct date for the prison pow-wow is May 8th, and not as stated in my last column.

The festivities begin at 11:00 a.m. and will end at 8:00 p.m. An invitation is extended to come and participate. Bring your dancing costumes and join in the fun. The south entrance of the State Penitentiary will again be the port-of-entry.

In the April 10, 1976, edition of the *Bismarck Tribune*, an AP article indicated that Chief U.S. District Judge Fred Nichol, (8th U.S. Circuit Court of Appeals) ruled that the federal government DOES NOT have jurisdiction over the eastern part of the Standing Rock Indian Reservation. A 1913 Act terminated and returned to public domain all unallotted land embraced within the eastern portion of the reservation.

Six defendants arrested on different charges on the reservation challenged the Federal Government's jurisdiction. Charges against Chauncey Wesley Long Elk Jr. and others, were dismissed by Nichol.

Local authorities will now have to file charges. The 8th U.S. Circuit Court of Appeals ruled on a similar matter concerning the Rosebud Indian Reservation in 1975 and the U.S. Supreme Court ruled in a similar fashion on jurisdiction on the Sisseton-Wahpeton Indian Reservation.

Both these reservations are in South Dakota, and the portion of the Standing Rock Reservation ruled on by Judge Nichol is in South Dakota. An appeal to the 8th Circuit Appeals Court is expected, although similar rulings have been upheld by the court.

Well, we don't have to worry about whether termination is around the corner or not.....it's here!!!!

The Navajo Code Talkers were one of the most dedicated and devoted groups ever to serve in World War II. They formed a contingent of Native

speakers in the U.S. Marine Corp, operating as a secret force of communications.

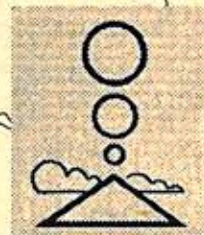
They had a large part in the victory. They operated in the front lines as well as in the rear, and many men were lost. Often in the thick of battle, the Navajo Code Talkers were the only source of information to the American forces attempting to gain victory over Japan and Germany.

In a written statement by Harold Foster, published in the *Navajo Times* and *Wassaja*, he says in part: "We cannot in good conscious, join with the white man of America in celebration of this Bicentennial as a milestone on the road to freedom, independence and liberty, but we can join in the dedication that this Bicentennial will be a milestone for a new beginning, a re-dedication, a new determination for America to extend 'Life, Liberty and the Pursuit of Happiness' to all. Perhaps, when we reach the next celebration, we can truly say we are free at last."

We have been hearing so much about stripmining, coal gasification. What is it, and what do they mean? First of all, what is coal gasification? This is a complex process by which coal is broken down and converted into artificial natural gas. It involves two basic steps: first, getting the coal out of the ground and then turning it into artificial or synthetic natural gas.

Stripmining is a grisly process. Unlike underground mining, where you remove the coal from the earth through shafts and tunnels, stripmining does the exact opposite: It removes the earth from the coal. This involves physically digging and gouging huge holes in the ground, usually 100 to 200 feet down, in order to get at the coal.

Hopefully, I will be able to expand on this in next month's column, particularly where proposed plans for gasification sites in our area would be located, and more about what happens with pollution, water and, most importantly, people.



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Battle looms over Indian colleges

By Rim Remsen

The Ford Administration and Indian educators are at odds over whether to establish a special grant program for the community colleges which are springing up on or near reservations throughout the country.

Legislation has been introduced in Congress to set up a special funding program for the tribally chartered colleges, and has the general support of Indian educators, including many in the Bureau of Indian Affairs.

However, the Administration's axe-wielding Office of Management and Budget has come out against the legislation, since it runs counter to President Ford's policy of maintaining existing programs but funding no new ones.

And in a classic display of its power, OMB got Bureau of Indian Affairs Commissioner Morris Thompson to testify against the Senate bill. In hearings last month, Thompson and Duane Mattheis, executive deputy commissioner of the Department of Health, Education and Welfare's Office of Education, testified that their agencies have sufficient authority to aid the reservation colleges under existing programs.

Overcoming OMB

"Everything comes down to money," said Ralph Reeser, director of the BIA's Congressional and legislative affairs staff. "It takes a major effort to overcome them (OMB), especially when a bill is gonna cost money. We couldn't do it."

Thompson's testimony "represented the views of the Administration," Reeser acknowledged. "Occasionally we have to come out on the wrong side of an Indian Bill."

But Reeser doubted that President Ford would veto the legislation, in the unlikely event that it was passed by Congress before the Oct. 2 recess.

"The President uses his veto sparingly," he explained. "We're not talking about something that's really gonna drain the budget. I think he would sign it, but just not fund it."

The legislation, as embodied in separate Senate and House bills, would set aside some \$75 million for Indian community colleges, to be appropriated through Sept. 30, 1981.

Legislative proposals "to assist the development and administration" of Indian colleges was supposed to be submitted to Congress by the BIA by last Oct. 1 under a provision of the Indian Self-Determination and Education Assistance Act.

Surveying the College

The recommendations were supposed to follow an assessment of reservation colleges also called for in that law. The BIA complied with that provision, by contracting the American Indian Higher Education Consortium (AIHEC) last May to conduct a survey of "operational" and "projected" Indian-controlled community colleges.

The AIHEC survey found 15 existing Indian colleges (two of which did not meet the criteria for "Indian-controlled"), and 20 planned by other reservations. They also found what many Indian educators had been complaining of, that the BIA was providing little assistance to the fledgling colleges, and that the lack of a stable funding source was hampering the schools' efforts to gain independent accreditation.

Mary Asbill, an education specialist in the BIA's division of continuing education in Albuquerque, said that she and other BIA education personnel favored the AIHEC's request for special funding for the reservation colleges. And she said that her office called a meeting of leading Indian educators so they could submit their legislative recommendations. However, she said, because AIHEC submitted its survey to the BIA just under the Oct. 1 deadline, the BIA did not have time to draft legislation before the sending the report to Congress.

Education Post Vacant

Reeser added that at the time, the position of director of the BIA's office of Indian education programs was vacant, leaving no one willing to "do battle" with OMB on the matter. He said Congress still is pressuring the BIA to come up with its own recommendations, and indicated that the new education director, Dr. William Demmert, was expected to prepare a response.

Despite the absence of a BIA bill, legislation was forthcoming. On Nov. 4, Sen. James Abourezk (D., S.D.) introduced S. 2634, which was referred to the Senate Indian Affairs subcommittee. The next month, Rep. James Abdnor (R., S.D.) introduced H.R. 11220, which was referred to the House subcommittee on postsecondary education.

Both bills call for a special grant program for reservation colleges. The Senate bill would have HEW allocate \$75 million to 10 named colleges. The House bill would channel an unspecified amount through Interior Department to any college which meets the criteria for "Indian-controlled." Indian educators favor the House version, and the Senate bill was expected to be redrafted accordingly.

A key provision in the House bill reads: "The Secretary (of the Interior) is authorized, upon the request of any American Indian, Eskimo, or Native Alaskan community to assist in planning and developing feasibility studies to determine justification to start and maintain Indian controlled colleges and to prepare budget requests and to provide funds to operate and maintain an institution; an amount which is not less than the "average" of the per capita cost contributed by the Federal government for operation of Bureau of Indian Affairs' junior colleges and postsecondary training schools."

When hearings were held on the Senate bill on March 15, David Gipp, executive director of AIHEC, and Pat Locke, director of planning resources in minority education for the Western Interstate Commission for Higher Education (WICHE) supported the concept of a special fund for the reservation colleges, but urged that the bill be brought in line with the House version.

"Rather than a grant program such as that embodied in the bill, support for Indian colleges should come through tuition payments, including scholarships, and regular HEW and BIA program funds. In addition, some schools may be able to receive tribal government contributions and private donations."

**— Morris Thompson
BIA Commissioner**

Authority Now Exists

On the other hand, BIA's Thompson and HEW's Mattheis argued that sufficient authority to aid the schools already exists under the Snyder Act of 1921, administered by the BIA, and Title 3 of the Higher Education Act of 1965, administered by HEW.

(Through Title 3, many reservation colleges, including the four in North Dakota, have been able to receive temporary funding by becoming affiliated with accredited institutions. Mattheis reported that HEW's Higher Education Amendments of 1976, now pending before Congress, include a proposed repeal of the limitation that no more than 1.4 percent of the funds appropriated under Title 3 can be given to reservation colleges which have been granted a waiver of the requirement that they become candidates for accreditation within five years of formation.)

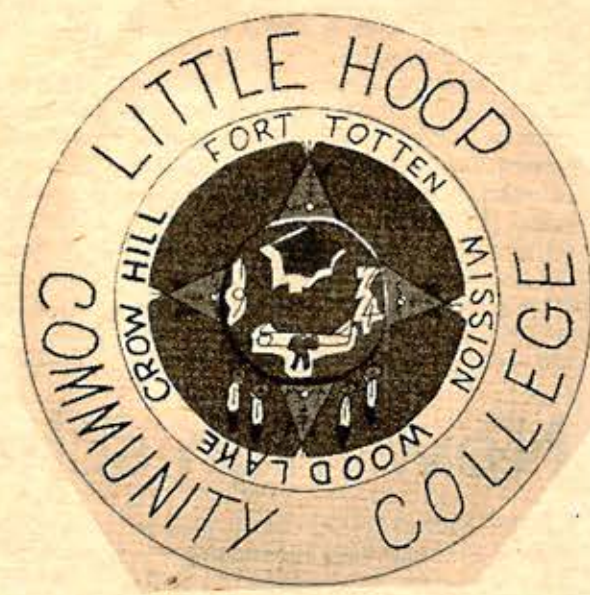
Mattheis listed four other current federal funding sources for which he said the reservations colleges could qualify.

"Rather than a grant program such as that embodied in the bill," Thompson testified, "support for Indian colleges should come through tuition payments, including scholarships, and regular HEW and BIA program funds. In addition, some schools may be able to receive tribal government contributions and private donations."

Exemption Possible

The two officials also complained that S. 2634 would exempt the Indian colleges from the minimum eligibility requirements for assistance under programs set up through the Higher Education Act of 1965 or any similar programs.

Only three of the 16 reservation schools reportedly receive BIA line item grants. Each BIA area office has a higher education specialist, but his job is primarily to handle higher education scholarships.



The BIA's office of policy planning was expected to recommend this month that the agency establish a division of higher education, which would assist Indian community colleges. The request would be the result of a management study which the office conducted of the BIA's central education division in Washington and Albuquerque.

Most of the reservation colleges have been started in the last five years, "to bring higher education to the people where they live." The AIHEC survey found that the 15 existing schools serve some 1,500 full-time students, with enrollments generally expanding.

Primary funding has come through HEW programs in which the tribes have had to compete, often unsuccessfully, with other groups and schools.

Funding Unstable

Thus, most have had to operate without stable funding. A case in point is the Turtle Mountain Community College, which was told by the North Central Association of Colleges and Secondary Schools, the accrediting organization covering North Dakota, that it cannot be accepted as a candidate for accreditation until it secures a stable source of funding.

Larry Belgarde, coordinator of Turtle Mountain Community College, said that up to 200 people attend the 23 classes which his staff teaches "where ever room is available" in Belcourt. The college was established in 1972, and receives \$160,000 a year in Title 3 funding through North Dakota State University, Bottineau branch.

Jim Shanley, president of Standing Rock Community College, said he hopes to apply for accreditation this year. The school was formed in 1972, and receives \$250,000 a year in Title 3 funds through Bismarck Junior College. Fifty-four courses are offered to some 150 students at the Fort Yates site.

Fort Berthold Community College was established in 1974 and is affiliated with Mary College, through which it receives about \$100,000 a year in Title 3 funding. Phyllis Howard, coordinator, said that classes in five study areas are offered to about 85 students.

In October, 1974, the Devils Lake Sioux tribal council chartered the Little Hoop Community College at Fort Totten. Twelve courses are offered to its 85 enrollees. The school is affiliated with Lake Region Junior College.

The schools are state-incorporated, and all credits are approved by their affiliated colleges.

Groups have aid for Indian businessmen

By Karen Hiller

Organizations that offer help in finding financial aid and management and sales training are available to Indian businessmen on the local and national level.

The North Dakota Indian Businessmen's Association (NDIBA) has been in existence for two years. Carl Renville, president of the NDIBA, said there are now 120 members both on and off the reservation. He added that the number of Indian businessmen was increasing.

Renville told *United Tribes News* the largest problems facing Indian businessmen were bonding and financial aid. NDIBA is now working with the Small Business Association to obtain bonding for Indian contractors. Under the SBA's surety bond program, the SBA is authorized to guarantee up to 90 percent of losses incurred under bid, payment or performance bonds issued to contractors on contracts valued up to \$500,000.

The NDIBA has been operating without an office. Renville said they were in the process of obtaining funds to open an office in Minot. Grants have been applied for from the State Economic Opportunity and self development federal funding

programs. They hope to have an office open by May 1.

The Denver regional office of the SBA earlier this month announced the establishment of an Indian desk. Alfred McKay, appointed to the new position, said his main duty is bringing SBA's programs directly to the Indian people in SBA's Region 8. (Region 8 includes North Dakota, South Dakota, Montana, Utah, Wyoming and Colorado.)

McKay said he has been making personal contacts with reservations in an attempt to discern their problems. The Cheyenne Tribal Council expressed interest at McKay's approach, stating that it was the first time SBA had contacted them.

McKay said "Overall, we want to try and improve business development on the reservation."

The Office of Minority Business Enterprise (OMBE) was established in 1969 and is another avenue of help for Indians in business. By executive order, OMBE was established to assist all minorities in joining and staying in the free enterprise system.

OMBE contracts with organizations to

provide management and technical assistance to existing and potential businesses owned or controlled by minorities.

American Indian Consultants of Scottsdale, Ariz., are contracted by OMBE to provide services to Indian businesses who have or have the potential to gross \$150,000. Six business development organizations across the country provide services to businesses who gross less than \$150,000.

In 1972, the National Minority Purchasing Council, Inc. (NMPC) was formed. NMPC is a non-profit organization designed to help the corporate business community find qualified minority suppliers.

NMPC acts as a link between corporations and minority businesses. They promote the purchasing of goods and services by corporations from minority businesses.

NMPC operates through a network of regional purchasing councils located in 21 cities throughout the country. The councils promote local business involvement in NMPC and they implement NMPC programs at a local level.

"Because of Who You Are" is a 12 week sales training program developed by

NMPC. Described as a "survival kit" for small minority businesses the program utilizes videotape cassettes, instructional manuals, role playing sessions and workshops. Majority corporations provide volunteer instructors and contribute facilities and in-house equipment. RPCs select students and provide instructional materials. Additional slide tape shows and information booklets are available for both the minority business and the large corporation.

In addition some RPCs provide minority vendor directories for the corporate purchasing departments. The directories provide complete profiles on minority-owned firms.

There are some 500,190 member corporations in NMPC/RPC. In 1973, purchases from minority firms by NMPC/RPC corporate members was reported as \$237 million. In 1974, \$360 million was reported, a \$123 million increase. 1975 figures are expected to be higher.

RPC offices are located throughout the eastern and southern states. NMPC is in the process of establishing another office in Seattle which will handle the north-western states.

New high school planned for Standing Rock

FORT YATES, N.D. - If all goes as planned Standing Rock Reservation students here could be opening their books and note pads next year in a new high school.

The Standing Rock tribal office recently announced construction bids for the new facility are now under preparation by North Dakota contractors. This June has been set for the start of the school's

construction with completion date scheduled for Fall 1977.

The school is the result of six years of planning by Standing Rock community leaders, the reservation's tribal council, the BIA's education and engineering divisions in Albuquerque, N. Mex., and North Dakota Sen Milton R. Young.

According to Robert Mutchler of the Mutchler, Twichell and Lynch architectural firm, the new school's design "will

provide a natural, open community feeling and yet encourage the utmost in development of each individual student."

With the strong support of Senator Milton Young, according to tribal chairman Pat McLaughlin, construction funds for the planned high school were included in the Administration's FY 1976 budget and signed by President Ford in early 1976.

"Senator Young consistently was an advocate for the Standing Rock projects when the Senate and House met to consider their appropriations for Indian school design and construction funding," McLaughlin said. "He understood the importance and value which Indian families place on improving the educational opportunities for the youth of Standing Rock."

S. 2010

Tribes may reacquire jurisdiction

Praise, complaints, threats and reassurances have been evoked by a Senate bill which would allow Indian tribes in five states to reacquire the civil and criminal jurisdiction which they lost without choice to those states 20 years ago.

This time, the states - California, Minnesota, Nebraska, Wisconsin and Oregon - would have no say under the bill, S. 2010. If a tribe indicates in a resolution that it wishes to have some or all civil and criminal matters returned from state and county courts to federal and tribal courts, and if the secretary of the Interior finds the tribal plan sufficient, the "retrocession," or return, of state jurisdiction is automatic.

Nebraska Says "No"

At a hearing on the bill March 4 in the Senate Indian affairs subcommittee, delegates from Nebraska voiced overwhelming opposition to the proposal.

"Surely no one can seriously believe that the Indian reservation is going to be a permanent part of the American scene, and it is difficult to see why anyone would want it to be," testified Ralph Gillan, Nebraska's assistant attorney general. 2010 and like policies, he said, "can only serve to further isolate Indians from the rest of society."

Gillan said that in 1969, Nebraska returned criminal jurisdiction to the Omaha tribe, an act it found to be "a monumental mistake," with law enforcement on the reservation "deteriorating rapidly." Having "two peoples in the same geographical area, of one which is subject to one set of authorities and the other to an entirely different set, can only lead to chaos and injustice," Gillan exclaimed.

Mark Fuhrman, attorney for Thurston County, Neb., which encompasses the Omaha and Winnebago reservations, told the senators that if 2010 would give tribes jurisdiction over non-Indians on the reservation, "I am afraid the county would turn into a battlefield."

This issue - whether the tribes could gain jurisdiction over everyone, Indian and non-Indian, on

the reservation - is not addressed squarely in the bill, which was introduced last June 25 by Sen Henry Jackson (D., Wash.).

That question will be "the single biggest issue" relating to the bill, according to Forrest Gerard, Indian affairs subcommittee staff member. Its uncertain status bothered the Interior and Justice departments enough for them to volunteer to rewrite the bill, even though they said they favored the concept of 2010.

The primary intent of 2010 is to repeal Public Law 280, a controversial law enacted in 1953 when federal policy was to terminate federal support to tribes. P.L. 280 gave five states jurisdiction over most Indian country within their borders, and allowed additional states to assume jurisdiction over Indian territory in their states, all without asking the tribes involved.

Title I of S. 2010 provides that tribes affected by a list of statutes may adopt resolutions expressing a desire to have the United States reassume any or all civil and criminal jurisdiction which the states had acquired. The tribes may also ask that the tribal government share jurisdiction concurrently with either the federal or state governments.

The Interior secretary can disapprove the request if he finds no tribal law and order code or no plan for carrying out jurisdiction. If he fails to disapprove a resolution within 90 days, it becomes effective. If he disapproves, the tribe can force him to tell why in federal court.

Title II authorizes the secretary to make grants and contracts with tribes to establish and implement programs to improve law enforcement on reservations.

BIA Supports Concept

Bureau of Indian Affairs Commissioner Morris Thompson and John Keeney, deputy assistant attorney general in charge of the Justice Department's criminal division, testified that their agencies supported the concept of 2010, and agreed that states

should have a voice but not a veto in the retrocession process.

But the two officials urged that 2010 not be passed. They said that the secretary's disapproval powers are "two narrow and restrictive," said the program for concurrent jurisdiction "is fragmented and arbitrary," said the statutes that are named should be deleted since several are the focus of pending litigation, and complained that the question of jurisdiction over non-Indians was not answered.

Thompson also asserted that the BIA already has the authority to carry out the intent of Title II.

Thompson thus announced that Interior planned to work out an alternative proposal within 30 days. (Gerard reported in mid-April that the proposal had not yet been submitted.)

And Sweeney said that Justice has established a special interdepartmental subcommittee "to develop a legislative proposal in the area of Indian territory jurisdiction."

Government Must Clarify

James Dolliver, administrative assistant to Washington Gov. Daniel Evans, testified that Evans favors retrocession. But Dolliver urged the federal government clarify if tribal governments should have "a special status among other units of our system of government."

And Mel Tonasket, president of the National Congress of American Indians, testified at an earlier hearing that "S. 2010 represents a consensus of all the Indian tribes of America."

Gerard said that because of the Presidential campaigning, and because of the controversial nature of 2010, the bill probably would not be enacted before Congress recesses in October.

"But we have accomplished our goal of getting a good record for 2010 in this Congress," he said. "We've gotten Interior and Justice to support the concept and say they don't want state vetoes. I feel we've brought the issue a long way."

Task force hears educators' problems

By David Roach

Indian education, from grade school to college, is plagued by unstable funding, inadequate facilities and materials, and communication gaps.

Twenty-two Indian educators and administrators from North and South Dakota brought that message earlier this week to the American Indian Policy Review Commission's (AIPRC) education task force.

The task force, represented by Lorraine Misiaszek, accepted both oral and written testimony on Indian education in a day-long hearing April 27, at the North Dakota capitol building. (The task force's other two members, Earl Barlow and Helen Scheirbeck, were unable to attend.)

Misiaszek and an audience which at times numbered 50 persons heard this:

- "The two major problems in Indian schools are attendance and discipline...You talk with Indian students and ask them what they're going to do, and they don't know. They're lost. But they can tell you the problems." Douglas Philbrick, Lower Brulle, S.D., school principal.

- "The dropout rate for Indian students in Rapid City schools is seven times higher than for white students...Education in an urban center is not learning how to bead or tan leather, but learning how to cope and survive in an urban area." Charmaine Wisecarver, education consultant for Title IV Lakota Wawokiye Project, Rapid City, S.D.

- "Accreditation for Indian Community colleges is a 'catch 22.' It's impossible to get accreditation without stable funding, and it's impossible to get stable funding without accreditation. Community colleges are in a development stage and lack stable funding. The BIA has taken a limited view of their role in assisting emerging Indian colleges." Jim Shanley, president of Standing Rock Community College, Fort Yates, N.D.

- "The national Indian student dropout rate is 60 percent...There must be means to encourage Indians to stay in school. There needs to be curriculum that is relevant to Indian students...There has to be permanent funding sources for Indian curricula development, not funding on a year-to-year basis." Angelita Dickens, director of the American Indian Curricula Development Program, Bismarck, N.D.

- "One key area in Indian education that is woefully lacking is moneys for graduate programs...Our people definitely need doctors and lawyers and engineers - hard-core professionals. We are searching all over the country for money for Indian students who want masters and PhD degrees." Art Raymond, University of North Dakota director of Indian Studies, Grand Forks, N.D.

- "Career development, goal setting, personal self-evaluation, and value setting are all vital for Indian students before going to college. And it will not work without parental involvement. Parents should be aware of what is happening in the schools. It's their children." Delaine Nagel, University of North Dakota special services counselor, Grand Forks, N.D.

Several witnesses testified to a lack of communication between federal and BIA officials who set Indian education policies and local level educators who must implement those policies, the task force itself felt a communication gap: an apparent boycott of the AIPRC and its task force by North and South Dakota tribal councils.

Provoked, after seven hours of testimony and no input from any tribal council, Misiaszek said "It's sad when tribal councils feel they don't need to give input on Indian education. It's sad because education is their survival."

"It's political," Misiaszek said. "Some tribal councils don't like the selection of task force members, so they're ignoring the AIPRC. Ten years from now, after our report has been written and policies have been set with no input from tribal councils, they may be very sorry about what they're doing now."

The AIPRC is a joint Congressional commission created last year to study the major issues in Indian affairs, and to submit recommendations to Congress for legislative action.

According to Misiaszek, the education task force will hold four more hearings (in Oklahoma, New York, Alaska and a yet undetermined site in the West) before submitting its findings to the full AIPRC commission in June.

Written testimony, said Misiaszek, will be accepted and entered into the task force's record, provided it is postmarked no later than May 15.



Evelyn Gabe, chairwoman of Standing Rock's tribal education board, testifies that national Indian education policy is not communicated to local school boards.



While witnesses are registered for the afternoon session, task force member Lorraine Misiaszek (far right) speaks with Angelita Dickens.



Indian studies director Art Raymond tells of the pressing need for professional persons on the reservations.

our lore



Celebrate the Sun

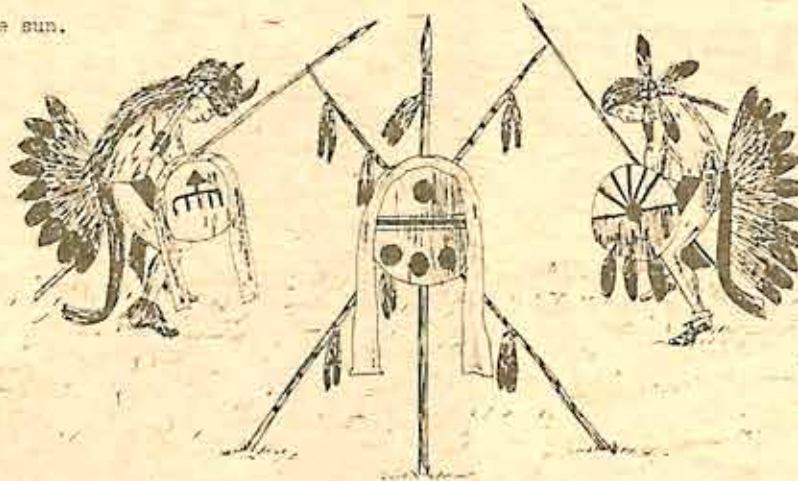
The following is an excerpt from "Circle of Life," one of the five books comprising the American Indian Curriculum Development Program's junior high school teaching kit. The text was written by Jane Kirchmaier, with artwork by Butch Thunderhawk.

Though some of the tribes warred against each other, we agreed on many things. We all knew there was a Great Spirit and we believed that all things in the world were a part of the Spirit. We saw that the sun was the greatest and highest thing in nature; that it gives life to everything. So we regarded the sun as the most special symbol of the Great Spirit.

In the springtime, when the sun shines for the longest time each day, everyone was happy to have the Great Spirit with him. The people in each tribe gathered and held festivals to show their happiness. The Mandan, Hidatsa and Arikara tribes each lived together in their villages. The Sioux bands traveled many miles to reach the meeting place of their tribe. Several Chippewa bands joined each other to celebrate. Each tribe began the growing season by gathering together and having dances and celebrations that would express their gratitude to the Great Spirit.

The music we used in our celebrations was like the heartbeat of the world. The main instrument was the drum. A group of men sat around it, each hitting it with a drumstick. The dancers sometimes accompanied the drum with flutes, whistles and rattles. Everyone sang, sometimes all together, sometimes by groups. Whatever the song, it had a melody like a sound in nature and each person who participated was totally involved. He did not only sing and dance, he became close to the Great Spirit. The songs were short so each singer could remember them very well.

We danced in a never-ending circle, following the same movement as the sun.



Every person who listened could interpret them the way he wanted. Our songs were like legends. We never told all details of a story. Then each person could fill in his own ideas and think of the story as being his own. We did not tell the end of a story because we felt a story never ended. A story goes on forever. In our songs the same phrases were repeated over and over again like it would never end.

We danced in a never-ending circle, following the same movement as the sun. We kept our bodies quiet and natural, never making uncontrolled movements. We thought and prayed while we dance. Every step was a design, every dancer wore designs, and the group make a design directed by the drumbeat of the world. A good example of Indian dancing was the rabbit dance. We copied a rabbit's movement with ours steps and danced with lightness and spring.

There was a song for nearly everything we did and we had dances very often. During the early summer when the sun shone for long periods and when the moon was full, we took it as a sign of the Great Spirit's blessing because we had

light throughout the whole day. This was time for special celebrations such as the Sun Dance, the Chippewa Midewinnin and the Mandan O-Kee-pa.

Meca-Xxoosha

"Meca-Xxoosha" in the Hidatsa language means "Dead Grass." This is a group of dancers among the Hidatsa people. In the Hidatsa way, there is one "drum-keeper" and there are four "tailfeather keepers." These four are the ones who decide on the dances and the lunch. They pick people to bring food for the dance. There are four drumsticks which are all beaded, have eagle feathers and some horse-tail at the top end. There are four boys who each keep one of these four drum sticks. There is also an announcer, who tells everyone of the upcoming dance and tells who is supposed to bring the food. One of the tail-feather owners has a buffalo-horn spoon. He is the one that prays to the holy eagles. If someone wants to give up his drum, drumstick, tailfeather, the buffalo horn spoon or his position as announcer, they pick someone from his "young clan" to take his place.

This person carries on the position in the best way he knows how.

There is also a "whistle-keeper" who keeps the dance lively. There could be eight or ten singers. When the singers sing a good song, everyone gets up to dance. The whistle-keeper knows when the song will end. He uses the whistle to mean the song will not stop-it will keep going. This is repeated four times and then the song comes to an end. If the whistle-keeper makes a mistake, the drummers can tell him what he should bring to the next dance, such as one whole beef or one fry bread. This is why he can't make mistakes. There is only one whistle for the Dead Grass Society. This whistle is holy and there is a long story behind it. No one else, except the keeper can use the whistle.

When the Dead Grass Society gathers together, the program doesn't start right away. First, a man would come in, dancing very quietly in full costume, but without bells. If he gets to the middle of the floor without being noticed by the singers, he can tell the drummers what they should do for the next dance. For example, he could tell each of them to bring a pot of meat.

When the Dead Grass Societies have a meeting, someone gets up to speak about why they have gathered. [This could be one of the tail-feather keepers.] For example, if there is to be a dance he could say, "We will dress in full costume. If any of you do not, you will be fined." Of course, they all dress up for the dance, but if someone doesn't their names are called and they must go to the middle of the floor to pay the fine. The person's relatives pitch in until there is enough to pay all of it. These people are not angry because these are our rules and we are used to them.

Gladys Irwin
Fort Berthold

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Indian culture goes to school

What do you think of when you hear the word Indian? Braves. Sitting Bull. Warriors. Cowboys and Indians. Fighting. Killing.

Diane Hurkes and Butch Bell received these answers from fourth graders in Bismarck schools.

Hurkes and Bell are workers in a new project began by United Tribes' American Indian Curricula Development Program (AICDP). Traveling in a motor van to Bismarck and Mandan schools with displays of Indian artifacts, Bell and Hurkes give short, informal discussions of the little known facts about plains Indians: the foods they ate, and how they prepared and stored them during winters;

their utensils made from antlers and animal bones; and the way they used animal skins for ornaments, clothing, blankets and pouches.

According to AICDP Director Angelita Dickens, the principle objective of the project is to provide a means of developing an appreciation and awareness of the native American culture.

Most of the articles in the exhibit were made specifically for the project, but some of the articles, up to 100 years old, were received from North Dakota's reservations. A high point of the program for students has been walking through the exhibit, examining and even touching those artifacts.

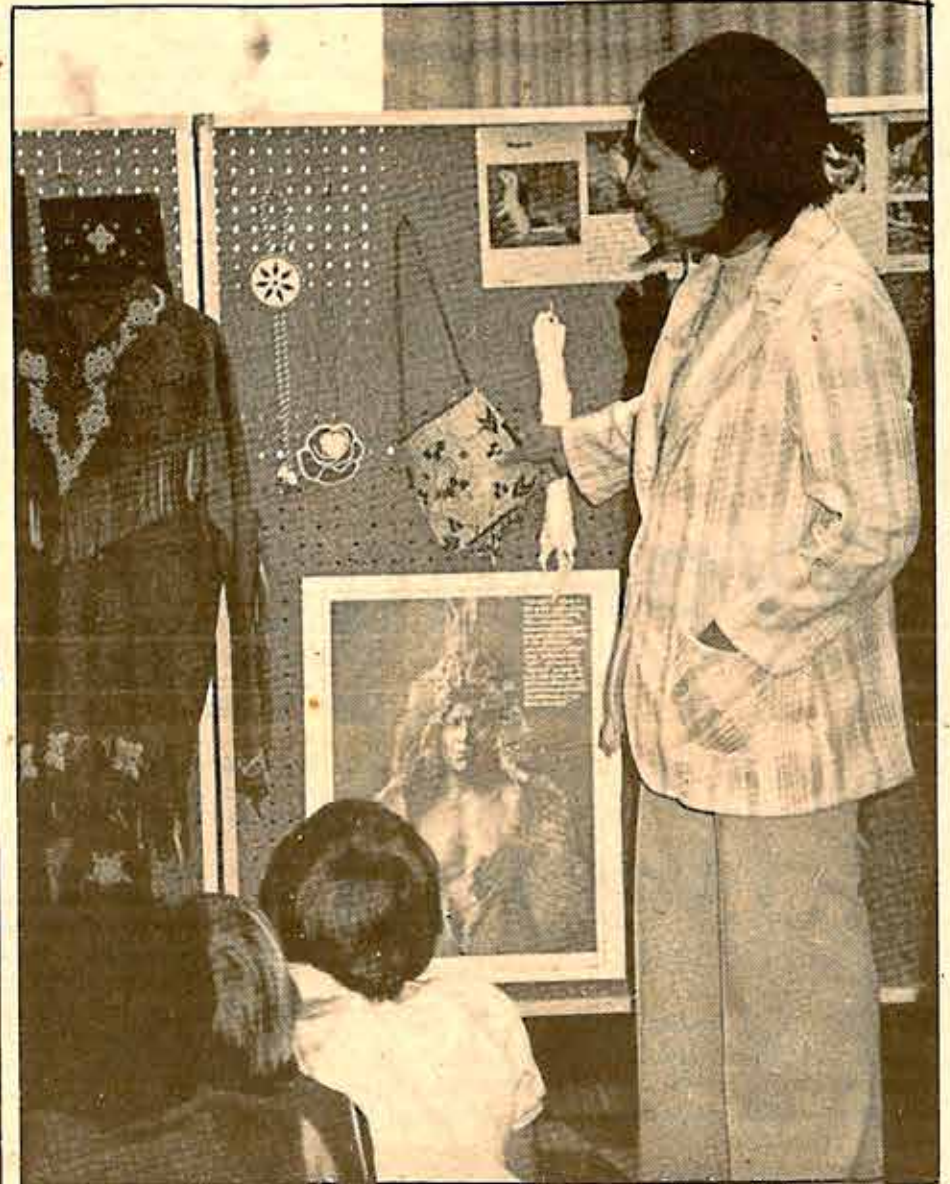
The response from teachers and students, to date, apparently has been positive. Hurkes and Bell are regularly pelted with questions from eager and curious gradeschoolers and, as one teacher put it, "Even I learned something about Indian culture."

The project, funded through a Comprehensive Employment Training Act grant, will continue through this spring but end in June.

Dickens said there was hope the project would begin again next fall, depending upon how well the exhibit and presentations are received by the schools.

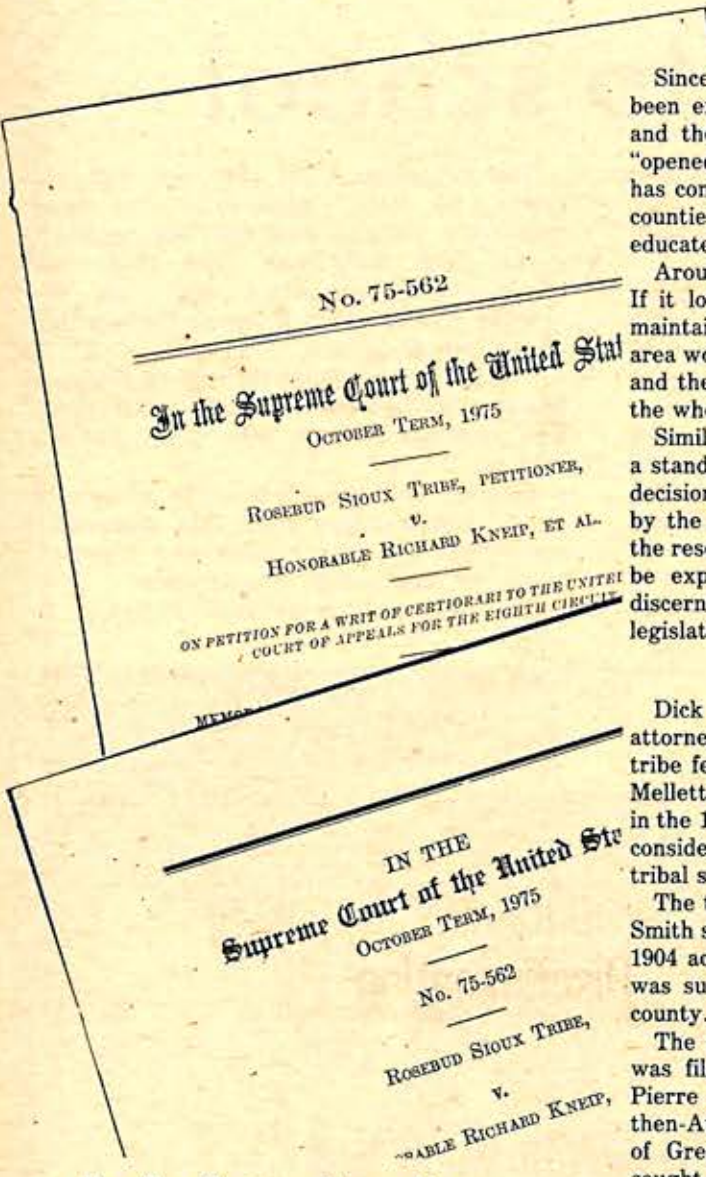
Story and photos by Karen Hilfer.

As one fourth-grader's eye is distracted from the displays Butch Bell [below] unloads exhibit articles from the project's van.



Diane Hurkes [above] details the craft of beading, while other students at Bismarck's Jeanette Myhre School investigate Indian articles for themselves.

IMPORTANT IDEAS TO BE DISCOVERED
1. INDIAN PEOPLE LOVE BEAUTY.



Waiting for Rosebud

By Jim Remsen

Tribal and federal attorneys have asked the U.S. Supreme Court to review a lower court decision which they consider a threat to reservations throughout the western United States.

The decision, issued by U.S. District Court Judge Andrew Bogue and upheld by the 8th Circuit Court of Appeals, held that the Rosebud reservation in South Dakota was substantially reduced in size by three "surplus lands" acts passed by Congress 70 years ago.

In a petition to the high court, the tribe and Justice Department argue that the decision should be reversed since it breaks with preceding rulings and endangers the status of at least 17 other reservations affected by surplus lands acts.

Ten western states, including North Dakota, have urged the Supreme Court not to alter the decision.

The tribal and federal attorneys have warned that the states might use the decision to launch a legal assault on tribal jurisdiction.

State officials deny the charge, and say their only goal is to have the court clarify who has jurisdiction on the portion of reservations "opened" by surplus land acts.

Surplus Land Acts

Beginning in 1904, Congress passed at least 21 surplus land statutes, under which non-Indians could buy and settle "surplus" reservation land which had not been allotted to tribal members under the General Allotment Act of 1887.

Rosebud was affected by three of these statutes, which opened four of the reservation's five counties.

A 1904 act declared that the Rosebud Indians "do hereby cede, surrender, grant and convey to the United States all their claim, right, title and interest in and to" the unallotted land in Gregory County.

The other two acts, in 1907 for Tripp and Lyman counties and 1910 for Mellette County, did not specify whether the tribe was relinquishing title to the land. The measures were passed "to authorize the sale and disposition of a portion of the surplus or unallotted lands" in those three counties.

Only Todd County, where most Rosebud tribal members live today, was unaffected.

Since those statutes were passed, South Dakota has been exercising jurisdiction over all but Todd County and the fraction of trust land remaining in the four "opened" counties. While the Bureau of Indian Affairs has continued to provide services to Indians in all five counties, the state has been able to tax, regulate, educate and arrest anyone off trust land in that area.

Around 1970 the tribe decided to gamble for control. If it lost, leaders reasoned, the status quo would be maintained; if it won, Indians throughout the "opened" area would be returned to federal and tribal jurisdiction, and the tribe could lay claim to regulatory power over the whole of the original reservation.

Similar claims were being won by other tribes, under a standard act in the 1962 *Seymour v. Superintendent* decision favoring the Colville tribe: "A determination by the Congress to terminate or separate a portion of the reservation and restore it to the public domain must be expressed on the face of the act or be clearly discernible from the surrounding circumstances and legislative history."

"Good Chance of Winning"

Dick Smith, a former Rosebud Legal Services attorney who argued the case in district court, said the tribe felt it had a good chance of winning control over Mellette, Tripp and Lyman counties, since the language in the 1907 and 1910 acts was identical to the language considered in the *Seymour* case and other successful tribal suits.

The tribe also laid claim to Gregory County, although Smith said they considered this a "throwaway" since the 1904 act, unlike the other two, declared that the tribe was surrendering its title to the surplus land in that county.

The suit, known as *Rosebud Sioux Tribe v. Kneip*, was filed in August, 1972, in U.S. District Court in Pierre against South Dakota Gov. Richard Kneip, then-Attorney General Kermit Sande and the counties of Gregory, Tripp, Lyman and Mellette. The suit sought a declaratory judgement that those counties were not removed from the reservation when they were opened up to homesteading.

Because of the absence of language in the statutes expressly altering the boundaries of the reservation, both sides to the suit had to scour the record books for signs of congressional intent.

A decision did not come until February, 1974. It stunned the tribe. Judge Bogue ruled against the Rosebud position, saying there was "clearly discernible" evidence that Congress had intended to remove the disputed territory from the reservation.

He cited the language of the 1904 statute. He cited subsequent statutes which referred to land in what was "formerly a part" of the reservation, or the "former Rosebud reservation." He pointed to a quote from a legislator of the time who was explaining that sections 16 and 36 in each area of surplus land was held aside for public schools, an act which could "not become operative until the reservation was extinguished and the land restored to the public domain."

Reservation Reduced

He cited a 1910 House report that the three Rosebud statutes had reduced the reservation from its original size of three million acres in 1889 to one million acres in 1910. And he cited a 1912 report by the commissioner of Indian affairs which stated that "the public at large has come to consider said lands a part of the public domain."

At this, Bogue ruled, supported the defendants' claim that the opening of the reservation "worked a diminution of the outer confines of the reservation and extinguished the same, making the reservation smaller than it originally was."

"While this court does not necessarily agree with the mores or the methods employed at that time," the judge added, "there is little doubt that the Congressmen were engaged in the process of the 'doing away' of the reservations. This court's only function is to determine Congressional intent, not to rewrite history."

The tribe quickly filed an appeal, and brought in Marvin Sonosky, a prominent Washington attorney retained by Rosebud and several other tribes, to argue the case before the three-judge panel. His position was bolstered by an *amicus* brief filed by the Justice Department.

Sonosky argued that many of the congressional statements of law cited by Bogue were erroneous. He told the court that there was no clear language of disestablishment in the statutes, and said that in other cases where Congress had intended to diminish the size of a reservation, it had clearly stated its wish.

And he complained that Bogue had ignored subsequent Congressional statements which indicated that the surplus land was still a part of the reservation.

The Justice Department argued that Bogue had disregarded a 1909 decision that laws affecting Indians "are to be liberally construed to their benefit, and doubtful expressions are to be resolved in favor of the Indians."

Sonosky and the department reiterated that the decision had gone against the growing list of

"diminishment" decisions which held that reservations affected by acts similar to the 1907 and 1910 Rosebud acts were not intended to be reduced.

Appeals Court Unconvinced

The appeals court was not persuaded. In an opinion issued in July, 1975, the three-judge panel upheld Bogue's ruling and said that the land in question was legally given away to non-Indian settlers.

Sonosky turned to the Supreme Court. In a petition filed last October, he asked the high court to review the case. By press time, no action had been taken.

Sonosky said he asked Indian groups to submit *amicus* briefs in support of the Rosebud position, and expressed anger that only the Association on American Indian Affairs, the Covelo Indian community of California's Round Valley reservation and the Justice Department have written briefs.

The Justice Department reportedly had not intended to file a brief, because department officials considered the case a loser. But the court asked Justice for its opinion, and the department submitted a paper this month.

The South Dakota position has been supported by a brief written by the North Dakota attorney general's office on behalf of Idaho, Iowa, Kansas, Montana, Nebraska, Nevada, New Mexico, Wisconsin and Wyoming. California also may join the list.

Sonosky's Efforts Belittled

The states' brief praises Bogue's decision. It also belittles Sonosky's effort "to bring the Rosebud legislation within the specific fact situations that militated persuasively against disestablishment in other cases," and argues against a "blanket application" of the result to similar cases.

"In at least some instances," the brief maintains, "a conclusion similar to that reached (in Rosebud) would not result in a destruction of any portion of any reservation that has been recognized as such since the passage of the statute in question."

In his petition to the Supreme Court, Sonosky noted that this is the first case in which a federal appeals court has held that a surplus land statute reduced a reservation. He said that the appeals court approached the case with the attitude "that the Indians had no use for the land, did not know how to use it, and were better off without it."

He said the decision "will open the way to destroy the reservation status of all, or parts, of at least 17 Indian reservations with an Indian population in excess of 69,000."

Standing Rock Said Threatened

Sonosky told the Standing Rock Sioux tribal council in January that in North Dakota, a bad decision could endanger all of Standing Rock, which was homesteaded through 1908 and 1913 acts similar to the 1907 and 1910 Rosebud acts; about half of Fort Berthold, which was opened by a 1910 act similar to the 1907 and 1910 Rosebud acts; and all of Devils Lake, which was opened by a 1904 act similar to the 1904 Rosebud act.

"The state of North Dakota," Sonosky told the council, "has filed a brief with the U.S. Supreme Court in the Rosebud case, in which they take the position that Standing Rock, Fort Berthold and Devils Lake are not Indian reservations."

This is incorrect; the North Dakota brief referred only to Rosebud.

North Dakota Attorney General Allen Olson said he thinks North Dakota officials have no plans to pursue jurisdiction over reservation land. He said his office has ruled, without clear guidelines, that the state has no jurisdiction over Indians on reservations, and said that he joined in the *amicus* brief to urge the Supreme Court to hand down "definitive instructions" regarding jurisdiction.

South Dakota Attorney General William Janklow, whom many Indians consider an opponent, was more adamant in his denial of a grand scheme. He said South Dakota has "absolutely no desire" to increase its jurisdiction, and noted that nearly all diminishment cases have been brought by tribes, not states.

"There's more fiction floating around about this than about the exploits of Genghis Khan," Janklow said. "Attorneys are telling tribes that if Rosebud Loses, they're next."

"Criminal jurisdiction is an expensive proposition. We're not looking for it. I hope we're finally finished with these cases. I sincerely hope that tribal councils will eventually be able to take care of their own affairs."

Not everyone is convinced by these disclaimers. Peter Taft, an assistant U.S. attorney general, told Indian leaders and lawyers at a recent litigation conference in Denver that he thinks the states are supporting Bogue's decision "not because of an ideal belief in the law, but because they want to use the decision in cases in their own states."

Sonosky agrees. "I think the states will try to use this to get jurisdiction," he said.

"Why do you think they filed suit? Doesn't this tell you something?"

By Steve Forsberg

You will find them near almost any reservation that has tried to assert jurisdiction over non-Indians. Mention one of the groups' names to a tribal leader fighting for sovereignty and a derogatory epithet is the likely response.

At a recent National Congress of American Indians (NCAI) conference in Denver many tribal delegates referred to them as "rednecks". NCAI President Mel Tonasket said they would do anything they could to fight tribal governments. Tonasket said, "They're pooling their money to buy the best attorneys they can to fight us."

The press has described them as "Indian backlash groups" and as an "apparent White-man's backlash against Indian nation sovereignty".

Rumors so permeate some reservations as to the supposed clandestine operations of the groups that it is difficult to separate fact from fiction.

The names of some of the groups are on the right of this page. Their reasons for conception and their goals are so similar you could virtually make a carbon copy of one and it would fit the rest.

The overwhelming majority of their members are non-Indians living on unallotted or surplus lands opened for settlement to non-Indians by Congress through a series of surplus land acts passed around the turn of this century. The groups claim to have formed in response to efforts by many tribes recently to reclaim original treaty boundaries and the accompanying jurisdiction.

Declaration of Purpose

The declaration of purpose of most of the groups reads something like this: The constitutional rights of all Americans must supercede the treaty rights of some; Indian reservations shall not be enlarged by boundary changes, by grants, by the power of eminent domain or by any other means; jurisdiction of tribal governments over non-members, who have no vote or voice in tribal government, should be prohibited; tribal members should not have the right to participate in non-tribal governments unless they are subject to the laws of those governments; and granting public funds to any group because of their race and denial of public funds to another for the same reason must be prohibited.

If you're a Native American living on a reservation with a growing population, limited resources and a high unemployment rate, you may find the above provisions frightening.

But members of the so-called "Indian backlash" groups find the idea of being subject to tribal jurisdiction without representation equally alarming.

Jack Freeman, a rancher from Faith, S.D., and president of the Interstate Congress of Equal Rights and Responsibilities (a regional group comprised of a number of the state groups) said: "An Indian is a tribal member and a U.S. citizen — I'm just a U.S. citizen."

Separate Is Not Equal

Freeman likens the situation to the 1954 Supreme Court decision in *Brown v. Board of Education*. The Supreme Court determined in that case that separate but equal is not equal. Freeman said "Insisting on segregation is as flagrant a two-faced system as you'll find. When we confront that system, we're called 'rednecks'. The problem is due to negligence on the part of the federal and state governments and the Bureau of Indian Affairs (BIA)."

Much of the heated discussion taking place on reservations in the Dakotas about the groups centers on one organization in particular — Civil Liberties for South Dakotans Inc. (CLSD).

The CLSD, which has a chapter near every reservation in the state, is regarded by many tribal members as one of the major opponents in legal battles to regain jurisdiction over lost land.

Robert McLaughlin, tribal planner for the Standing Rock Reservation, has accused the CLSD of having secret members and employing an attorney to research litigation, seeking the weakest case in order to expedite reservation termination.

Admittedly, the CLSD is for termination of reservations; but *United Tribes News* could not find any evidence that the group has in any way been involved in litigation efforts by the state of South Dakota to prevent reservations from exerting jurisdiction over non-Indians or to reclaim lost land.

The key to tribal members' belief that the state and the CLSD are cohorts is an attorney employed by both.

Tobin as a Key

Tom Tobin, of Winner, S.D., began researching for the state, especially on the *Rosebud v. Kneip* case, in 1972, while he was still in law school. But Tobin did not begin working for CLSD until 1975. In fact, Civil Liberties for South Dakotans was not organized until 1974. The group claims to have done so then because of attempts to assert jurisdiction over non-members and the lack of law and order on many reservations at the time.

Unmasking the 'Redneck' groups

So far the group apparently is concentrating on putting pressure on the state legislature and, through the Interstate Congress on Civil Rights and Responsibilities, on Congress.

And most of the organizations are not doing that very well. They have not been organized long enough to plan any specific strategies.

Robert Lambeth, president of Montanans Opposing Discrimination (MOD), said MOD was primarily organized to disseminate information of acts that affect both Indian and non-Indian people. When asked if MOD has been putting pressure on or influencing the courts in any way, Lambeth replied "No. I hope no organization will ever be able to influence the courts."

The only similar organization in North Dakota is the Fort Berthold Boundary Committee. Roland McMasters, mayor of New Town and a member of the committee, said "The biggest part of our problem is not knowing where we're at in terms of jurisdiction."

State-wide Requests

Although the Fort Berthold Boundary Committee is the only group in North Dakota, McMasters said there have been requests from all over the state for a state-wide organization, many from people who own cabins along the Garrison Reservoir.

Each organization, seemingly cast from the same mold, is concerned with the uniform application of basic rights granted by the constitution regardless of previous treaties between the federal government and the tribes.

W.Y. Armstrong, assistant director of Lummi Property Owners Inc., and his wife are retired. They live on land that once was part of the Lummi reservation in Bellingham, Wash. The Lummi tribe has been attempting to assert jurisdiction. Armstrong, who made it a point to clarify that he was not anti-Indian, believes he and his wife are entitled to all rights as a U.S. citizen where they are living. Armstrong's wife, who taught for a number of years at schools on the reservation, said "This is an awful mixed up mess. You wouldn't think this could happen in a melting pot America."

The solution to the problem for the non-Indian living on former reservation land is termination of tribal governments.

Jack Freeman, also a member of CLSD, was quoted by Lyn Gladstone in the *Rapid City Journal* as saying "We believe they (Indians) should think in terms of termination — and a lot of Indians are beginning to believe this because it will be of both economic and social benefit — not immediately but maybe 10 or 15 years in the future."

Indians As Members Too

Freeman was not the only group spokesman who claimed there was substantial support among some tribal members for the ideals embraced by the organizations. Most spokesmen did, but were reluctant to give names of Indian supporters even when offered anonymity by the *News*. The primary reason given was fear of tribal repercussions if identities were revealed.

One Indian who was willing to talk with the *News*, was Bill Big Springs, a Blackfeet from the Flathead Reservation in Montana. Big Springs, a rancher, had attended the Interstate Congress on Civil Rights and Responsibilities conference in Salt Lake City.

"I am not a traitor to my tribe," Big Springs said, "but I believe every landowner should control the water on his land except a large river." Big Springs is involved in disputes with his tribe over water rights and the development of some land he owns on the reservation. "My neighbor was doing the same thing but they didn't touch him. He's non-Indian," said Big Springs.

Freeman also spoke of the need for individual freedom to establish an economic base: "You must use land for equity, for credit. Indians can't because of the tribe and trust status of the land."

"The salvation of Indian ancestry, of the individual, is not in group effort. The government insists that his (Indian's) economy come through the umbrella of racially oriented group policies and programs. That has disclaimed his individual ability to survive on his own. That's the way it was before the Europeans came," said Freeman.

As for the label rednecks, Freeman said "If we were rednecks we would have had clashes before this."

Concerned
Citizens Council

Montanans Opposing
Discrimination

Wyoming Citizens
for Equality
in Government

Leech Lake Area
Citizens Committee

Lummi Property
Owners Inc.

Roosevelt City
Corporation

Interstate Congress
on Civil Rights
and Responsibilities

Fort Berthold
Boundary Committee

Civil Liberties for South
Dakotans Inc.

Committees delay health care act

Passage of the Indian Health Care Improvement Act by Congress may be later than expected.

In an interview with *United Tribes News* last month, Frank Ducheneaux, counsel to the subcommittee on Indian affairs of the House Committee on Interior and Insular Affairs, estimated the bill would be sent to President Ford for his signature or veto by late May or early June. This month, Ducheneaux's office was unwilling to predict when the bill might reach the President's office.

After surfacing from the House Interior and Insular Affairs Committee, the bill was referred to the House Committee on Interstate and Foreign Commerce (to discuss jurisdictional matters) and to the House Ways and Means Committee. Those two committees have until May 12, to return the bill to the House floor. From the House floor, the bill will be referred to the House rules committee and back again, to the floor, where it will face approval of the entire House.

The bill has already passed the Senate, and House approval is expected. But there is a difference in the amount of money allocated by each version. The Senate version authorizes 1.6 billion over a seven year period; the House version, 1.18 billion over the same period. If and when the House approves it's version of the bill, the Senate and House will have to resolve the difference between the two versions.

The proposed bill is aimed at alleviating serious deficiencies in the delivery of health care services to Indians. Six separate titles in the bill address these deficiencies: Title I, Indian health manpower, will provide scholarships and recruitment programs to increase the number of Indian health care personnel; Title II, patient care services, provides for the elimination of backlogs in services, patient care, field health care, community mental health care and the treatment and control of alcoholism; Title III, construction, provides funds for adequate facilities; Title IV, Medicare and Medicaid, allows Indian Medicare and Medicaid beneficiaries to utilize Indian Health Care facilities; Title V, urban Indians, provides funds for health services for urban Indians; and Title VI, miscellaneous, authorizes the National Indian Health Board to undertake a thorough study of mental health problems and conditions in the Indian community.

UTETC students come and go



Twenty-nine students began classes at UTETC this month. First row (from l.) are Julia Hummingbird, Mary Ann Aman, Bernie Keplin, Beverly Ten Fingers, Joyce Youpee, and Rose Young. Second row: Aaron Aman, Theresa Davis, Marvin Hummingbird, John Youpee, and Lenard Young. Third row: Ronald Ohlerking, Melvin Kiplin, Dennis Ten Fingers, and Bernard Two Hearts. Fourth row: Gus Old Bear, Roland Thunder Shield, Marlin Not Afraid, Raymond Moniz, Shirley Azure, Whitney McKean, and Elanie McKean. Fifth row: Terry Steele and Wilbur Peneaux. Sixth row: Al Buckskin and Ron Red Blanket. Seventh row: Vernetta Denny, Lorie Denny, and Janis Denny.

Nine students graduated from UTETC at ceremonies April 8th. Six of these have been placed and are at their job sites. They include Richard Vondal, automotive, at Grand Forks, N.D.; Raymond Enjady, welding, Albuquerque, N. Mex.; David Allery, welding, Bismarck; Inez Ward, nurse aide, Billings,

Mont.; Alva Bear Heels, nurse aide, Rosebud, S.D.; Linda Leader Charge, police science, Rosebud, S.D.

Three others are currently awaiting placement. They are Vandyce Clay, welding; Jim Bordeaux, nurse aide; and Candace Vondal, police science.




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Jurisdiction and tribal government

By Tom Disselhorst
United Tribes Legal Staff Member

Almost anyone who has talked to a lawyer or who has gone to court for any reason knows that lawyers sometimes speak a strange language which is filled with strange words.

These words, and the lawyer's ability to use them are a lawyer's stock-in-trade.

Such words and phrases are more than just magic formulas used to get clients out of trouble or to get large money judgements. Special legal words and phrases may represent ideas, problems, and procedures for solving problems. Sometimes a single word may require several law books to fully explain its meaning.

For Indian people, certain legal words are especially significant. One which occurs several times in this issue of *United Tribes News* is "jurisdiction."

Usually this term is used in the form of a question: "Does this court have jurisdiction to hear the case before it?" That question may be roughly translated as follows: Does this court have the authority and power to decide this particular dispute?

The authority to decide cases is usually granted to a court by a constitution (state or federal), by a statute, or, in the case of Indian tribes, by a treaty. Such authority extends generally over a specific geographical area, and may be limited to certain kinds of disputes which occur within that area.

For example, tribal courts have jurisdiction over (may decide) criminal cases listed in the tribal codes which involves Indians on the reservation. Crimes

not listed in the tribal codes and involving Indians are usually handled in federal district courts.

A tribal court may also hear most civil cases involving Indians on the reservation. Civil cases are such things as divorces, contract disputes, suits for damages caused by accidents, and will contests.

Civil cases involving non-Indians as defendants may be handled in tribal court, but usually the case must be for damages less than a fixed amount. (\$300 is a typical figure.) Otherwise, the case is heard in state court.

If the dispute is between Indians or non-Indians who live off the reservation, then it may be brought in state court.

Under federal law, certain kinds of cases are always decided in federal courts, no matter where the dispute arose or who is involved. One example is when Indian tribes are claiming that the Federal government owes them money for land improperly taken from them. Such cases must be brought in the federal Indian Claims Court in Washington, D.C.

In some civil cases, the person starting the lawsuit has a choice of which court, federal, state or even tribal, to bring this lawsuit. The word for this is "concurrent jurisdiction."

The question of jurisdiction is one which may come up in any lawsuit. Even though it is a word which can have many complicated meanings, jurisdiction is often simply equal to the word power.

For Indian tribes, loss of jurisdiction may mean loss of power to govern themselves free of interference from state and federal governments. Thus, "jurisdiction" is a keystone of self-government for Indian people.

Native recipes

The Dakota people lived close to nature and used many of her gifts of food. Here is a list of common plants used as food:

1. Cattail:
 - a) Boil or bake the roots and eat like potatoes.
 - b) Powder the roots and use for thickening soups.
 - c) Use the shoots for salad-similar to cucumber.
 - d) Mix the yellow pollen half and half with regular flour to make golden pancakes.
2. Crabgrass:

Gather the seeds and cook them like rice for a good breakfast cereal.
3. Dandelion:
 - a) Use the roots for tea.
 - b) The white area at the top of the roots makes a good boiled vegetable.
 - c) Leaves are good for salad or boiled greens.
4. Milkweed:
 - a) Eat the flowers raw.
 - b) Cook the shoots like asparagus.
5. Peppermint Tea:

This grows wild and is found growing along water. Sioux people pick the plants every summer and dry the leaves stems and all. The leaves are then removed and stored for the winter months. The tea is prepared just as any other type of tea.

[From an Indian recipe book compiled by the staff of the United Tribes Educational Technical Center. Copies of the book are available for 75 cents each from the Office of Public Information at UTETC, 3315 S. Airport Rd., Bismarck, ND 58501]

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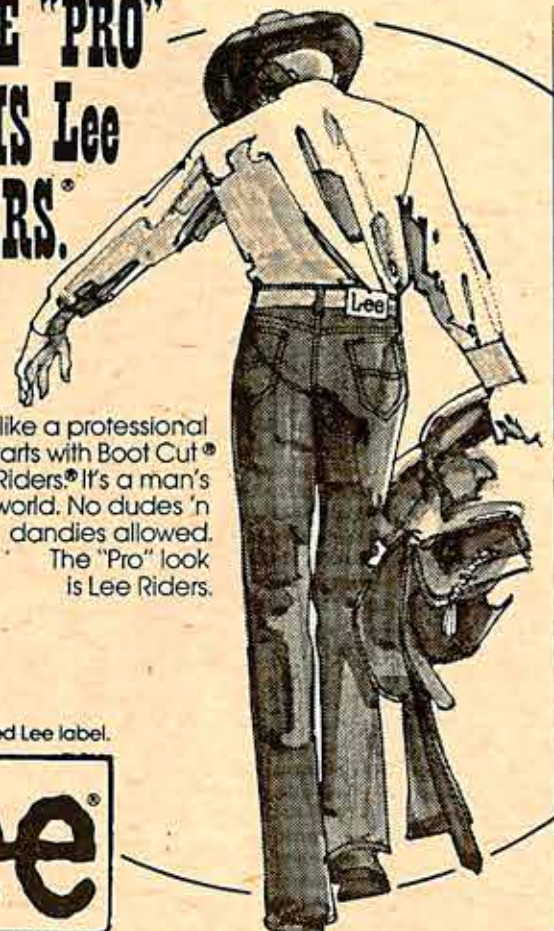
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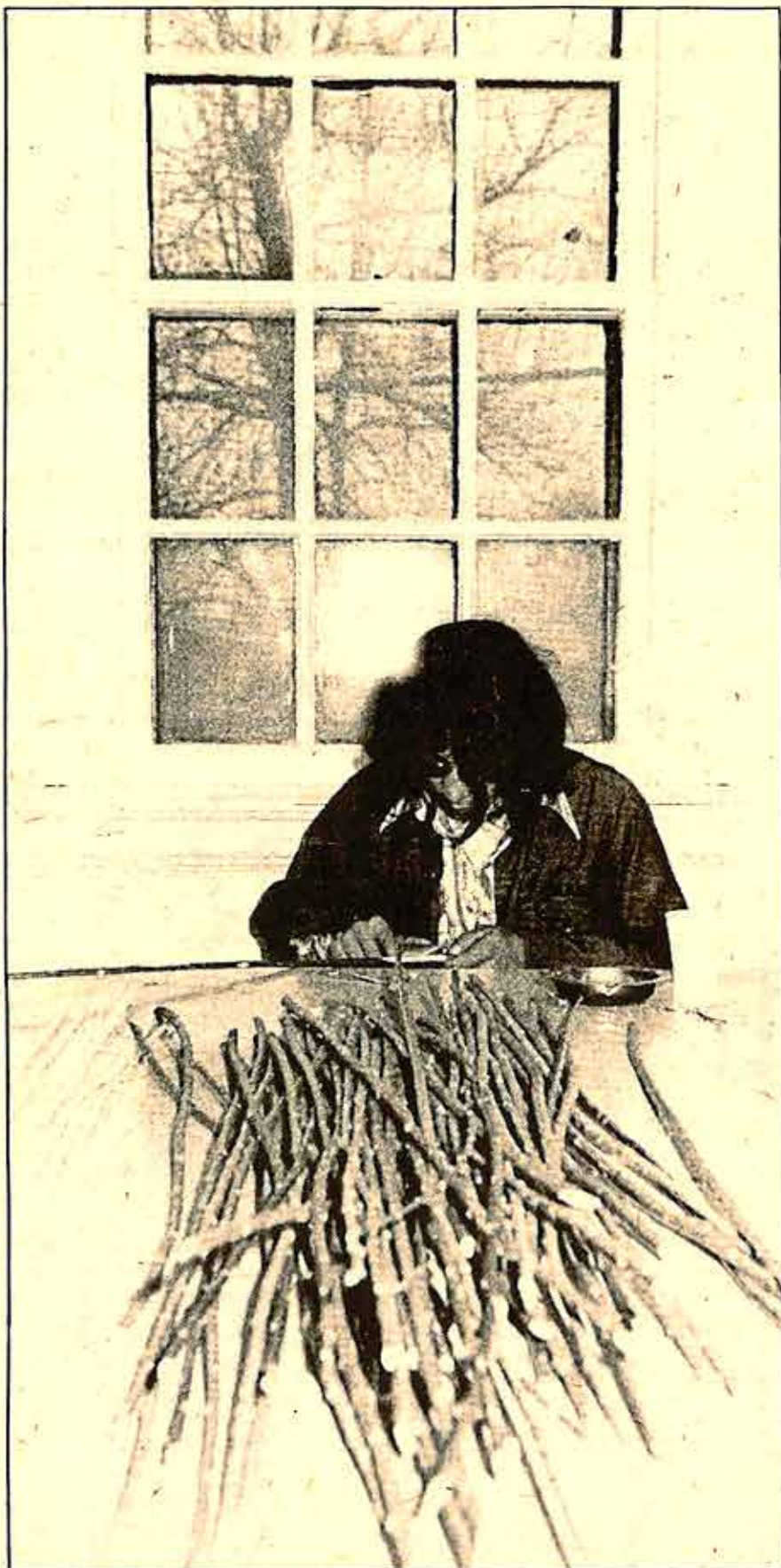
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Stripping bark from a willow sapling. The saplings will be straightened and made into a backrest.

Culture center looks for artists

The United Tribes Culture Center at UTETC is seeking funds for its new Indian artists-in-residence program while looking for artists to participate.

The Center has mailed over 100 query letters to Indian artists around the nation, asking them if they would be willing to take part in the program.

That would mean coming to UTETC and teaching their particular skills and crafts.

Each month of the artists-in-residence program will be devoted to a different Indian art form: crafts, dancing, religion, and sketching and painting.

Classes held during evening hours will be open to the general public.

For more information on how you can help or take part, write: United Tribes Culture Center, 3315 S. Airport Road, Bismarck, N.D. 58501. Telephone: 701-255-3285 ext. 274.



Tanning class members examining the grain of a deer hide.

around INDIAN COUNTRY

"Chick" plans to run

BELCOURT, N.D. - Eugene "Chick" LaFromboise, member of the Turtle Mountain Chippewa Tribe, said he will file petitions to have his name placed on the September primary ballot in North Dakota's 9th District.

LaFromboise's decision to file petitions came after he was defeated by Allen Richard, a farmer from Dunseith, N.D., in a bid for the 9th District Democratic-Nonpartisan League's endorsement for a state House seat.

Describing himself as a conservative Democrat, LaFromboise said, if elected, he would "help pass legislation to provide for better educational opportunities for schools, teachers and students..... It seems that the legislature has been allocating money for projects but not following up to see how effective the programs are. I'd like to follow up on that."

Henry seeks his third

BELCOURT, N.D. - Edwin James Henry, Turtle Mountain Reservation tribal chairman, is seeking his third consecutive term on May 10. In his bid for re-election, Henry faces challenges from Gregory H. LaVallie, Norman J. Parisien, Patrick Belgarde, Robert Davis, Charles Gourneau, Ernest Patnaude, Georgie Peach and Tony Perronteau.

In addition to the tribal chairmanship, eight other council seats will be vied for by 53 candidates.

Reservation voters will also decide whether or not to approve two referendums on the ballot. The first referendum calls for the consolidation of the reservation's four voting districts into one district for future elections; the second would extend the present tribal judge's term of office four years.

Polls will be open at Turtle Mountain from 8 a.m. to 7 p.m. at these locations: District 1, the American Legion; District 2, the Mainstream Building; District 3, the Greatwalker School; and District 4, the Dunseith Day School.

Arikara village found

PIERRE, S.D. - A 250 to 300 year old Arikara village has been unearthed by bulldozers at a construction site next to the Pierre Indian School.

James Gillihan, South Dakota director of preservation, has convinced the owner of the land to leave a small area unworked until he has time to go through the mounds that dot the site.

Gillihan must rely almost entirely on volunteer help. Each volunteer works on a separate hole which Gillihan said the Indians used as storage, and eventually garbage pits.

"The Indian people dug pits in the middle of their earth houses. It was the only way they could store deer or buffalo meat to keep it cool and prevent it from spoiling for awhile," Gillihan said.

"When the food was gone, they'd often throw the garbage into the pit and cover it. That's why we're finding the bones and broken pots," Gillihan added.

With the laborious task of sifting through the ashes and soil, in search of more information, still ahead of him; Gillihan hopes to solicit the aid of artifact-happy amateurs to complete his task.

Group seeks lawyer

WASHINGTON - The Institute for the Development of Indian Law is seeking an Indian staff attorney to do litigation and research as part of their new American Indian Treaty Defense Program.

The Institute is an action research organization engaged in training, research, publication and litigation in the interests of ensuring those rights which will enable Indian people to continue their way of life.

- Duties of the staff attorney will include:
- doing legal research and writing
 - Providing legal representation to Indian people
 - Establishing, coordinating and working with panels of experts in Indian law and history
 - Performing other limited administrative duties.

The program will be located in the Institute's offices in Washington, D.C. Substantial travel may be required. Salary will be commensurate with ability and experience.

Inquiries and resumes should be sent to Tim Coulter, director, American Indian Treaty Defense Program Institute for the Development of Indian Law, Suite 200, 927 15th St., NW, Washington, D.C. 20005. Telephone, 202-638-2287.

Sturdevant Convicted

JUNEAU, Wis. - Michael Sturdevant has been convicted on felony charges stemming from the Menominee Warrior Society takeover of the Alexian Brothers estate near Gresham last year.

A Circuit Court jury found Sturdevant guilty of six counts of false imprisonment, two counts of armed robbery and one count of armed burglary.

suits & settlements

Court ponders taxes

WASHINGTON - The Supreme Court is hearing arguments on whether six states have the right to tax Indians living on reservations.

The case could affect more than 100,000 Indians in Minnesota, California, Nebraska, Oregon, Wisconsin and Alaska.

A Minnesota Chippewa Indian, Russell Bryan, claims the tax on his mobile home is a violation of the tribe's sovereignty. County tax officials say the tax is legal under a 1953 federal law that gave the six states power to assert civil and criminal jurisdiction over Indians in those states.

The federal government has filed a friend-of-court brief agreeing with Bryan's contention that the 1953 law merely provided judicial forums for litigation.

Violations Alleged

DUNSEITH, N.D. - An Indian woman from here has charged the San Haven State Hospital with violation of her civil rights.

Phyllis Henry charged the hospital violated her civil rights under Title VII of the Civil Rights Act of 1964, and the Thirteenth and Fourteenth Amendments to the Constitution.

Henry, who claimed to have filed the suit on behalf of all American Indians, had her suit reduced from a class action by U.S. District Judge Paul Benson because the class was not adequately defined and clearly ascertainable.

But Judge Benson did rule Henry may continue with her suit against the state hospital at San Haven as a result of disparate treatment in her dismissal. Employees filing discrimination complaints under Title VII are protected, by law, from employer retaliations such as dismissal.

appointments

Carpio goes to Arizona

SAN CARLOS, Ariz. - Jose M. Carpio, an Isleta Pueblo Indian, has been named BIA superintendent for the San Carlos agency in eastern Arizona.

Carpio, former superintendent of the Umatilla agency at Pendleton, Oreg., will replace retiring James P. Howell on May 9.

A graduate of the Albuquerque Indian School, Carpio was the administrative manager at the Eastern Navajo agency, Crownpoint, N. Mex.; and at the Institute of American Indian Art, Sante Fe, N. Mex.

Finance man named

WASHINGTON - Joseph W. Gorrell has been appointed assistant director for financial management of the BIA, succeeding retiring John P. Sykes.

The Interior department's deputy director of outdoor recreation, Gorrell, 43, has worked as a budget examiner for the Office of Budget and Management, as a program analyst with the agriculture department, and as a staff assistant to Interiors assistant secretary for land and water resources.

Gorrell, in his new position, will be responsible for the bureau's program planning and budget development and the bureau's accounting operations.

Rocky Boy gets head

BOX ELDER, Mont. - Indian Affairs Commissioner Morris Thompson has announced the appointment of Leo Brockie Jr. as the BIA superintendent at Rocky Boy's agency in Montana.

Brockie, a Chippewa-Cree Indian, graduated from Northern Montana College and was the community services officer at the Fort Belknap agency in Harlem, Mont.

Brockie had been the acting superintendent at Rocky Boy's for the past year.

'Super' for Navajo

RAMAH, N. Mex. - Ralph E. Paisano has assumed duties as the new BIA superintendent at the Ramah Navajo Agency in New Mexico.

Paisano, a Laguna Pueblo Indian, attended the University of New Mexico and has completed extensive management training within the Interior Department.

A civil service worker since 1952, Paisano had been an employment assistance specialist in the Albuquerque area office until his recent appointment.

sports

Boxing tryouts set

CARSON CITY, Nev. - The western Olympic boxing tryouts are scheduled for May 19-22 at the Steward Indian School near Carson City, Nev.

Winners from the tryout camp are eligible for the final Olympic tryouts in Cincinnati, Ohio.

Weigh-ins for the western camp begin at 9:00 a.m. on the 19th with boxing beginning May 20th. Participants are responsible for their own expenses.

Finalists may receive an all expense paid trip by the U.S. Olympic committee to Cincinnati on June 9-12.

'Jax' are champs

RENO, Nev. - The "L.A. Jax" of Los Angeles, Calif., are the National Indian Activities Association's (NIAA) women's basketball champions for the second straight year.

The defending champion Jax outdistanced the "Bay Area Jets" San Jose, Calif., 62-52, while "Yakima Scow-Ma" of Yakima, Wash., took third place, beating a Nanaimo Inter-tribal team from Nanaimo B.C., Canada.

The NIAA tournament, hosted by the University of Nevada, Reno, saw sixteen teams vie for the national crown. The tourney's most valuable player award went to Judy Laven of the L.A. Jax, and the individual sportsmanship trophy was presented to Daisy Tallman of Yakima, Wash.

Archery meet slated

TSAILE, Ariz. - The second annual NIAA National Archery Championships are slated for May 28-31 at the Navajo Community College, TSAILE, Ariz.

Champions from the tournament's free style events will have the opportunity to participate in the AAU U.S. championships in Pennsylvania this August.

Interested archers should contact Evan Oswald, Navajo Community College, Tsaile, Ariz. 86556. Telephone 602-724-3311.

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\$7,480 in total dancing contest prize money. Prize money for: foot races, long hair contests, spear throwing, star quilt contests, and horse shoe pitching.

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1st	\$100
Little Boys' (10 yrs-under)	
1st	\$50
Little Girls' (10 yrs-under)	
1st	\$50
Singing Contest	
1st	\$700



Pine Ridge abolishes resolution

PINE RIDGE, S.D. - Albert Trimble, newly installed Oglala Sioux tribal chairman, called for and got an unanimous repeal of an emergency powers resolution in his first meeting with the Pine Ridge tribal council.

The emergency powers resolution gave the tribal chairman the authority to act as he saw fit in any situation he considered an emergency. The resolution had been introduced in 1972 by former chairman Richard Wilson after the American Indian Movement (AIM) occupation of the Bureau of Indian Affairs building in Washington.

In another move, Trimble announced that tribal council meeting will be held at various sites on the reservation, rather than exclusively at Pine Ridge.

"The new tribal government must respond with real concern for its people and effect changes that are demanded," Trimble declared, adding that good local government is the answer to the problems of jobs, housing and business.

Legal aid planned

BISMARCK - A statewide legal aid program for the poor was tentatively established early this month by a committee of lawyers and citizen group representatives, according to Jerry Broadhead, director of the Governor's Division of Economic Opportunity.

Broadhead said the committee drafted corporate by-laws for the statewide legal services program which will be presented at a second conference.

That meeting might be in mid-May, said Linda Katalano, Devils Lake legal services attorney.

David Gilbert, Legal Services Corporation regional director for Denver, indicated the newly-formed group may affiliate with the national Legal Services Corporation, a nonprofit, federally chartered corporation which provides legal assistance for the poor.

Gilbert said North Dakota currently receives about \$120,000 in federal funds for two legal services programs, the Society for Legal Aid in Fargo and the North Dakota Legal Services in New Town.

Gilbert said that 90 percent of North Dakota's poor currently have no legal services program available to them.

Tribal cop beaten

ROSEBUD, S.D. - A former UTETC police science student was beaten on the job last month after delivering a patient to the Yankton state hospital.

Roger Eagle Elk, 21, Rosebud Sioux tribal policeman, received facial cuts and bruises when he stopped for gas in Winner, S.D.

Tripp County Sheriff Darrell Meiners said Eagle Elk recognized his assailant as a man he had arrested last year.

news briefs

No bail for Jensen

BISMARCK - The North Dakota Supreme Court upheld a lower court order last week, denying bail to Herbert O. Jensen while he appeals a conviction on two counts of second degree murder.

The court also denied a motion to find Jensen indigent so that his attorney fees and expenses on appeal would be defrayed by the state.

Jensen was convicted in February on two counts for the murder of two Indian hitchhikers and sentenced to 20 years on each count.

Citing Jensen's demonstrated violent behavior and an insanity plea later denied during the trial, Wells County District Court Judge M.C. Fredericks had earlier denied a motion that Jensen be released on bail pending appeal of his case before the state Supreme Court.

In upholding Frederick's denial, Associate Justice Robert Vogel wrote "One who is convicted of two counts of second-degree murder, has exhibited a tendency to resort to violent acts when angered, and admits to being a 'racist' as to Indians is not entitled to be released on bail pending appeal from the murder convictions.

"A defendant who has a tax-free monthly income in excess of \$1,000, has no dependants, and owns a substantial equity in real estate is not 'indigent' within the meaning of the law," said Vogel, regarding Jensen's request for a court-appointed attorney.

Peltier wins appeal

VANCOUVER, B.C. - Justice Patrick Mahoney of the Federal Court of Canada has overruled a judge of the British Columbia Supreme Court by ordering that Leonard Peltier, a fugitive being held for an extradition hearing, be granted the right to remands every eight days.

Peltier, a 31-year-old Indian, faces charges in the United States of murdering two FBI agents on South Dakota's Pine Ridge Reservation.

Justice Mahoney, saying accused persons in extradition hearings are entitled to the same right to remand that is granted to all other prisoners under the criminal code, ordered Justice Victor Dryer of the British Columbia Supreme Court to ensure that Peltier appears in court every eight days until his hearing begins May 3.

Peltier has been held in solitary confinement in the Lower Mainland Correctional Center at Oakalla since shortly after he was apprehended Feb. 6 near Jasper, Alta.

CETA training set

About 150 American Indians and Alaskan natives will receive training in how to operate employment and training programs under the Comprehensive Employment and Training Act (CETA).

American Indians from North Dakota, South Dakota, Colorado, Montana, Utah and Wyoming will be included in the workshop to be held in Denver on May 18-20, according to Scott McLemore, senior project officer in Denver for the Division of Indian and Native American Programs.

Economically disadvantaged Indians are one of the special target groups specified in CETA, and tribal councils and other Indian organizations are allocated funds under Title III to conduct comprehensive training programs. Tribes are also allocated funds under Title II for public service employment projects.

Workshops will be conducted in:

Tulsa, Okla.	May 4-6
Denver, Colo.	May 18-20
Chicago, Ill.	May 25-27
San Francisco, Calif.	June 1-3
Seattle, Wash.	June 8-10
Anchorage, Alaska	June 15-17

DWI charged

LAME DEER, Mont. - Northern Cheyenne Tribal Judge Raymond Two Two has been arrested on charges of driving while under the influence of alcohol, violence to a police officer and resisting arrest.

Two Two, an associate judge under the tribe's legal code, was arrested Wednesday night, April 14, and held in the Northern Cheyenne tribal jail. Normally on Thursday mornings, Judge Two Two would have handled trial cases for others charged with misdemeanor offenses on the reservation.

Chief Judge Tom Gargner would probably handle Two Two's arraignment, said a police officer.

Indian center opens

The Mid-America All-Indian Center in Wichita, Kan., will hold its grand opening May 23-29.

The center is the only nationally recognized Bicentennial project in Kansas and is the home of Blackbear Bosin's sculpture, "Keeper of the Plains."

The seven-day opening will feature cultural displays and ceremonies of Indian tribes from throughout the U.S., with each day devoted to a different section of the country.

More than 100,000 people are expected to attend the celebration which begins with the welcoming of Miss Indian America and ends with a grand intertribal dance.



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