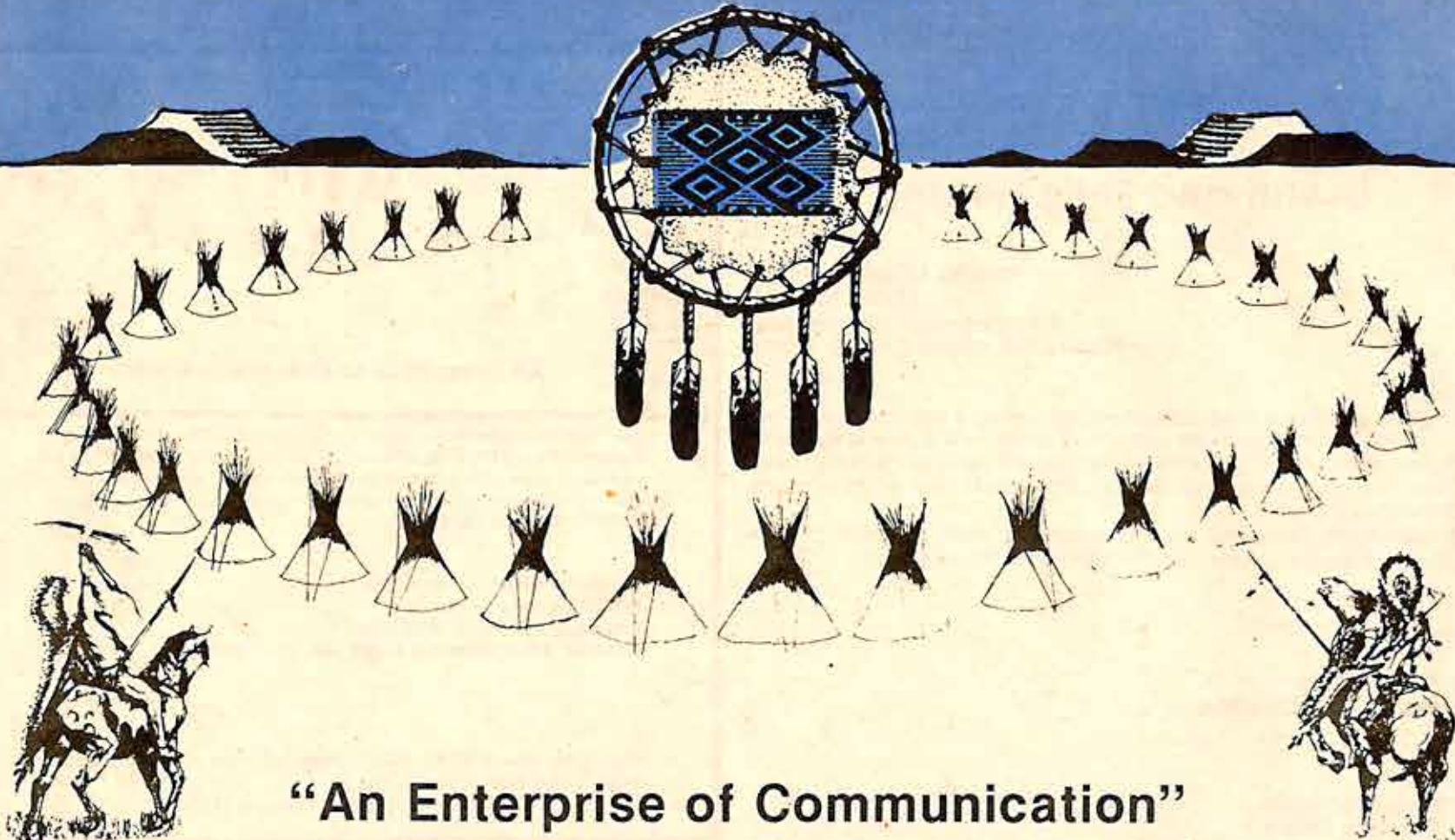


UNITED TRIBES NEWS

Bulk Mail
U.S. Postage Paid
Nonprofit Org.
Permit No. 12
Grafton, ND 58237



"An Enterprise of Communication"

Vol. 7 No. 1

Copyright 1982, UTETC Bismarck, N.D.

January 1982

UTETC HAS EDUCATION TECHNICAL ASSISTANCE CENTER

Bismarck, ND - The United Tribes Educational Technical Center (UTETC) was awarded a contract on December 29, 1981, to carry out technical assistance throughout an eight state region to elementary and secondary schools and tribes receiving Title IV Indian Education Act funds.

A nine member staff has begun immediate operations of the resource and evaluation center, directed by Dr. James L. Davis, former UTETC

dean of education.

The award was made by the Office of Indian Education, U.S. Department of Education, as a result of competition with other organizations throughout the country. UTETC will provide training, technical assistance and evaluation guidance to more than 255 Title IV grantees through an "Indian Education Act Resource and Evaluation Center II" located on campus at Bismarck, North Dakota.

The grantees are public and contract schools and tribal organizations receiving such funds located in North and South Dakota, Montana, Wyoming, Minnesota, Wisconsin, Iowa, and Nebraska.

The resource center staff will provide grantees specific assistance in areas of needs assessment, developing measurable program objectives, and program and evaluation design.

Title IV grantees may con-

tact Center II staff by calling toll free numbers. Within North Dakota dial 1-800-932-8997 and outside North Dakota call 1-800-437-8054. Information and/or technical assistance requests can be obtained by calling or writing: Director, Resource and Evaluation Center II, 3315 South Airport Road, Bismarck, North Dakota 58501.

NCAI, NIEA, AIHEC TO MEET IN JANUARY

Washington, D.C. - Scheduled to be held in Washington, D.C. is the "Winter Conference" of the National Congress of American Indians (NCAI) from January 27 - 29, 1982, at the Quality Inn Downtown. Tribal Leaders will attend, meeting with the NCAI executive council and listening to Reagan representatives and congressional speakers. President of the National Congress is the Honorable Joe DeLaCruz.

The NCAI Education Concerns Committee will also meet, beginning on January 26, 1982, at the Quality Inn Downtown. Aside from representatives from the Tribes, the meeting will be a joint sponsored session with the National Indian Education Association (NIEA). Gay



Lawrence is the executive director of NIEA.

The American Indian Higher Education Consortium (AIHEC) is holding its "regular board of directors meeting" of the tribal/Indian community colleges on January 25-28, 1982, at the Gramercy Inn, Washington, D.C. The consortium is comprised of 17 member colleges with Mr. Elgin Bad Wound, president of the consortium and the Oglala Community College, Pine Ridge, South Dakota.



CHILDREN NEED HOMES

There are several Indian children desperately in need of your care and love. Many Indian children have lost self-esteem and identity by growing up in white foster homes. This trend cannot be halted unless Indians open their homes and hearts to their next generation.

It is a federal law that Indian children be placed in homes with a tribal background similar to their own. If such a home is not available the next choice is an Indian foster home. It is our misfortune that most of the time neither of these options are available.

Families of the following Tribal backgrounds are especially needed at this time: Aleut, Eskimo, Tulalip, B.C. Canadian, Nooksack, Chippewa-Cree, Blackfoot, and Shoshone-Bannock. Stable couples with grown or no children are needed for both foster and adoptive

placement of siblings. There are also many single children in need of good homes.

Homes are needed for boys and girls who have been sexually exploited or abused. Single women with no men or teenaged boys in the home are especially good for such cases.

If you are an Indian or Alaskan Native and have a good family life to share with children call for further information on adoptive or foster licensing. Ask for Ramona Bennett, (206)474-0793, Tacoma Indian Center.

ON THE INSIDE

Page 2	Letters/Opinions
P. 3 & 4	AIC National
P. 5	AIC State
P. 6	AIC People
P. 7	UTETC News
P. 8 & 9	ILL.C.
P. 10	Sport Shorts
P. 11	Indian Organ.
P. 12	Announcements
P. 13	Our Lore/Nat.Recipe
P. 14	Children's Pg.
P. 15	Poetry
P. 16	Featured Artist



AROUND INDIAN COUNTRY
Letters / Opinions

Useful and Enlightening

UNITED SIOUX TRIBES OF
SOUTH DAKOTA
Development Corporation
PO Box 818, Rapid City, SD 57701

Dear Sirs:

We have, through friends, had a chance to look at your periodic newsletter and found the information both useful and enlightening. We are a non-profit organization providing primarily employment services for Indian people. As such, we have a large number of Indian clients from all reservations going through our offices. I would appreciate being put on your mailing list from this point on. We would like to share the information and articles with our clients.

Thank You,
Sincerely,

UNITED SIOUX TRIBES
DEVELOPMENT CORPORATION

Sheryl Scott
Area Office Manager
Rapid City Field Office

UNITED TRIBES NEWS

"An Enterprise of Communication"

The NEWS is published monthly by the United Tribes Educational Technical Center's Office of Public Information. Views expressed in the NEWS are not necessarily those of the center or its executive board. All rights are reserved with copyright pending. Reprint permission granted only with credit to the UNITED TRIBES NEWS.

RESEARCH WRITER: David M. Gipp
TYPESETTER: Arlys Jenner
RESEARCH ASSISTANT: Arlys Jenner
GRAPHIC ARTIST/BUSINESS MANAGER: Sandy Erickson

The NEWS office (UTETC Office of Public Information), is located at 3315 South Airport Road, Bismarck, ND 58501.
Telephone: (701) 255-3285 Extension 243-246.

For Those Concerned

JULIA LONE EAGLE
537 Jones St., #8373
San Francisco, California 94102

Dear Editor & Staff:

Enclosed is an article which I hope you will find suitable for your publication. This was written for all those who have suffered incarceration, injustice and brutality, and for those who are concerned about them.

Sincerely,

Julia Lone Eagle

UNTITLED

Since time immemorial the North American Indian had been free to roam at will over his native land. These nomadic tribes followed the Sun and with the changes of the Moon hunted the wild game. The majestic buffalo, the bear, deer and antelope.

Now he has become the game. Hunted in concrete canyons and on the city sidewalks. Stalked and chased from city parks, malls, squares, civic centers and beaches. To be incarcerated in detentions, penitentiaries, city and county jails.

When is police harassment, brutality, persecution and suppression of the American Indian going to end? Are we entering a military regime and will it be box cars and barbed wire next?

Land of the free, home of the brave? Many of our braves and women are not free but locked behind bars across these United States and being denied their basic human right...freedom of religion.

Christian, Papal and Judeo leaders visit the inmates and their religious beliefs are honored. However, the American Indian populace are denied their Medicine Chiefs.

Those behind bars know utter rejection, despair and loneliness as no other

human can experience. Only through their spirituality can they attain strength and hope to withstand the ordeal.

(American Indian Religious Act Laws of 95th Congress, Aug. 11, 1978 resolved by the Senate and House of Representatives of the United States in Congress assembled that henceforth it shall be the policy of the United States to protect and preserve for the American Indian their inherent right of freedom to believe, express and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians including but not limited to access to sites, use and possession of sacred objects and the freedom to worship through ceremonies and traditional rites.)

America...We implore you! Do Not violate the rights of your native peoples, the freedom to worship and the freedom to walk the sacred Mother Earth...Let my people go!

Julia Lone Eagle

OUR SYMBOL

The elements of our symbol were derived from the art of the Plains Indian and the meaning is as follows:



- Symbol of a tree for growth.
- The diamond symbolizes man and life as do the colors red and green. The 5 diamonds symbolize the unity of the 5 reservations comprising United Tribes.
- This symbol represents vertebrae and is used to denote strength.

The design elements are arranged in a geometric pattern typical and popular among the Indian artists.

INDIAN CRAFT SUPPLIES

FREE GIANT 148 page catalog

World's largest Indian Crafts catalog. Kits and readymade items. Books, records, furs, feathers, beads. More than 4,000 items to choose.

Wire Dept. 52

GREY OWL

Indian Craft Manufacturing Co.
13-9 Somers Blvd. Queens Village, NY 11429
212 464-9300

For your complete printing needs

Shamrock Printing

663-8704

303A 1st St. NE Mandan, ND

Assistant Secretary Ken Smith Forms Group

Washington - Interior Assistant Secretary Ken Smith has formed a Bureau of Indian Affairs task force to find ways to reduce administrative overhead costs while still maintaining program services to Indian reservations. Smith said that Indian Affairs management was challenged to ensure that a "greater percentage of available Bureau funds are focused at the reservation level" for programs directly helping intended beneficiaries.

In a November 17 memorandum to central office and area directors, Smith said the task force was expected to develop a plan, providing for "organizational and procedural changes throughout the Bureau which will result in streamlining and simplifying activities in order to direct Bureau resources toward meeting those essential requirements for program operations." The first meeting of this group was held the week of November 30.

Specific responsibilities of the task force include: (1) presentation of three organization alternatives, with pros and cons, including estimated cost savings; (2) proposing new or modified administrative procedures; (3) providing an action plan for implementing recommended changes.

Smith asked for recommendations and/or options to be submitted to him by January 15.

Members of the task force from the central office are: Hazel Elbert, Office of Indian Services; John Artchoker, Office of Technical Assistance and Training; Chuck Hughes, Office of the Assistant Secretary - Indian Affairs; and Jim Martin, Office of Indian Education Programs. Area office representatives are: Bob Walker, Albuquerque, New Mexico; Pat Ragsdale, Phoenix, Arizona; Rob Baracker, Minneapolis, Minnesota; Dick Balsiger, Portland, Oregon; Stan Speaks, Anadarko, Oklahoma; Betty Wilkinson, Juneau, Alaska; Willie Baker, Billings, Montana; and Toby Moran, Aberdeen, South Dakota. Selections from the agencies are: Lou Baker, Southern Ute Agency, Colorado; Dick Whitesell, Wind River Agency, Wyoming; and Walt Mills, Colorado River Agency, Arizona.

Buy Indian Amendment in Defense Appropriation Bill

Washington - A Buy-Indian clause has been inserted in the Senate version of the Department of Defense Appropriation Bill. If adopted by the Senate-House Conference on the bill, it would give the Secretary of Defense discretionary authority to enter into contract negotiations with Indian firms without advertising the availability of the work. The amendment does not mandate that the Secretary makes Defense Department work available to Indian labor, but it gives him the same authority now held by the Secretary of the Interior to enter into contracts with Indian firms without following all the normally required federal contracting procedures.



OMB Recommends No Funds For Indian Housing In 1983

Washington - The Congressional Record of December 7 published a series of recommendations from the Office of Management and Budget for 1983 funding of the Department of Housing and Urban Development. Included was the following recommendation for Indian Housing:

"No additional funds will be requested in the 1983 budget for an Indian housing program pending completion of the interagency task force review. No further funds are being requested for the water and sanitation programs of the Indian Health Service. The Indian Housing construction pipeline is assumed to be completed. However, to the extent that added water and sewer facilities are needed to complete the current Indian housing pipeline, those funds will have to come from deobligations of Indian housing units."

Indian Artifacts Exhibited In China

WASHINGTON - An exhibition of American Indian artifacts opened in Peking, China recently. The two-month exhibition of some 500 Indian art and craft objects, is intended to highlight similarities between the American Indians and the Asians, said Roland Force, a director of the Museum of the American Indian in New York City.

High Court Refuses To Let State Tax Indian Property

Washington - The Supreme Court refused to let Washington state apply its sales tax system to Indian property used both on and off tribal reservations. The high court, without comment, let stand a ruling that such an application of the tax system, composed of a sales tax and a complementary-use tax, violates federal law. The Supreme Court has ruled that states cannot tax Indians' property and activities inside tribal reservations.

In asking the Supreme Court to review the case, Washington state officials said: "Under the court of appeals decision, having personal property delivered to the reservation, and having the initial use of the property occur there will immunize the Indian from ever having to pay the same tax burden that has already been paid by the non-Indians, even when the Indian moves off the reservation."

Nations Magazine Facing Financial Problems

WASHINGTON - The Native American magazine, **Nations**, has sent a notice to subscribers informing them that financial problems have caused the magazine to miss its original monthly publication schedule. The attractive, well-edited publication is a venture of a private Native-American owned firm. **Nations** in its premier issue this past summer, said that it hoped to be "a forum for communications among all Indian and Native peoples -- a tool which could help unite our people who have so long been isolated from each other." Publisher George Wilson told subscribers that there would be a combined November-December issue and monthly publication would be resumed as "soon as possible." He said subscription periods would be extended "so that you will receive all the issues for which you paid." A number of Indian tribal publications have announced recently that they are having severe financial problems. Some have informed readers that they must receive paid subscription support or close.

Bureau Signs Contract For Installation of Computer System

Washington - The Bureau of Indian Affairs has contracted with the Burroughs Corporation for the installation of a new computer system which will include terminals at all agencies and field offices of the Bureau. The new system will provide modern uniform equipment for all offices of the Bureau.

Assistant Secretary Ken Smith said that the system will facilitate decentralization within the Bureau because "it will get computer power to agency superintendents and other managers where operating decisions are being made." The system will be used for an integrated records management system, tribal rolls, administration of trust funds, social services records, individual Indian monies system, leasing and other purposes. It will provide managers more information more quickly, speed up the payment of vouchers and other processes, and permit easy tracking of money and program data.

The Bureau will lease the equipment with an option to buy. Total purchase price of the equipment is about \$12 million.

The first installations are scheduled to begin in January.

Guide To Preserve Traditional Art Forthcoming

CALIFORNIA - A guide to preserving traditional arts for tribal communities is forthcoming.

American Indian people know that they must work against time to record the remaining knowledge of their elders and to preserve the traditional works of art which are the distinguishing symbols of their tribal identity. However, many people in the various Indian communities, although willing, lack the specific art documentation skills to accomplish this. The UCLA American Indian Studies Center is addressing itself to this need, and, with the assistance of the Folk Arts Area of the National Endowments for the Arts, is developing the project entitled, Preserving American Indian Arts: A Technical Guide.

The goal of this project is to encourage American Indian people to research and document their own traditional arts and to introduce effective techniques which they can readily use to accomplish this.

The objective is to produce a set of slides and an accompanying handbook, to be distributed free of charge, to five hundred American Indian organizations, tribal and urban, which will generate wide interest and demonstrate a number of professional techniques which Indian people can use in their communities to research, document, and interpret their own traditional arts.

The set of slides, well-suited for presentation at Indian organization meetings, will show a number of relatively simple and low-cost, yet highly effective techniques, from a variety of art-related production fields such as photography, graphic design, exhibition design, sound recording, videography, and audio-visual production. The slides will picture Indian people performing these activities and will show some of the exciting results which they have achieved. This slide presentation will be designed to show professional, level art production standards, yet it will demonstrate to Indian people that they, too, can achieve similar successful results with a minimum of cost, equipment, and training.

A handbook, designed to accompany the slides, will serve as a kind of "toolkit" and community work guide, and will provide step-by-step procedures for the techniques which were pictured in the slides. This handbook, containing many black and white photographs and illustrations, will also offer particulars about the organization and planning, equipment, resources, and services required to produce these art documentation materials.

We welcome information which you may have about your tribe or group's activities. Please share your problems, comments and suggestions with us so that this publication can be better suited to the specific requirements of Indian communities.

Call or write: Susan Dyal, Project Director, Preserving American Indian Arts Project, American Indian Studies Center, 3220 Campbell Hall, University of California, 405 Hillgard Ave., Los Angeles, CA 90024, or phone: (213) 825-7315.

Indians Encouraged To Enter Science and Engineering Fields

Washington - Speaking at a conference of the American Indian Science and Engineering Society November 10, Interior Assistant Secretary Ken Smith described careers in science and engineering as "providing the cutting edge in tribal development."

Smith said that the emphasis on developing tribal resources on reservations "is generating a wide range of professional opportunities for skilled Indian scientists and engineers. Tribal organizations, such as the Council of Energy Resource Tribes, and the individual tribes themselves clearly need professional technicians."

Addressing the students at the conference, Smith said: "The fields of science and engineering are challenging, requiring years of diligent study and the accumulation of experience. Your commitment to enter these fields is significant both to yourselves and to the tribes. At this time, the benefits you can offer the Indian people are critically needed and your dedicated efforts could offer greater personal and professional satisfaction."

Study Finds Indians Under-Represented in Professions

Taken from The Native Nevadan

American Indians are greatly under-represented in the professions, according to a report from Bacone College.

The College reported recently that it has gathered statistics on the numbers of Indians in some 24 professions in eight fields, and has made a comparison between the total number of non-Indians in these professions and the corresponding total of Indians. The data were gathered from U.S. Census reports, from professional associations, from research institutes, and from various other data collection agencies.

The Editor of the newsletter of the American Indian Science and Engineering Society (AISES) has taken the data reported by the Center and grouped them by major field, and has made an estimate of the percentage of all Indians in the field with the U.S. to show that American Indians are far below parity with the rest of the population in all fields for which data were reported.

The data show that Indians in the field of medicine, including the 10 professions of M.D., D.D.S., R.N., D.V.M., D.P.M., D.O., pharmacy, speech pathology, psychiatry, and social work, represent only 63 ten-thousandths of the total number of professional in the ten professions, with 45 hundredths of one percent needed to reach parity.

The actual numbers are 1,242 Indians out of a total of 1,958,182 with some 8,998 needed to reach parity. This means that there are only 12 Indians in the field of medicine for every 100 non-Indians per unit of



population, and that the number of Indians in medicine would have to increase 700 percent more before parity is reached.

The total population of the U.S. is 226 million, according to the 1980 Census, and the estimated total Indian population is 1,050,000, or .46 percent of the total population.

In the field of business, including accountants and computer specialists, there are only an estimated 425 Indians out of a total of 1,269,982, with a total of 5,825 needed for parity. The current total is seven percent of parity, so the total number of Indians would have to increase 1300 percent more to reach parity.

There are some 2,705,800 scientists and engineers in the U.S., with 2,600 of these being Indians. Indians are now at 19 percent of parity with the total population in these fields, and the total number of Indian scientists and engineers would have to be 13,653 or more than a 500 percent increase, for parity.

In the 25 years of specialization in engineering, plus architects and geologists, there is a total of some 1,343,800 in the U.S., with only about 176 of these being Indians, or three percent of parity. The number of Indians would have to increase by more than 3300 percent to reach parity.

Of the 600,000 persons in the U.S. with a doctorate degree (Ph.D.), only some 200 are Indians, with another 2,452 needed to reach parity, a 1400 percent increase. There are some 250 Indian attorneys out of a total of 462,000 in the profession, or 10 percent of parity. The number of Indian attorneys would have to reach 2,330 before parity would be achieved, an increase of 900 percent.

The greatest number of Indians in one profession is found in public school teaching, where Indians have reached 25 percent of parity. There are 3,042,000 teachers in the U.S. with 3,534 of these being Indians. The total number of Indian teachers would have to be some 13,954 to achieve parity, or a 400 percent increase.

Only 61 Indians are reported to be professional librarians, out of a total of some 208,000 in the U.S. Another 900 Indians would have to be trained as librarians before parity would be reached, an increase of over 1500 percent.

The College's report starkly illustrates the inadequate number of Indians in all professions, and points to the fact that education to our youth to become professionals is imperative if we ever hope to reach parity.

Science and engineering are likely to progress toward parity at a slower rate than education, Dr. Dean Chavers, former Bacone College President predicts. This is because only about 7 percent of Indian college students are currently majoring in math, science, and engineering. Business and medicine are the second least popular fields of study, Chavers added.

The fact sheet on "American Indians in the Professions" is available free from the Native American Information Center, Bacone College, Muskogee, Oklahoma 74401.

Supreme Court Turns Down Fishing Rights Appeal

WASHINGTON - The United States Supreme Court recently declined to review the decision of the Sixth Circuit Court of Appeals in United States v. Michigan, a case involving the rights of three Chippewa tribes in Michigan to fish in certain waters of Lake Superior, Michigan and Huron under an 1836 treaty. The Circuit Court ruled that the tribes retained fishing rights under the treaty and that the state could regulate treaty fishing only when necessary to conserve the fishery resource. The court held that, apart from a conservation need, the tribes were entitled to regulate their own fishing under regulations originally promulgated by the Department of the Interior.

California Director Orders Return of Skeletons

California - The director of the California Department of Parks and Recreation has ordered his agency's collection of the skeletal remains of 872 Indian men, women, and children to be returned to California Indians for burial. The remains range in age from 300 to 3200 years. They were uncovered during excavations for freeways and housing projects by state and federal agencies over the past 50 years.

This decision led to a storm of protest from the scientific community. They claim that the reburial of the remains and the artifacts which were uncovered in conjunction with the bones will "set back archaeological research" throughout the nation.

William Pink, a California Indian who is Executive Secretary of the California State American Heritage Commission, feels differently. He was quoted in **Talking Leaf** as saying: "Indians believe that removing the remains of Indian people, no matter how long ago they died, releases the spirit of these people. It is our belief that those spirits cause individuals, families and entire tribes no end of problems until the bones are reburied. There are bones of 20,000 prehistoric Indians on shelves and in drawers in California museums, universities, state, federal and local agencies, and in private collections. We want them all re-interred."

Hanta Yo Once Again Being Filmed

Taken from Tacoma Indian News

Washington - It was recently reported, on the NBC television program, Entertainment Tonight, that the TV mini-series based on the novel, **Hanta Yo**, is again being filmed.

Hanta Yo, written by Ruth Beebe Hill in conjunction with the Sioux informant, Chunksa Yuha, was surrounded by controversy and protest last year when it was touted as the "Roots" for American Indians. The ABC mini-series is, in fact, being produced by David Wolper for Warner Brothers, the same people who popularized Alex Haley's novel on Black America.

The protest by American Indians which plagued the author's promotional tour forced a halt in the 1980 production of the mini-series. The major concern of the protesters was that a novel, which is at best a questionable--some say blasphemous--portrayal of a small band of Oglala Sioux, circa 1780-1830, was being promoted as an authentic "Roots-style" saga of the American Indian.

The book created many scenes which angered Indians. Among the protested material were ritualized sex, blasphemous ceremonial dialogue, misrepresented philosophies, and inaccurate translation. Rather than brush these criticisms aside by admitting they were fictional props, both Hill and Chunksa Yuha insisted upon their authenticity.

Investigation proved that Chunksa Yuha, (or Lorenzo Blacksmith, as was called in BIA Boarding School), was not a full-blood Santee Sioux who never saw a white person until age 13, as he claimed, but was a half-blood, who had been in boarding school far away from his people, from age eight until he was 19 years old.

Hill, an arrogant and aggressive woman, gained few supporters when she began referring to her protagonists as "pop Indians." She suggested that modern Indians are disreputable representatives of a once noble race.

NOTE



EDITOR'S NOTE:

If there is something happening within your state that you feel is pertinent information, and you would like to share it nationally with others...why not forward a copy of your article to the United Tribes News.

All articles to be included in 1982 issues should be sent to the UTN office by no later than the 15th of each month, to be printed in the next monthly issue.

(Remember... all **dated** articles will be published one month later--so please--do not send articles that will become outdated!)

(Articles to be included in the **next** issue, should arrive at the UTN office by February 1. Thereafter, all articles for the following issues, should arrive by the 15th of the month.)

Thank you!



Plant Receives Federal Contract

Rolla - A Federal contract has been issued for production of a radiation detection instrument, called a dosimeter, at the William Langer Jewel Bearing Plant at Rolla.

Senator Mark Andrews, R-N.D., who reported the contract, said the dosimeters, a major component of radiological monitoring sets, would be used by civilians in the event of a nuclear attack and radiation fallout.

The contract at the plant, which has produced jewel bearings for deense purposes for many years, will not only continue to provide employment for about 90 Chipewewa Indians, but should eventually result in substantially increased employment, according to Andrews.

The plant is managed by the Bulova Watch Co., under contract to the General Services Administration. The new contract results from development jointly funded by the Federal Emergency Management Administration (formerly Civil Defense), the Naval Electronic Systems Command and the Army Electronics Command.

"It was essential that we find a new product for the plant, since there has been a steadily declining need for the jewel bearings," Andrews said. "Pilot production of the dosimeters will initially require 20 to 30 people, but full production would require hundreds more."

He said federal officials decided on the Rolla plant for the pilot project "because of the exceptional skill in precision work demonstrated by the work force there."

Sixty percent of the work force at the plant are Native Americans, according to Andrews.

Federal officials told Andrews that development costs of the dosimeters so far has been about \$800,000, with the cost of pilot production, expected to be about \$3 million.

Long-range plans call for stockpiling 7 million sets of radiological monitoring sets for public fallout shelters and post-attack recovery operations.

First models of the final proven design will be given to the armed services for special tests and to states and localities for field testing in conjunction with the Civil Defense training programs.

Other agencies participating are the Defense Logistics Agency, GSA, and the Bureau of Indian Affairs.

Production at Rolla is expected to begin next fall using tooling capable of producing about 150,000 units annually.



Lawyer to Handle Indian Issues

North Dakota - North Dakota Attorney General Robert Wefald has made good on a campaign promise and hired a lawyer to deal solely with legal issues involving American Indian tribes in North Dakota.

Wefald has contracted with Bismarck lawyer Ron Hodge to work for the attorney general's office on a retainer basis.



AROUND INDIAN COUNTRY STATE

"What I really have in mind is having my lawyer (Hodge) contact the tribal bodies in North Dakota and work with the Indian Affairs Commission to set up a series of meetings next year...about a whole range of problems that exist," Wefald said.

Wefald said one of his priorities for the second year of his administration is to determine the relationship that should exist between the state and the independent tribal governments.

"It's the basic question of jurisdiction that of course is the principal question," the attorney general said.

Jurisdiction issues in North Dakota include control of, and access to, Lake Sakakawea water; law enforcement responsibilities for state, county and tribal police officers; and hunting and fishing rights on the sites five Indian reservations.

The most recent problems have arisen concerning tribal rules imposed for hunting and fishing on the Fort Berthold and Standing Rock reservations. Wefald's office represents the state Game and Fish Department in negotiating those rules.

"There's been some real concern on the part of my clients about who has the power to do what," Wefald said. "We're willing to discuss the



State Infringements on Indian Water Rights

Ft. Yates - South Dakotans must be made to realize that the sale of water to ETSI, Inc., as approved by the Governor, is a decision that has far-reaching consequences to both Indian and non-Indian water users within the state.

The ETSI agreement establishes a precedent whereby commercial marketing of Missouri River water to private out-of-state users may in fact take precedence over in-state agricultural uses - in order to fulfill the terms of this agreement. As the Standing Rock Sioux Tribe has only just begun to develop the potential for irrigation of its suitable agri-lands, the dangers presented to the Tribe by the ETSI deal are apparent to the future water needs of the Tribe. As such, the ETSI deal represents a legal infringement upon the reserved water rights of the Tribe.

Governor Janklow has carefully manipulated the citizenry time and again to convince them that Indian tribes are obstacles to state progress. Since his term as Attorney General, he has repeatedly made collateral attacks on the treaty and property rights of Indian people. The ETSI deal, made behind closed doors, is a clear representation of the Governor's continuous disregard for Indian rights and self-government. The ETSI contract, in essence, was a well-orchestrated plan to allow for the corporate theft

question, but I want to have our discussion take place in the context of working out a relationship between the tribes and the state."

In 1975, Congress passed the Indian Self-Determination Act which recognizes the nation's Indian tribes as domestic, independent nations.

In writing the act, Congress acknowledged its "unique and continuing relationship with the Indian people" and called for an orderly transition from federal domination to self-government for Indian tribes.

Wefald said that, just as the federal government must sort out its relationship to the Indians, state government must develop a similar relationship with clear boundaries.

"It's going to be a high priority next year," he said. "My regret this year is that I haven't been able to take the time, or to get the information together, to move this thing along as rapidly as I would have liked."

Wefald didn't want to comment on what he feels the relationship between the tribes and the state should be on specific jurisdictional issues.

"I don't want to be pinned down," he said. "I recognize that tribal bodies have rights that predate the existence of the state of North Dakota."

of Indian water rights in South Dakota. In collusion with ETSI, Inc., the Governor hurriedly acted upon an irresistible impulse to "give it to the Indians" once again. The sad fact remains that he not only has attempted to limit and diminish Indian water rights, but also, in this instance, has limited and diminished the rights of his own citizenry.

The media has also participated in this deception of the public by avoiding the treaty and property right status of Indian resources. This has led the public to believe that we, as distinct and self-governing people, have no rights or claims to the Missouri River. Under the Treaty of 1868, Article 6 and amended Article 14 of the Constitution, and Federal case law--the rights and protections of Indian property and resources against infringement by state or Federal governments is clearly substantiated. As both Governor and an attorney, Mr. Janklow has yet to grasp the application of equal protection of the law, even though it does apply to Indian citizens.

The Department of Interior, in its capacity as trustee of Indian lands and property resources as provided by treaty agreements between the Tribe and the United States Government, is just as culpable in this fraud to alienate Indian resources and to blatantly betray its trustee duties to Indian people. The failure of Secretary James Watt to fulfill his duties and obligations of office to protect and defend the Tribe's interests to the Missouri River stands as yet another example of government complicity to destroy what re-

mains of Indian rights, resources, and self-government.

It is the position of the Standing Rock Sioux Tribe that the State has no power to regulate the quantification of use of water resources held by the Tribe. The massive water rights suit that has been initiated by the State to assert its jurisdiction over the quantification of Indian water rights is clearly intended to accomplish one specific objective - to limit Indian water rights and thereby clear the way for the commercialization of Missouri River water. In conjunction with the ETSI deal, Indian water users would be forever limited and excluded from any benefits derived from the sale of water. It is also the position of the Tribe that the Missouri River system is already over-appropriated and could not accommodate the diversion of water as proposed by ETSI, Inc. The downstream states and users will testify to this fact, as litigation is presently being contemplated against South Dakota.

There will be no negotiations between this Tribal government and the State of South Dakota or the Department of Interior. Everytime the Tribe has sat down and negotiated in good faith with the White Man, we have lost valuable rights. We have no reason to believe that our negotiations with Secretary Watt, Governor Janklow, or private concerns will be any different from our past experiences where we have lost rights. In 1959, the Tribe negotiated and lost 56,000 acres of prime bottomland to the Oahe Dam Project. We were led to believe that we would reap some benefits from the construction of the Oahe Dam and, to date, we have yet to realize one single long term benefit. Yet, here again, we are being asked to negotiate away our water rights to private out-of-state interests.

I call upon the non-Indian citizenry of this state to place themselves in the position that Governor Janklow has placed the Tribe and to make a conscious decision of what their position would be concerning the issue of water rights.

There have been too many broken promises and lies. When the citizens of this great state and nation condone the actions of zealous political leaders then they too, will someday find themselves on the other end of table--fighting to preserve and defend their rights. The power of government to take away property rights and resources without any constitutional restrictions, due process or compensation, applies to no one in these United States but Indians, thus far.

The people of South Dakota have not yet spoken on the issue of water development in this state. Entering into costly litigation and commercialization of water resources for private out-of-state use are decisions that have been made by a select group of state government. These decisions will have future consequences for Indian and non-Indian people alike. They need to be reconsidered by the people.

The Standing Rock Sioux Tribe will take whatever actions are appropriate to defend and preserve our water rights. If there is any justice in this land, our rights will prevail.

Pat McLaughlin, Chairman
Standing Rock Sioux Tribe

Fritz Appointed Deputy Assistant Secretary

Interior Secretary James Watt announced recently that John W. Fritz, a Cherokee Indian, has been appointed Deputy Assistant Secretary for Indian Affairs. Fritz a senior corporate counsel for the Minnesota Mining and Manufacturing Company, will begin his new duties in December. Working under Assistant Secretary Ken Smith, Fritz will manage the day-to-day operations of the Bureau of Indian Affairs.

In Smith's two-deputy management system, Fritz joins Roy H. Sampsel who is deputy assistant Secretary for police.

In making the announcement, Secretary Watt said: "We consider ourselves fortunate to find a person with the obvious qualities of Mr. Fritz. This administration is committed to establishing a strong record in Indian affairs and I feel certain Mr. Fritz will be able to provide the kind of leadership and managerial expertise we need to fulfill our vital mission of responsibility to American Indian tribes."

A graduate of the University of Minnesota Law School, the 33-year-old Fritz did his undergraduate studies at South Dakota State University at Brookings, South Dakota. His father, Eugene Fritz, was a noted athlete at Haskell Indian Institute in the 1930's and later became an educator and guidance counselor. Fritz spent the summer of 1971 as a law clerk in the Interior Field Solicitor's Office at Fort Snelling, Minnesota, and the summer of 1972 with the Interior Department's Indian Civil Rights Task Force in Washington, D.C. He graduated from law school in 1973. A U.S. Army veteran, Fritz is currently a captain in a reserve unit in Minnesota.

Everett Rhoades Named News IHS Director

Dr. Everett R. Rhoades, a Kiowa physician, has been appointed as the new director of the Indian Health Service (IHS). He will assume the position February 1.

In his capacity as IHS Director, Rhoades will be responsible for the operation of a comprehensive health system that provides care to more than 700,000 American Indian and Alaska Native people. The total program employs about 10,700 persons and has an operating budget of approximately \$650 million.

Rhoades indicated that while it will probably take some time to develop any specific new policies within the IHS program, he will assume Indian man, woman and child is receiving the best health care possible.

Two major initiatives could be undertaken to help achieve this goal, he said. The first would be to improve the working conditions for health professionals within the Indian Health Service. Rhoades said his own medical background provides him with an insight into problems faced by doctors and nurses, who he said often feel neglected by the bureaucracy. "By making the Indian Health Service a better place to work, we can improve the health



services as provided for in the Indian Self Determination Act.

Rhoades described himself as a "practicing bed-side physician," and said that he hopes to utilize his experience with patients and other health professionals in his role as IHS Director. He added that he was honored by the appointment, and "excited about the opportunity to have a beneficial effect on the lives of Indian people in this country."

As the first Indian chosen to serve as IHS Director, Rhoades said he feels he is "representing all Indian people in this appointment. I feel a tremendous responsibility to conduct myself in a way the Indian people and the Indian leadership would want."

Rhoades comes to the Indian Health Service with a distinguished background in medicine and extensive experience in a variety of Indian activities on the local and national level. He is presently Chief of the Infectious Diseases Section and Professor of Medicine at the University of Oklahoma Medical Center. He is a member of many medical organizations and honorary societies, and has served as an advisor and consultant to numerous national organizations.

In 1971 he founded the Association of American Indian Physicians and has worked actively with that organization to increase the number of Indian students in medical and other health professional schools. He served as chairman of the task force on Indian health for the American Indian Policy Review Commission in 1976, and is health committee chairman of the Association of American Indian Affairs. He has frequently been invited to testify before Congress on matters related to Indian health care.

On a local level, Rhoades was instrumental in setting up the Community Health Representative (CHR) program in Lawton, Oklahoma, and assisted in establishing a health clinic for urban Indians in Oklahoma City. He serves on the Kiowa Tribal Business Council, and is a former vice-chairman of the Kiowa tribe.

Rhoades received his medical degree from the University of Oklahoma in 1956 and interned at the Gorgas Hospital in the Panama Canal Zone. He returned to the University of Oklahoma Medical Center for his specialty training in internal medicine and infectious disease, and was Chief Resident in Medicine from 1960-1961.

Paige Baker Sr.

Paige J. Baker Sr., 69, Mandaree, a leader on Fort Berthold Reservation for many years, died Friday, January 8, 1982, at a Watford City hospital. Services were held at 11 a.m. CST on Tuesday, January 12, 1982, at St. Anthony Catholic Church near Mandaree, with burial in the church cemetery.

James Henry Tribal Chairman Guest Lecturer

Turtle Mountain Tribal Chairman, James Henry was a recent guest lecturer for the University of North Dakota Indian Studies Department. He delivered an informal speech that was followed by a question and answer session.

Mr. Henry stated that the tribe has managed to keep enough industry and construction going to avoid the sting of Reaganomics so far and said other tribes who are more reliant on federal programs have been less fortunate. He also said that although the unemployment rate is still high on the reservation, it is less than at other reservations because of the tribal emphasis on business and industry. In saying so, he named a number of businesses which are the shopping center, the tribally-controlled, Turtle Mountain Manufacturing Co., and the privately-owned Turtle Mountain Corporation to name a few.

In closing, Mr. Henry encouraged the Indian students to go to college, get their degree and "not let it lie on the shelf, but make use of it."

Elijah Whirlwind Horse Victim of Cancer

Elijah Whirlwind Horse, former Oglala Sioux tribal chairman, died after a short battle with cancer. He was 46. Funeral services were scheduled at Wanblee, South Dakota. Whirlwind Horse was elected chairman of the Oglala Sioux in 1978. He served two terms.

Neal Tepper Unanimously Elected

Neal Tepper, Counseling Director at United Tribes Educational Technical Center, was unanimously elected as Chairperson of the Steering Committee of the Adoption Resource Center for our Region. Neal has previously served as vice-chairperson for two years and has also been actively involved in permanency placement, especially of Indian children, for five years.

Two projects currently underway are: helping to establish a North Dakota State Adoption Council and to establish a NEW licensed Adoption Agency to deal with Indian placements.

Louie Gilbert and Kathy Annette Pass Boards

Louie Gilbert (Sioux) is a third-year medical student at the University of North Dakota and a participant in the Indian into Medicine (INMED) program at the university. Louis recently passed the national boards and the AAIP has been informed by Dr. Nancy Furstenberg, Dean for Student Affairs at UND, that Louie's score was in the 98 percentile in the nation and the highest that has ever been scored at the UND School of Medicine.

A Montana native, Louis is married with three children and has been active with various health organizations at the Ft. Belknap Reservation.

Kathy Annette (Chippewa) is a second-year medical student at the University of Minnesota--Minneapolis, who also recently passed her board examinations. Kathy is a life long resident of Minnesota and was active in the Native Americans into Medicine (NAM) at Bemidji State.

Kathy is interested in family practice and plans to work at the Public Health Service Indian Hospital at Cass Lake, Minnesota.

DEPENDABLE BUSINESS MACHINES, Inc.

NEW AND USED:

	<p style="text-align: center;">FURNITURE • MACHINES • SUPPLIES</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> <ul style="list-style-type: none"> • Adders • Calculators • Typewriters • Cash Registers </td> <td style="width: 50%; border: none;"> <ul style="list-style-type: none"> • Safes • Desks • Files • Chairs </td> </tr> </table> <p style="text-align: right;">AND MORE</p>	<ul style="list-style-type: none"> • Adders • Calculators • Typewriters • Cash Registers 	<ul style="list-style-type: none"> • Safes • Desks • Files • Chairs
<ul style="list-style-type: none"> • Adders • Calculators • Typewriters • Cash Registers 	<ul style="list-style-type: none"> • Safes • Desks • Files • Chairs 		

Free Parking - Service Second To NONE....

"Sales & Service You Can *DEPEND* On!"

2521 Railroad Ave. - Bismarck, N.Dak. **258-7676**

HEDAHL'S INC.

AUTOMOTIVE CENTER

FRANCHISE STORES:

<ul style="list-style-type: none"> • Dickinson, North Dakota • Jamestown, North Dakota • Mandan, North Dakota • Sidney, Montana 	<ul style="list-style-type: none"> • Hettinger, North Dakota • Linton, North Dakota • Glendive, Montana • Aberdeen, South Dakota
---	--

1st In Parts
1st In Equipment
1st In Service
1st For YOU!

100 E. Broadway, Bismarck, N.D. 58501 - Phone: 223-6625

UTETC NEWS

NOVEMBER INCENTIVE AWARDS

STUDENTS OF THE MONTH (4-way tie)

Whitney Standing Crow, Jackie Arpan, Benina Levato, and David Ducheneaux



HOUSE OF THE MONTH

Veronica Archuleta

GED GRADUATES

DECEMBER

Leo Apple
Sandra Roussin
Julianna Slides Off
Willis Whiteman
Robert Red Nest
Mary Not Afraid
Lewellyn Nomee
Kevin Thompson
Connie Chasing Hawk
Madonna Lends His Horse

JANUARY

Virjama Williamson

DECEMBER GRADUATES

Sharon Standing Crow Food Service
Emmett Whiteman Food Service
Ernestine Mountain Food Service
Whitney Standing Crow Auto Body
Allan Hawk Eagle Police Science
Ken Grey Cloud Police Science
Gerald Buckman Sheet Metal
Buster Moore Sheet Metal
Anna Buckman Business Clerical
Veronica Archuleta Business Clerical
Lorraine Gomez Business Clerical



VOCATIONS

Auto Body Whitney Standing Crow
Automotive Donald Fox
Business Clerical Martha Hale
Carpentry Bob Arpan & John LaFromboise
Electrical David Ducheneaux
Food Service Delia Bear Saves Life
Licensed Practical Nurse Josie Ducheneaux
Nurse Assistant Martha Frederick
Nutrition Technician Jackie Arpan
Plumbing Pat Wounded Knee
Police Science Benina Levato
Sheet Metal Gerald Buckman & Buster Moore
Welding Roger White

ATTENDANCE AWARD - \$10.00

Aurelia Parsons
Delphine Davis
Jackie Arpan
Whitney Standing Crow
Robert Kennedy
Mary Jo Salinas
Benina Levato
David Ducheneaux
Nora White

ATTENDANCE AWARD - \$5.00

Veronica Archuleta
Aurelia Parsons (October)
Virginia Williamson
Delia Bear Saves Life
Donna Hanley
Martha Frederick
Sherry Poitra
Martha Hale
Josie Ducheneaux

OUR LORE

Continued from Page 13

"And stop yelling. Who do you think you are talking to? You are disturbing my sleep. You better be careful how you talk to me, or you will be sorry."

"You are just a long-faced, red-eyed, puffed-up, loud-mouthed nobody. Your breath stinks. Get out of my way!"

When he heard this insult, the angry bear attacked with tooth and claw, snarling and bellowing. But Iyan Hokshi made himself as hard as stone and as heavy as stone. He was like a rock, his skin like flint; and the enraged bear broke its teeth and claws attacking him. The bear soon was backing out of the fight, looking at Iyan with red, hateful eyes, saying, "You are not like other humans whom I have torn apart."

"I am Iyan Hokshi the stone boy, and I am afraid of nobody." He laughed at the bear. "Brother, you tickled me." And he walked on laughing.

As he was walking he heard the sound of *yamni-omni*, the whirlwind. Way up in the sky he saw a little speck, a black speck coming toward him which turned into a man, a giant. The giant put himself before Iyan Hokshi, saying, "Nobody can pass this way. I am no man to fool with. We will wrestle, and I shall crush you like an eggshell. Then I will throw you over that hill. Nobody has ever passed by me."

Iyan Hokshi made himself heavy as stone and rock-hard and the giant could do nothing with him. Then Iyan Hokshi jumped up, bouncing against the giant. Iyan Hokshi was so stone-heavy that he broke the giant's ribs.

"You are not like the others," said the giant, holding his side.

"I am Iyan Hokshi the stone boy, and I am afraid of nothing."

Iyan Hokshi walked on. He entered a gleamy forest. He went deeper and deeper into it. He was aware that things changed as he went farther. It was very quiet. He could hear no sound, not even the call of a bird or the cry of a lone animal. It was the silence of death.

He came to evil-looking, fetid swamps which stank of sulphur and decay. But he marched boldly on. Poisonous, yellowish mists enshrouded him. They were icy and chilled him to the bone. Still he went on.

He noted that the forest itself was dead. All the trees had been killed by the poisonous air, making a forest of dead, dry stumps and branches, skeletons of trees covered with a hard, glistening yellow-white crust. Iyan Hokshi walked on. He came to a wide clearing in the forest, covered by swirling fogs. In the middle of this haze he made out the shape of a ghostlike tipi. Still he walked on. As he came nearer, he saw that the ground around the tipi was covered with whitened bone, the bones of men and animals. The huge tipi seemed to him as if it were made of human skin. He saw ten large bundles, the size of human beings, stacked upright against the tipi's side. "These must be my lost uncles," he thought. He entered the tipi.

Inside was an old hag. She was three times as big as an ordinary woman. Her teeth were like the fangs of a huge wolf, her eyes were the eyes of a snake. Her hands were like claws, and her long, white, matted hair reached the ground.

"Welcome, welcome," she croaked, and a mighty croak it was. "It is not often that a nice, good-looking boy comes here. Sit down and eat." She had a fire going, and she stuck a few giant fistfuls of dry meat into it to roast. Iyan Hokshi did not like it, but ate it out of politeness. "Tomorrow we'll have something better," the woman cackled loudly. "Young, fresh, juicy meat." He body shook with laughter.

She threw a ragged, moldy buffalo robe to Iyan Hokshi. "Here, sleep on this. This forest is dangerous at night. Better stay here." She fixed up a place for him to lie down. He only pretended to be sleeping, keeping a watch on her through half-closed lids. She noticed it. "Still awake?" she said. "In that case you might just as well come over here and do me a favor. I have a backache which is crippling me. Please rub my back."

He crawled over to her and

massaged her back. Her body did not feel human. It was a monster's body. Her spine was as sharp as a knife's edge, and something was sticking out of it like a dagger, its point needle-sharp, like the curved fang of a giant rattlesnake. "It is probably poisoned," thought Iyan Hokshi. "This is how she killed my uncles."


"This rubbing is no good," said the old woman. "You are too small. You have no strength. Boy, get up on my back and walk up and down it!" He did as she told him, carefully avoiding her spine and the sharp thing sticking out of it. He stomped on her a few times. She grunted. "Ah, that is better, but still not good enough. *Takoja*, grandson, jump as high as you can and as hard as you can, only that will help my backache."

Iyan Hokshi made himself as hard and as heavy as a rock. He jumped up as high as he could and came down on her like a boulder. It broke her back and killed her. Iyan Hokshi tossed the giant monster woman into the fire and burned her up. "I am Iyan Hokshi," he said, "and afraid of nobody." Then he went outside and opened the bundles one by one. In them he found the bodies of ten men—dry, cold, shriveled up, lifeless. He saw a few rocks strewn about the ground.

"Sacred rocks," he cried, "I am the stone boy. You brought me here. Tell me what to do." And the rocks

told him. Iyan Hokshi put up a sweatlodge of willow sticks. It was the first sweatlodge ever built. He covered it with buffalo skins from the monster woman's tipi. He put the ten bodies inside the sweatlodge in a circle. He made a fire and heated four times four rocks on it. On a forked stick he brought the red-hot stones into the sweatlodge. He closed the entrance flap so that no hot air could escape. He thanked the rocks and begged them once more to help him. He poured cold water over the hot stones from his skin bag, and immediately the little sweatlodge was filled with searing, white, purifying, life-giving steam. Iyan Hokshi began to sing and speak. Four times he poured water over the rocks, begging them to use their power to bring these dead men back to life. As he did this for the fourth time, he thought he saw something moving through the clouds of white steam. He heard singing and talking. He opened the flap and let the steam escape. As soon as the air cleared he could see again, he beheld ten young men sitting in the lodge, alive and well. These were his uncles, brought back from death by the power of the sacred rocks.

"This is what my mother wanted," said Iyan Hokshi. He brought his uncles back with him to use mother. You can imagine how happy she was.



MAY'S
CAMERA & MODEL SHOP
BISMARCK, N. D.

**THE COMPLETE
CAMERA, PHOTOGRAPHIC
EQUIPMENT AND RADIO
CONTROL MODEL
HEADQUARTERS**

KODAK PROFESSIONAL SUPPLIES

215 E. Broadway in Bismarck

Phone: 255-4349

The Failure of Indian Rights Are Lawyers T

By Steven M. Tulberg and

With increasing frequency Indians are asking why the lawyers representing Indians in court battles over Indian rights have had such little success in gaining legal protection for the most important Indian rights, the sovereign rights to self-determination, and to ownership and control of Indian land and resources. A close look at some of the Indian rights advocacy which is taking place in the courts today suggests that lawyers representing Indians are in significant part responsible for this failure.

Many had hoped that the past two decades of Indian activism in the United States courts would lead to a new era in which these fundamental rights would finally be given the strongest legal protection available under federal law and the United States Constitution. Instead, the Supreme Court has issued a series of decisions which dramatically undercut Indian sovereignty and which reaffirm broad, unrestrained powers of Congress to expropriate Indian property. The Supreme Court has even gone out of its way to announce the chilling news that the power to terminate Indian governments is still "legal" under United States law, and that Indian land rights and land claims are not protected by the Fifth Amendment to the United States Constitution from confiscation by the federal government.

The Supreme Court has refused to repudiate the unbridled political power which the law of the United States has permitted the Congress and the Executive to exercise over Indians and all their affairs for well over a century. Rather, the Court has recently again upheld that racially discriminatory power in language which would suggest that almost nothing has been changed since the time when the Court first upheld the "legal" power of Congress to abrogate Indian treaties (*Lone Wolf v. Hitchcock*, 1903). The Burger Court has reaffirmed the law of the 1950's Termination era which allowed Congress to deny the self-governmental rights of Indian nations and tribes, and the Court has resurrected *Tee-Hit-Ton Indians v. United States* (1955), the decision which held that aboriginal Indian homelands are not protected by the Constitution. In a 1978 opinion authored by Justice Thurgood Marshall, the Supreme Courts stated that "Congress has plenary authority to limit, modify or eliminate the powers of local government which the tribes otherwise possess." That quote, from the case of *Martinez v. Santa Clara Pueblo*, was in the context of a decision by which the Pueblo's laws governing its own membership were upheld only, the Court determined, because Congress had not yet taken away the Pueblo's residual sovereign right to make such laws. This anti-Indian notion, that one sovereign (the United States) has the legal power to strip other sovereigns (Indian tribes and nations) of their fundamental rights and powers, is today more firmly cemented in United States law than ever before.

What role have lawyers for Indians had in developing this "hand-out" theory of Indian sovereignty? Sadly, a large role indeed. Lawyers representing Indians at every level have played a part in undercutting their own Indian clients' fundamental rights. Trial court lawyers routinely approach Indian sovereignty with shuffling feet, downcast eyes and hat in hand, and some still talk of Indians as "wards of federal government." Even some of the most prestigious lawyers who have argued Indian rights cases before the Supreme Court have made arguments which are almost the same as those of their adversaries on certain crucial issues.

In the adversary system of justice, the arguments made by the lawyers for each side are, of course, critical to the outcome of the case. The courts generally pick and choose only between the arguments that are made. Seldom does a court give that which is not requested, and if the lawyers for the two sides agree on an issue—if one lawyer concedes a point made by his opponent—the court almost always accepts that agreement and incorporates it into the final decision.

A review of some of the transcripts of oral arguments made before the Supreme Court in Indian rights cases decided during the past few years shows that lawyers representing Indians have time and again given away at least half of the legal battle and have actively favored a "hand-out" theory of Indian sovereignty which helps erode Indian rights. In short, lawyers who are supposed to be representing the Indian position have repeatedly conceded that the United States government has virtually unchecked political power over Indians, Indian governments and Indian property. It is not likely that these concessions have been authorized by the Indian peoples whose cases were being heard, and they certainly have not been authorized by all the other Indian tribes who find the concessions used as precedents to deny their rights as well.

Consider some of the arguments made in the *Martinez* case during the Santa Clara Pueblo's Supreme Court fight to maintain its sovereign right to make and enforce its own membership laws. The lawyer for the Pueblo's opponent argued that Congress had, in its 1968 Indian Civil Rights Act, taken away the sovereign immunity of the Pueblo which would otherwise have protected these Indians from being forced into the federal courts to defend the Pueblo's membership laws. The lawyer for the Pueblo argued that Congress had not in fact intended to take away that Indian sovereign immunity, but he did not challenge Congress' power to do so. There is no apparent reason why that concession was made. That totally unnecessary concession of federal power was used by the lawyer opposing the Pueblo's membership ordinance in his argument to the Supreme Court.

ATTORNEY FOR MARTINEZ: Now, returning to the sovereign immunity question, the terms of the Act are mandatory on their face. The Act is a limitation on the tribes themselves. Congress, it's conceded, has plenary power to limit the Tribes in this way. Defendants have conceded that...the power of Congress to do this isn't at issue; it's only a question of what Congress did do.

In the same 1977 Supreme Court argument, the lawyer for the Pueblo made other remarkable concessions of federal power over his clients when he was asked about the legal power of the Secretary of the Interior to overrule the tribal courts, to impose the Indian Civil Rights Act on Indians, and to invalidate the Pueblo's membership ordinance:

QUESTION BY THE COURT: Well, could you tell me, would a Tribal Court have any authority to invalidate a Tribal Ordinance on the grounds that it was inconsistent with the Civil Rights Act?

ATTORNEY FOR THE PUEBLO: If they did not, the Secretary of the Interior would definitely have it.

QUESTION BY THE COURT: But if an Indian Tribal Court concluded that the federal Civil Rights, Indian Civil Rights Acts were violated, would not the federal (sic) Tribal Court have a duty to obey the federal statute?

ATTORNEY FOR THE PUEBLO: I think you're correct on that Your Honor...Providing Congress has indicated.

QUESTION BY THE COURT: Could the Secretary of the Interior invalidate this particular ordinance?

ATTORNEY FOR THE PUEBLO: I think that that's probable.

These concessions by the lawyer representing the Indians helps explain how Supreme Court Justice Thurgood Marshall, a noted former civil rights lawyer came to write the outrageous language in the *Martinez* decision which affirms the plenary power to Congress to limit, modify or eliminate self-government. There had simply been no contest presented to the Court about that most important Indian rights issue.

The infamous Supreme Court decision of *Oliphant v. Suquamish Indian Tribe* (1978), denying Indian jurisdiction over non-Indians committing crimes on Indian territory, is also partially explained by a review of the arguments which the lawyers made to the Court. In opening his argument the lawyer for the Suquamish Tribe first argued that Congress and not the courts should be making the decisions about criminal jurisdiction on Indian lands. He did not argue that Indian jurisdiction over criminal activity on Indian land was a right and power which neither Congress nor the federal courts could deny. When the question of the extent of Indian sovereignty was pressed by one of the Supreme Court Justices, the same lawyer for the Indians gave a most remarkable answer which suggested his clients had no real sovereignty and which made the task of his opponent, Washington State Attorney General (now U.S. Senator) Slade Gorton, markedly easier:

QUESTION BY THE COURT: To say the Tribe possesses an attribute of sovereignty does not necessarily mean it possesses all attributes of sovereignty.

ATTORNEY FOR THE SUQUAMISH: That is correct. Most attributes, what we call real sovereignty, have been given up by the Indian Tribes. There is no question about it. Indian Tribes cannot mint money. They cannot enter into treaties with other nations. But this Court has consistently held that there are powers that have not been taken away.

The Suquamish also were given the very mixed blessing of having the United States government (the self-proclaimed "trustee" of all Indians and all Indian lands) on its side in that case. The argument by the attorney from the U.S. Solicitor General's office greatly compounded the Indians' problems because it had much in common with the arguments which were made for the opposing, non-Indian interests:

ATTORNEY FOR THE UNITED STATES: History and nearly two centuries of legal authority demonstrate that the Tribe's sovereignty is subject to the greater sovereignty of the United States and in the exercise of its own sovereignty, the United States has established a special relationship toward and a unique responsibility to the Indians in the United States, but we do agree with petitioners (the non-Indians), Mr. Justice Stewart, that tribal sovereignty can be and in many respects has been circumscribed by the United States so to that extent it is no a full sovereignty.

QUESTION BY THE COURT: It was tribal self-government but it was not territorial sovereignty was it? Ever?

ATTORNEY FOR THE UNITED STATES: They (the Indians) did not view territories belonging to particular individual tribes—that is a concept to which the European settlers quickly educated them.

QUESTION BY THE COURT: Correct.

QUESTION BY THE COURT: You said they did not have a sophisticated concept of land ownership...Did the United States recognize any land ownership rights to the Indians, other than those granted by treaty?...

ATTORNEY FOR THE UNITED STATES: Well, no they did not.

Again the Court was told that Indian sovereignty is only a remnant or a vestigial organ which Congress has yet to completely

remove from the body politic. Making matters even worse are the ill-informed and sweeping statements denying that Indian tribes and nations had a concept of ownership of separate territories before the arrival of Europeans. What, one might ask, were the first Indian treaties all about?

The Supreme Court's decision in the case of *Sioux Nation v. United States* (1980) has not received the almost universal condemnation from the Indian community which has been heaped upon the *Oliphant* decision. The mixed response to the *Sioux Nation* decision is due partly to the fact that the Supreme Court finally set the historical record straight and acknowledged that the Black Hills had been stolen from the Sioux and partly because Fifth Amendment compensation was awarded for the theft of this treaty-guaranteed, recognized Indian title land. But only some of the commentators have noted that the *Sioux Nation* decision has upheld the power of the United States government to make such thefts of Indian land in the first place. The first part of the taking clause of the Fifth Amendment, which provides that the government may not take private property except for a legitimate public purpose by use of its eminent domain power, was not applied by the Supreme Court to rule the initial seizure of the Black Hills an unconstitutional act. That constitutional argument is now being made for the first time by the Sioux lawyer representing the Oglala Sioux Tribe in a new law suit which rejects the offered money damages and which seeks return of the Black Hills instead.

Inexplicably—and certainly without approval of the Sioux people—the lawyer representing the Sioux Nation in the Supreme Court argument of the *Sioux Nation v. U.S.* case conceded that the United States government had the lawful power to abrogate the Fort Laramie Treaty and to take the Black Hills from the Sioux people, even though the purpose of the taking was to give that Indian land and its gold to non-Indians. (Such taking would obviously not meet the "public purpose" test of the Fifth Amendment.) All the Constitution required, he argued, is that the Indian people be given monetary compensation, with interest, whenever Indian land is taken by the federal government.

QUESTION BY THE COURT: Under a treaty a reservation is set up for an Indian tribe and at sometime later the Government, the Congress just says, "Well, we think the reservation is too big. We are going to cut it in half and open the rest up." So it just cuts it in half and redraws the reservation.

Now, is that both a breach of the treaty or is it a taking, or both?

ATTORNEY FOR THE SIOUX: It is a breach of the treaty and the United States has the power to breach the treaty.

QUESTION BY THE COURT: That is *Lone Wolf*.

ATTORNEY FOR THE SIOUX: That is *Lone Wolf*.

QUESTION BY THE COURT: Right.

ATTORNEY FOR THE SIOUX: *Lone Wolf* tells us that Congress—if Congress determines that the reservation should be cut in half, Congress can come in and do it; it can do it without consent of the Indians and it can do it in violation of the treaty. It is also a taking and when Congress does it, it has to pay for it.

Going even further, the attorney for the Sioux conceded that the United States government, and not his Sioux clients, was the actual owner of all Sioux lands and all other Indian lands as well:

QUESTION BY THE COURT: And the question such as in the *DeCoteau* case and others as to whether or not the reservation has been terminated is a question of congressional intent. But here this was not an Indian reservation, this was—this belonged to the Sioux Nation, didn't it?

ATTORNEY FOR THE SIOUX: Well, this—all reservations, the beneficial ownership and all the incidence of ownership are in the Indian tribe. The bare legal title is in the United States.

QUESTION BY THE COURT: And that was true here, too?

ATTORNEY FOR THE SIOUX: Yes.

ATTC
treat
ATTC
reco
ATTC
if you
Sioux
State
estab
But
quite
100
tion.
Rath
and
stitut
men
on t
dam
forme
In
State
to ab
disag
men
com
"trus
perv
the l
Supr
The
incap
and
of tril
fairs.
sibilit
behc
were
error
were
The
degr
the c
ATTC
ATTC
ATTC
Mr. C
powe
and *

More Advocacy-- No Blame?

Robert T. Coulter.

QUESTION BY THE COURT: It was,

QUESTION BY THE COURT: But this was more than aboriginal title. Even if originally it had aboriginal title it was recognized by treaty and it constituted a reservation.

ATTORNEY FOR THE SIOUX: That is correct, it was recognized by treaty twice over.

QUESTION BY THE COURT: It was Federal land?

ATTORNEY FOR THE SIOUX: It was a Federal Indian reservation, recognized title and that--

QUESTION BY THE COURT: That title was in the Sioux Nation and not in the Federal Government.

ATTORNEY FOR THE SIOUX: Well, all of the incidence of ownership; I want to say who has all the incidence of ownership, it is the Sioux Nation. Where does the bare legal title rest, it is in the United States as it is with respect to all Indian lands. That is part of what establishes the trust.

When the United States takes it--and Shoshone makes this clear--when the United States takes it, the Indians have a percent interest for purposes of determining just compensation. You value it at full value.

Other than arguing that the Sioux actually held title to the land rather than arguing that the Sioux land rights should be conditionally protected from confiscation by the federal government, just as all other property is, the lawyer for the Sioux focused on the objective of money damages. (Ten percent of the damages awarded to the Sioux have gone to the lawyers as attorneys' fees--over ten million dollars.)

In the same **Sioux Nation** case the lawyer for the United States agreed that the federal government had the legal power to brogote the Sioux treaty and to take the Black Hills. The only agreement as over the question whether the Fifth Amendment to the Constitution required the federal government to pay compensation. Here the United States, again as self-appointed trustee or "guardian" of Indians and Indian property, made the same argument that the taking of the Black Hills had been for the Indians' own good. In the United States written brief to the Supreme Court the government's position is blatantly racist:

The Court long recognized that the Indian tribes have been incapable of prudent management of their communal property, that the United States must undertake this duty as fee owner of the lands and pursuant to its power to deal with Indian affairs. A disposal of tribal property in the discharge of this responsibility to manage the property for the tribe's benefit is an act on behalf of the tribe and, in effect, a disposal by the tribe itself. It freed from historical disabilities. The Court of Claims was in declining to so treat the Act of 1877 by which the Black Hills were severed from the Great Sioux Reservation.

The same Deputy Solicitor General who penned those scathing words made equally scandalous statements during oral argument in the Supreme Court:

QUESTION BY THE COURT: Is there any relationship of sovereign to sovereign between the United States and any group of white people within our boundaries?

ATTORNEY FOR THE UNITED STATES: I think--

QUESTION BY THE COURT: And the United States is not and never has been a trustee for any category of white people, have they?

ATTORNEY FOR THE UNITED STATES: That is--

QUESTION BY THE COURT: Comparable to the Indian relationship?

ATTORNEY FOR THE UNITED STATES: But that trustee relationship, Chief Justice, carries both obligations but also unusual powers, the power to dispose (of Indian property) against the will without exercising the power of eminent domain--

QUESTION BY THE COURT: There is no such power, comparable over any white category?

ATTORNEY FOR THE UNITED STATES: That is--

QUESTION BY THE COURT: These were all results to treaties in the first instance, were they not, these rights and duties and powers?

ATTORNEY FOR THE UNITED STATES: Well, this Court has held that independently of treaties the inherent situation of the Indian place them within protection of the United States.

QUESTION BY THE COURT: The Constitution itself recognizes Indian tribes as sovereigns, does it not?

ATTORNEY FOR THE UNITED STATES: Yes, but the Constitution perhaps also recognizes the dependent status of Indian tribes, their inability to alienate their land which accordingly, if it must be done in their interest, may occasionally have to be done against their will by their guardian.

ATTORNEY FOR THE UNITED STATES: I think the Court can find that the dealings were not wholly honorable and that results in a moral claim which would not bear interest and yet find, because that is judged from hindsight, and yet find that Congress was in good faith seeking to benefit the Sioux tribe at the time and accordingly there was an exercise of the Indian power and not of the eminent domain power. And, accordingly, no taking with the meaning of the Fifth Amendment.

As strange and illogical as it may be, the argument made by the United States is that it has extraordinary legal powers to seize and dispose of Indian lands--powers which it does not have over any non-Indian lands--because Indian nations and tribes are sovereign. An undefined and apparently never-ending "guardianship" or "trusteeship" is said to justify the exercise of that power when the federal government decides it is in the best interest of its Indian "wards" who are presumed to be incapable of determining their own best interest.

Given the arguments presented to the Court, and the broad concessions of federal ownership and power over the Indian lands made by the lawyers for the Indians, it is no surprise that the **Sioux Nation** decision of the Supreme Court expressly approves of **Tee-Hit-Ton v. U.S.** (1955), the Supreme Court decision which categorically denies constitutional protection (including the Fifth Amendment right to compensation) to aboriginal Indian homelands which have not been expressly recognized by Congress through treaty or statute for permanent Indian occupancy. The arguments made in **Sioux Nation** were closely in tune with those presented twenty-five years earlier by the United States government in its brief in the **Tee-Hit-Ton** case in which it was successfully argued that the right of Indians to their aboriginal title homelands is "comparable to that of a mere licensee, e.g., a squatter on the public lands."

The Crow Indians recently learned the very real danger in conceding that Indians are not in fact the owners of their lands and resources, that somehow the United States has come to own all Indian lands in trust for the Indians. In the Supreme Court decision of **Montana v. United States** (1981), the Crow lost their legal fight to maintain their ownership of and control of fishing on the Big Horn River which flows through Crow territory. This territory, Crow land for some 400 years, had been guaranteed by treaty to the Crow people for their "absolute and undisturbed use." The Court ruled that the river in Crow territory had been held in trust by the United States and that the United States had, by operation of a technical legal presumption, given that river to the State of Montana when that state was later created out of public domain.

The attorneys for the Crow had stated that the river was held in trust by the United States and had thereby permitted the Court to completely avoid the central question in this and all other litigation over Indian lands and resources: But what legal right does the United States assert its ownership and its administrative power over Indian lands and resources?

In the latest Indian rights case, **Mention and Amoco v. Jicarilla Apache Tribe**, the lawyers representing the Indians have again accepted and agreed to broad federal power over their clients. This case, which is pending before the Supreme Court, involves the issue whether Indian nations and tribes have the legal power to impose severance taxes on mineral extractions by non-Indian corporations from Indian territory. It will likely set an important and far-reaching precedent for, as the Jicarilla Apache Tribe's lawyer argued to the Supreme Court on November 4, 1981, "one of the powers essential to the maintenance of any government is the power to levy taxes...we rely on the inherent sovereign power to tax."

After making this strong and central point, the same lawyer conceded, for reasons unknown, that Congress could simply take away his clients' sovereign powers:

ATTORNEY FOR THE JICARILLA APACHE TRIBE: The tribal governments are dependent sovereign governments. They exist--their sovereign powers can be divested by Congress. But until Congress acts, they retain those powers.

The attorney for the mineral companies and non-Indian interests agreed but argued in addition that Congress had already taken away the taxing powers which the Jicarilla Apache Tribe were asserting. Should the corporate and non-Indian interests lose this round, they will undoubtedly soon be in Congress asking Congress to divest the Indians of their taxing power, just as the Indians' own lawyer said Congress could do.

The lawyer for the United States government supported the Jicarilla argument that the Tribe had the sovereign power to tax, but he stressed the fact that the Jicarilla taxing ordinance had been approved by the Secretary of the Interior. He took the posi-

tion that the Secretary had "residual powers" to disapprove and to refuse to implement any such Indian taxing ordinance which was not considered acceptable to the Secretary.

The message which these and many other lawyers are bearing to the Supreme Court and to other federal courts, is that Indian sovereign rights exist solely by legislative grace of the United States government. Even the right of Indian peoples to exist and govern themselves as separate peoples is said to be virtue of a sort of federal license which may be revoked at the will of the United States Congress. The lawyers who have made these concessions and who have taken such apparently disadvantageous positions can no doubt find legal precedents to support their arguments. But of the range of valid and practical legal arguments available, some lawyers regularly adopt positions which are least favorable to Indian interests, specially the long-range interests of Indian tribes generally.

It is, unfortunately, the exceptional lawyer who can be heard arguing today in federal courts that Indian peoples have fundamental rights to self-determination and to ownership and control of their lands and resources, rights which arise from the history, separate existence and will of sovereign Indian peoples, rights which cannot be lawfully divested or impaired by the United States or by any other sovereign. Such argument is not far-fetched or difficult to conceive. It takes no special brilliance or creativity to fashion strong legal support for such argument from the early Indian rights decisions of Chief Justice John Marshall and from the body of constitutional law developed during the past several decades by advocates for civil rights, aliens' rights, women's rights, mental patients' rights, juveniles' rights, and so forth. And a growing body of international law (which is applicable in United States courts), developing human rights standards during the post-colonial era of the United Nations, is also available to support fundamental Indian rights.

Of course, an Indian tribe may deliberately choose in a particular case to adopt a compromising position which concedes broad federal power or which surrenders or declines to assert its sovereign powers. In such a case an attorney must accept his client's position. However, it is wholly unnecessary and improper for lawyers to continue the practice of making concessions of sweeping federal power over Indians and Indian property in general.

The most important work of Indian rights advocates is to challenge--and certainly never to embrace--decisions such as **Lone Wolf v. Hitchcock** (1903) which put the veneer of law and justice on naked federal political power over Indians. One federal judge has already written that **Lone Wolf** is the **Dred Scott** decision of federal Indian law, a decision as bad for Indian rights as the notorious mid-nineteenth century Supreme Court decision upholding slavery for blacks. Neither Indian law, civil rights law nor international law is frozen in the age of Andrew Jackson or Teddy Roosevelt when the leading science, religion and politics of the United States and all white nations presumed the right of white peoples to assert dominion over all the non-white peoples of the world. How could the United States government, a government of limited powers, defend today a direct legal challenge to its claim of unlimited powers, plenary power over Indian and Indian property? How could a government committed to democratic ideals deny that Indian relations with the United States must be based on agreement alone?

It should not be necessary to note that the ethical obligations of lawyers require that they zealously represent their clients, not whatever the lawyers consider to be in the best interest of their clients. Whenever Indians insist on their fundamental, sovereign rights, there is a legal, ethical duty which the Indians' lawyers must fulfill by zealously advocating those rights. If compromises must be made, it is the Indians and not the lawyers who are entitled to make them.

The totally unsatisfactory state of United States Indian law will continue until Indian peoples and others become aware of its failings and work to bring about the law reform which is so sorely needed. What is clear at this time is that many lawyers representing Indians have not even begun to fight the most crucial Indian rights battles. They have instead helped reinforce the discriminatory notion that Indians are subject to uniquely oppressive and virtually unfettered federal power. Until Indian peoples and the legal profession put an end to this practice, the future of Indian rights appears grim indeed.

Steven M. Tulberg is a staff attorney and Robert T. Coulter is executive director of the Indian Law Resource Center, 601 E. Street, Southeast, Washington, D.C. 20003.

UTN EDITOR'S NOTE:

The following article is reprinted by permission as submitted by the authors. It should be of interest to Indian leaders, Indian rights attorneys and our regular UTETC readers. Comments may be submitted to UTETC NEWS or to the authors.

SPORT shorts

by UTETC Recreation Staff
JoAnn B. Long
Denise Charging
John Thunderhawk

December 5 was the day of the Recreation's First Annual Christmas Craft Sale held in the gymnasium.

Prior to the sale, we decorated the gym with an array of snowflakes falling from the ceiling.

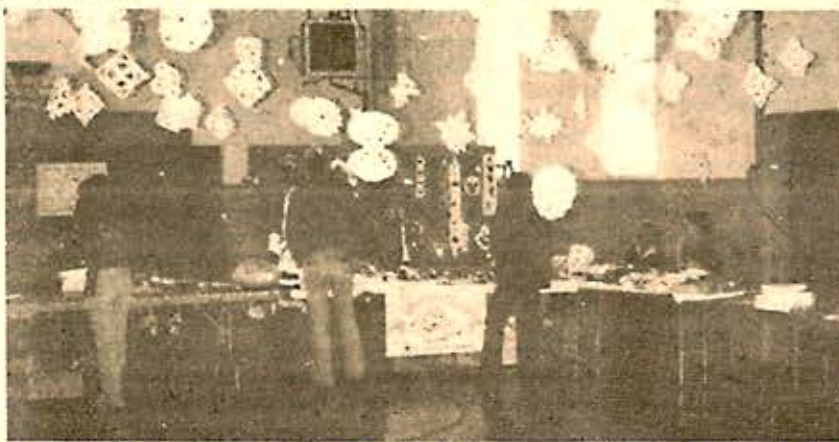
Originally, we confirmed eleven booths for the sale, but when the day came, only six were set up. These included: Job's baked goods and candies, Cheryl White's Ceramics, Berger Jewelry, The Indian Club, and the Handishop.

The Elementary students put together a selection of handmade decorations for Christmas and also sold baked goods. Linda Job made all kinds of good things to eat (her specialty being her candy boxes) as good as anything you buy. Cheryl White had a display of her ceramics. In it were ginger jars, ashtray sets and coffee cups. The Indian Club offered snacks and coffee for sale. The Bergers, owners of the Nevada's Turquoise Store located in the Lewis and Clark Hotel in Mandan, brought some of their turquoise jewelry. The largest booth came from the Mandan Handishop. They brought crafts made by Bismarck and Mandan area Senior and Handicap citizens.

The Craft Sale wasn't as large of an event as we had hoped, however, we were satisfied with our first year attempt.



Volunteers from the Mandan Handishop display crafts that were made by the Bismarck-Mandan Senior and Handicap citizens.



Snowflakes adorned the Craft Sale area bringing about the Christmas "spirit."



Pictured left to right are Tiffany Sherman, Brooks Sherman, Candy Sherman—UTETC Personnel Technician and Linda Job—UTETC Support Services Technician selling baked goods at the Craft Sale.



Representatives for the Nevada Turquoise Store of Mandan, proudly displayed their finest of turquoise jewelry.



The UTETC Theodore Jamerson Elementary students sold an array of handmade Christmas decorations.

The Coin

The United Tribes News Staff would like to thank Anne M. Humphrey for submitting this story. We encourage others to do the same.

Bill had been working all week for Mrs. Mina Moore. He had arrived at her house directly after school for five consecutive days. Yesterday she had promised, "I will pay you for the work you have done."

Now he flogged himself with his long arms and stamped his booted feet as he waited for the old woman to answer his knock. The December wind pressed thru his worn jacket. His cheeks stung as the cold whipped the warmth from his exposed face. Bill pulled his cap down closer around his ears and jammed his mittened hands deep into his pockets.

He turned to study the object of

his arduous labor. The neatly stacked pile of split wood stood near the back door. It would last for several frozen weeks.

The memory of sweat and toil...of the heavy ax raised again and again...of long hours...of walking home alone thru the cold darkness, satisfied Bill. He felt that he had been measured and found adequate.

The door was suddenly jerked open and Bill spun around to find Mrs. Moore peering out at him. The tall, white haired woman scowled at the twelve year old boy and asked gruffly, "Are you done?"

Bill nodded nervously and tried to smile. Mrs. Moore's twisted fingers slipped into a small black purse held tightly against the front of her soiled dress. The fingers wormed painfully in the dark depths of the purse. At

last they emerged and Mrs. Moore carefully pressed a coin into Bill's mittened hand. He thanked her in a hoarse voice as he backed away from the door. He turned and quickly stepped off the sagging porch.

Bill did not look at the coin as he trudged along the trail from Mrs. Moore's tired white house. He held it tightly as a lump thickened in his aching throat. "Oh," he moaned toward a watchful chickadee, "she only gave me a quarter."

He had given five evenings of his young life, punished himself daily with hard work and done a good job for the old woman. How terribly disappointed he was. "But," he consoled himself, "twenty-five cents will still buy something nice for Granny."

He hurried away and down the hill. When he knew that Mrs. Moore could no longer see him, he stop-

ped to put the coin into his pocket. Tears filled his eyes as he looked in disbelief at the shiny nickel.

Anne M. Humphrey
December 19, 1945--As told by
Bill Brown,
a Chippewa
Indian

The United Tribes News would like to hear from you.

If you have a letter to the editor; poetry; artwork; and upcoming events; or, any item of interest to Indian country, send it to us at: UNITED TRIBES NEWS NEWSROOM 3315 S. Airport Road Bismarck, N.D. 58501 All letters must be signed. Names will be withheld at the editor's discretion.--ED.

INDIAN ORGANIZATION

NATIONAL INDIAN YOUTH COUNCIL



**ALBUQUERQUE,
NEW MEXICO**

In history and principle, the National Indian Youth Council is a process, not an event. The process began in 1952 when Indian clubs at various universities began to form regional associations. It came to fruition during the Conference of American Indians (Chicago 1960) when non-Indian scholars discussing Indian problems invited Indians for the first time to participate in their deliberations. The well-known "Chicago Conference" had two effects: it demonstrated the absurdity of white scholars trying to define Indian problems; and the necessity for a national Indian organization to define their own problems and offer solutions consistent with Indian culture and tradition.

NIYC was created in Gallup, New Mexico in 1961, by ten college educated Indians who met at the Conference and envisioned that NIYC would become an organization of service to Indian People based upon the Indian system of agreement. NIYC is not a conventional-type of organization because the organizers agreed that "organizations rearrange history but movements make history." The uniqueness of the NIYC movements has not diminished during its 20 year existence because NIYC continues to attract the type of Indian People who believe in its original purpose.

NIYC is entirely Indian, in form and function, and its seven-member Board of Directors and staff operate in the traditional council system. Decision making utilizes all those involved. Policy decisions are not made, they are grown. The present situation of Indian People is the result of a complex historical, political, legal, social and economic process and the problems demand solutions totally different from those employed by other racial and ethnic minorities.

There are 482 recognized tribes living on 266 different reservations and in various rural and urban communities. Each tribe has a distinct history; thus each tribe has different priorities in dealing with their problems and needs. What works for one tribe does not necessarily work for another tribe. NIYC approaches and responds to the variety of problems so differently that it may appear to the uninitiated the NIYC does not have a consistent philosophy or specific direction; but to NIYC this direction is as logical as the growth of a tree.

NIYC's objective is the preservation and enrichment of traditional tribal communities. NIYC views individuals as part of their community and there is not distinction between the two. While NIYC is concerned with the individualistic problems such as economic poverty, employment discrimination, health care and education; the approach to these problems includes the community as a whole and each Indian

community situation must be understood and considered before any action is taken.

NIYC has a large Indian membership with strong ties to many different tribal communities and has remained involved with these communities because it is capable of evolving specific projects to serve the specific needs of these communities.

Because NIYC deals with Indian problems in the context of the community and develops solutions in the same manner, it has contradicted many scholars and bureaucrats who tend to apply national solutions to all Indian problems. NIYC continues to prove that Indian People know what is best for their communities and continues to work towards their goals.

In summary, specific methods to be used by NIYC were purposely left unwritten by the organizers to allow more freedom and flexibility when dealing with different problems of the Indian People. NIYC concerns are people concerns and the scope of involvement is unlimited due to its concept of what an Indian organization should do.

Consideration of the total tribal community, the preservation of its cultural society, and assisting its future development are the goals of the National Indian Youth Council.

LITIGATION

NIYC views litigation not as an isolated function but as one method which can be coordinated with other activities, i.e., community organizing and public education, as a vehicle to produce a broad scale impact on major Indian problems. NIYC attorneys file lawsuits

designed to have the most beneficial results for the most Indian People. NIYC has filed lawsuits all across the country in the areas of environmental protection, civil rights, health care, treaty rights, tribal government, and religious freedom.

While NIYC cannot afford to take a large number of individual cases, it does assist in referring cases to other attorneys or agencies.

RESEARCH AND INFORMATION

Recognizing a need for a strong Indian voice, NIYC has strengthened its Research and Information component. This unit works to educate Indian and non-Indian communities about the issues that affect the Indian People today. Activities include:

- Analyzing national and state legislation that affects Indian People.
- Participating in building regional and national media networks among Indian media outlets
- Providing resource and background data to Indian journalists
- Publishing *Americans Before Columbus*

CIRCLE FILM

Circle Film is an all Indian film company under NIYC. NIYC is seeking to develop it into a company that is capable of all aspects of film production. Circle Film already has 14 films to its credit.

EMPLOYMENT AND TRAINING

Since 1974, NIYC has been a prime sponsor for a statewide manpower program funded by the Com-

prehensive Employment and Training Act (CETA) to train and employ Indians living off reservations in the State of New Mexico.

NIYC-CETA has offices in Albuquerque, Santa Fe, Gallup, and Farmington which develop jobs and vocational training opportunities in a wide spectrum of career fields.

NIYC-CETA has also obtained CETA monies from the City of Albuquerque and the State of New Mexico that are being used to create jobs with excellent career opportunities in those agencies where Indian People have been consistently excluded.

All the NIYC-CETA offices have established various programs that include youth recreation activities, ex-offender and alcoholism counseling, seeking out legal and medical assistance, and child care facilities.

Filling a real gap, these offices have served over 10,000 Indian People and have become strong advocate centers in their respective communities.

TAWA BAHANNE

This program is designed to introduce methods of alternate technology to Indian communities. Tawa Bahanne first organized under the name of Native American Appropriate Technology Action Council. The project began with a three day conference in Albuquerque that included instructions, discussion groups, and demonstrations on how to utilize low cost and readily available technology for economic development and energy conservation.

The project now visits the many pueblos and reservations in New Mexico to demonstrate alternate technology to Indian people.

VOTER REGISTRATION

Funded by the Southwest Voter Registration and Education Project of San Antonio, Texas, this program is designed to encourage Indian People to participate in the electoral process on all levels--national, state and local.

INTERNATIONAL

NIYC is closely involved with other native peoples in different countries throughout North and South America. Contact with Indian communities and Indian organizations is maintained by a regular exchange of information and by participation in international meetings.

NIYC believes that all native peoples are one people regardless of the national boundary lines that have been drawn.

For additional information:
National Indian
Youth Council, Inc.
201 Hermosa, N.E.
Albuquerque, New Mexico
87108
(505)266-7966



ANNOUNCEMENTS

**Save the Children.**

THEME SET FOR 4TH ANNUAL
NATIONAL INDIAN
CHILD CONFERENCE

"Caring, Coping, and Change - Challenges for the 80's" will be the theme of the 1982 National Indian Child Conference according to its director, Dallas Johnson. The sponsoring agency, Save the Children, conducts one of the largest non-governmental, non-sectarian Indian assistance programs in the country and expects the conference to be one of the highlights of its 50th anniversary year.

Individuals interested in presenting workshops at the conference scheduled for September 12-16 at the Hyatt Regency in Phoenix, Arizona, should contact the conference at:

5101 Copper, NE, Suite 1
Albuquerque, NM

Workshops will be limited to 50 presentations and selected on the basis of their creativity and applicability to four major areas of concern: Indian health, education, the family, and youth issues. Presenter applications, available at the conference office, must be completed and returned by March 1.



UNIVERSITY OF NEW MEXICO
SCHOOL OF LAW

The Special Scholarship Program in Law for American Indians will be sponsoring the sixteenth Pre-Law Summer Institute during the months of June and July 1982, at the University of New Mexico School of Law. The Pre-Law Summer Institute has been an integral part of the Special Scholarship Program since its inception. The summer institute serves as a vehicle to provide students with a means to achieve their potential during their law school careers. Those participants, whose academic experiences have been less intensive than those students who will comprise their first year classes, receive a benefit from the summer institute. The eight-week program not only offers courses which emphasize substantive law, writing skills and legal analysis, but participants are exposed to the demands of daily class preparation as well as the anxiety involved in preparing for law school examinations.

Courses offered are standard law school courses, special

courses designed to develop skills necessary for success in law school (i.e. legal writing, use of the library), and a course in Federal Indian Law. In 1981, the Pre-Law Summer Institute offered the following courses: Criminal Law, Legal Process, Indian Law, Legal Advocacy, a seminar in study skills and writing techniques, and a moot appellate court exercise which required the writing of an appellate court brief and presentation of a ten minute oral argument before a three-judge panel. An additional purpose of this Institute is to introduce future Indian lawyers who will be attending law schools throughout the country and establish a basis for group identity and communication through their legal careers.

Anyone who has completed their undergraduate studies and has completed or is able to take the February Law School Admission Test is encouraged to apply. Requests for applications may be mailed to:

Director
Special Scholarship Program
American Indian
Law Center, Inc.
PO Box 4456-Station A
Albuquerque, NM 87196

The deadline for receipt of completed applications is March 15, 1982.



It is not too late to apply for admission to the University of California at Berkeley.

The Native American Studies program is one of the finest in the nation. The department offers a Bachelor of Arts degree with a curriculum which covers the following areas:

Law, Government, Literature, Social Institutions, Community Development, History and Culture.

The faculty are the most respected scholars in their field, and we in the Native American Recruitment and Counseling Service are eager and waiting to assist you in the following areas; admission procedures, financial aid, housing, tutoring, and B.I.A. funding.

With a degree in NATIVE AMERICAN STUDIES from UC Berkeley, your opportunities are limitless.

If you need any information, or if you have any questions, please feel free to contact us.

Contact Persons:

Michael Hill
Recruiter/Counselor
Alex Alday
Student Affairs Officer

Native American Studies
3415 Dwinelle Hall
University of California, Berkeley
Berkeley, California 94720
(415)642-0245

SHARING A HERITAGE:
AMERICAN INDIAN
ARTS CONFERENCE

100 years of changes to be covered in conference sessions.

The UCLA American Indian Studies Center and the Malki Museum will host SHARING A HERITAGE: AMERICAN INDIAN ARTS CONFERENCE, May 28-29, 1982, on the UCLA campus. Two hundred participants are expected to attend talks exploring the historical, anthropological, literary, ethnomusicological and educational aspects of American Indian art forms as they depict the community life of the American Indian. The conference features special exhibits of publications, programs and art work as well as performances by American Indian artists.

The conference will use art as a medium to understand and articulate changes in Indian culture and values. It will cover changes in American Indian art, the preservation and revival of art forms and the ethics of documenting, preserving and sharing Indian culture. The sessions will focus on American Indian art in a holistic framework incorporating the historical, economic, political, psychological and social influences which have affected its development. The speakers are specialists on art forms ranging from the performing to the visual arts as well as various handicrafts.

For further information on the conference, accommodations and exhibit space, please write or call:

Judith Taka
American Indian Studies Center
3220 Campbell Hall
University of California
Los Angeles, CA 90024
(213)825-7315



NCAI

The National Congress of American Indians (NCAI) will be hosting a Congressional Awards Banquet, January 28, 1982, in order to honor members of Congress who have been supportive of Indians during the past Congressional session. Tickets may be purchased individually for \$25.00 or \$200.00 per table (seats 10). Any questions regarding the banquet can be answered by calling Ms. Roanne Robinson at (202)546-1168.



STEWART INDIAN SCHOOL
BOOSTER CLUB, INC.

STEWART INDIAN MUSEUM
TO OPEN

On Saturday, January 23, 1982, the Stewart Indian Museum will open at the Stewart Community Church at 9 a.m. until 5 p.m.

At 10 a.m. and 1 p.m. several films from the 1930s, 1960s, and 1970s concerning Stewart Indian School will be shown. The 1930s film was donated by a former staff member.

At 3 p.m. there will be a reception in honor of the members of the Stewart Indian School Hall of Fame. Tribes represented in the Stewart Hall of Fame include the Paiute, Washo, Shoshone, Pima, Hopi, Hualapai, Navajo, Apache, Papage, Weatt, Pueblo, Ute, Mohave, Chemehuevi, Yurok, Hoopa, Klamath, Mono, etc.

The Gannett Foundation has recently announced that it has awarded the Stewart Community Church a grant for the Stewart Indian Museum and the exhibit, "The Brave New World of Stewart Indian School, 1890-1980," which will open at the Nevada State Museum in April of 1982 and which has tentatively been extended through March of 1983.

The Stewart Indian School trophies and photographs of the members of the Stewart Indian School Hall of Fame will be in the Stewart Indian Museum at the Stewart Community Church.

"Hopefully," observed Rev. David Anderson, president of the Stewart Indian School Booster Club, Inc., "a building on the recently closed Stewart Indian School campus will be set aside as the permanent Stewart Indian Museum."

Anyone who has Stewart photographs, trophies, medals, uniforms, letter sweaters and blankets, etc. they would like to place on display should contact Ed Johnson who is coordinating museum exhibits at (702)885-4810 or write:

Stewart Indian Museum
5340 Snyder Avenue
Carson City, Nevada 89701

The museum will be open from 12 noon until 2 p.m. Monday through Friday or by appointment after the opening on Saturday, January 23. "Anybody who visits the museum can have lunch at the senior citizen's lunch program in the church. Please call at least one day ahead of time between 12 noon and 2 p.m. at (702)882-0622," commented Anderson.

Our Lore 

**Iyan Hokshi,
the Stone Boy**

Told by Henry Crow Dog

When this earth was still young, there were ten brothers who lived together with their only sister, a beautiful girl just sixteen years old. She was all a young woman should be, at home on the prairie, well able to take care of herself and others, and good with her hands, especially in using porcupine quills to decorate rawhide dresses and leggings. There was much love and respect between the sister and her brothers. They took care of her, and she took care of them. They brought in the meat, she dug up *timpsila*—wild turnips—and gathered berries and nuts. They made the weapons necessary for their protection and for the hunt; she made almost everything else needed for life—a tipi of tanned hides, berry and nut pounders and grinders of stone, fleshers, scrapers, awls and needles of bone, shirts and moccasins of hide. In this way they lived happily. They had everything they wanted, and they had it because they made it themselves.

Every day the brothers would go out hunting while the girl was busy with her tasks in and around their camp. Every evening the brothers returned loaded with game—antelope one time, deer another. They would all sit together around the fire and relate to their sister what had happened while they were out after game. She, in turn, would tell them all that she had heard or seen at the campsite.

One night they came home as always, one after the other, all except the oldest brother. The brothers were not worried about him, thinking that he had simply strayed too far in pursuit of an elk or buffalo. But the sister had a strange and eerie feeling that something dreadful had happened. Her brothers tried to cheer her. "He is just holed up somewhere for the night," they told her. "Tomorrow he will be back." But she kept on worrying. At last the second oldest brother consoled her, saying, "I will go and look for him."

The next morning, eight of the brothers went hunting, but the second oldest went in search of his lost brother as he had promised. All the fears of the girl were confirmed. Not only did the oldest brother fail to show up, but the second oldest, too, was missing when the hunters returned. As you may already have guessed, the next day the third oldest went to find his two missing brothers while the other seven were hunting as usual, and as you may also have guessed, this time only seven came back and three brothers were missing. And so it went—all the young men vanished, one by one, until the young girl was left alone.

The sister was grief stricken. She wept and the tears flowed down her lovely face, moistening her beautiful white buckskin dress. She went everywhere to look for her lost brothers, but could find no trace of them, not even a footprint. At last she sat down to think things out. "This is like a bad dream," she told herself, "but I am young and healthy and strong. I have learned to take care of myself. I will never give up hope that my brothers will return one day, and I will keep the camp-

site prepared for them."

The girl made herself a bow and arrow and hunted small game around the camp. She snared rabbits and quails. She gathered wild fruits and plants. She kept everything ready for her brothers, but they did not return.

One day, going about her daily chores to keep herself alive, the girl saw a round, odd-colored pebble on her path. It attracted her, and she picked it up. "This stone is wakan—enchanted," she thought. "I can feel it. This pebble has medicine power. I will put it in my sacred bundle. Maybe it will bring me luck." A little later she came to a small stream. She was loaded down with firewood, a basketful of chokecherries, and a sack of wild turnips. She needed her hands to steady her burden while crossing the brook. So she simply put the pebble in her mouth. But she stumbled and fell. The fall jarr'd her so that she swallowed the stone. In the days that followed, something very strange happened. The pebble inside her began to grow, and then to move. Finally she gave birth to a fine, healthy baby boy. And because he had formed himself out of the pebble—no ordinary pebble, to be sure—she named him Iyan Hokshi, stone boy.

She now grieved less for her brothers, happy to have a baby of her own to love. Iyan Hokshi grew fast, much faster than ordinary children. Almost from the moment of his birth he began to walk around. Quickly he learned to talk, and just as quickly he wanted to help his mother. He saw the bows of his lost uncles hanging in the lodge and reached for them. Small as he was, he already wanted to be a hunter. "These are too big for you, *hokshila*," said his mother. "Here, take mine." He took his mother's small bow and soon kept her cooking fire supplied with small game. Thus they lived together.

At last came the day when he asked his mother, "Whose bows are these hanging in the tipi?"

"They belong to your uncles."

"And where are these uncles of mine?"

She had to tell him then, though she was afraid of what he would do once he heard the whole story.

Her fears were realized because Iyan Hokshi said at once, "I must go and find my uncles."

"Wait. Do not leave me," she said and wept. "I never got over the loss of my brothers, but if I lose you, my only son, it will break my heart."

"Mother," he said, "do not cry. Keep that willow backrest ready for me in the tipi, because I will come back, and I will bring my uncles with me."

"How can this be? They were grown men, and you are only a boy. I know there is something dreadful waiting out there to destroy you as it has destroyed them."

"I am no ordinary boy. I am Iyan Hokshi the stone boy. I am afraid of nothing, and I will come back."

He took the biggest bow of his uncles, and a bagful of *wasna*—dried meat pounded together with berries—and his

Native Recipes 

INDIAN BREAD

Makes 10-12 Servings

3 cups flour
1 teaspoon soda
¼ teaspoon nutmeg


1 ¾ cups corn meal
2 teaspoons salt
3 ½ cups milk

1 cup molasses

1. Sift together the dry ingredients. Combine the milk and molasses.
2. Add the liquid ingredients to the dry ingredients, and beat with a rotary beater until smooth.
3. Pour into a well-greased 2 quart steam mold, cover and place on a rack in a deep kettle that has a close-fitting lid.
4. Pour enough boiling water into the kettle to come about halfway up the mold. Cover the kettle and steam the mold for 3 hours.
5. Remove the mold from the kettle, and let stand 20 minutes. Remove the cover, and let stand 10 minutes longer. Loosen the edges of the pudding with a spatula, invert the mold on a plate, and let stand until the pudding unmolds.
6. Serve with lots of butter.

mother's medicine bundle. He went away confident, singing his song of war. He wandered over the prairie, over hills, and through deep forests. He crossed rivers and mountains. He spoke to every animal he met, saying, "Do you know where my uncles are?" Some times he shouted as loud as he could. Once, someone shouted back at him, "Hrrn, Hrrrn!" It was a growling, ugly sound, the voice of a huge grizzly bear. "Stop grunting, long face," said Iyan Hokshi.

Continued on Page 7

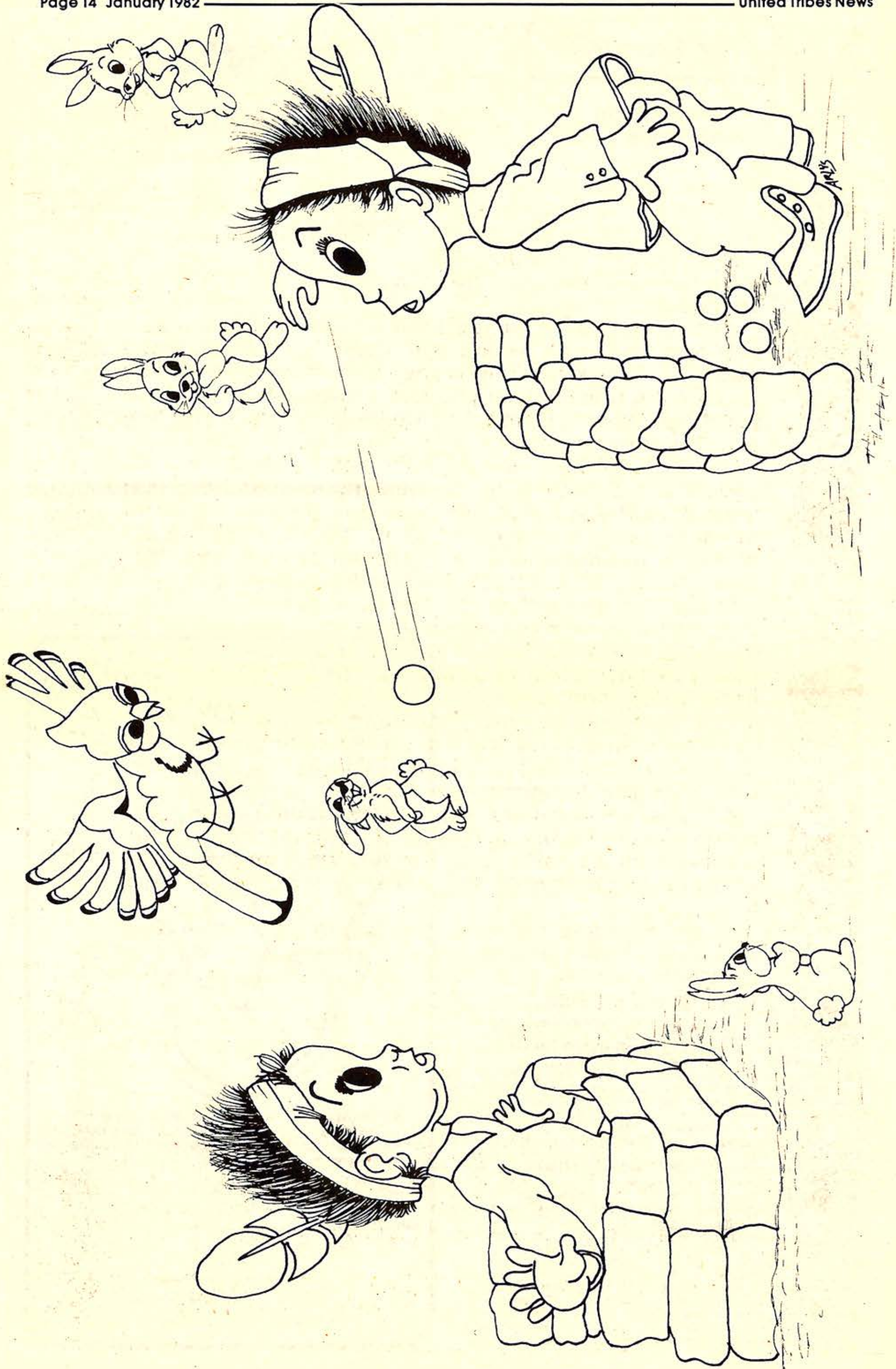


START "1982" OUT RIGHT!
Subscribe to the United Tribes News!

With rising costs and all, we're still hanging in there. A yearly subscription to the United Tribes News still costs our readers only \$7.00 per year. So....subscribe now, before costs go up!

Name _____
Address _____
City _____
State _____ Zip _____

Return with check or money order to:
United Tribes News
c/o U.T.E.C. - Office of Public Information
3315 South Airport Road
Bismarck, North Dakota 58501



A decorative border with a repeating floral motif of stylized leaves and flowers, framing the text on all four sides.

I LOVE YOU

There is much greater motivation than simply my spoken words. For me to love is to commit myself freely and without reservation. I am sincerely interested in your happiness and well being. Whatever your needs are, I will try to fulfill them and will bend in my values according to your need.

If you are lonely and need me, I will be there. If in your loneliness you need someone to talk to, I will listen. If you need to listen, I will talk. If you need the strength of human touch, I will touch you. If you need to be held, I will hold you. If you need fulfillment of the flesh, I will give you that also, but only through my love.

I will try to be constant with you so that you will understand the core of my personality and from that understanding you can gain strength and security that I am acting as me. I may falter in my moods, I may project at times, a strangeness that is alien to you and may bewilder and frighten you. There will be times when you will question my motives. But because people are never constant and are as changeable as the seasons, I will try to build within you a faith in my fundamental attitude and show you that my inconsistency is only for the moment and not a lasting part of me.

I will show you love now, each and every day, for each day is a lifetime. Every day that we live we learn more how to love. I will not defer my love nor neglect it, for if I wait until tomorrow, tomorrow never comes.

If I give you kindness and understanding, then I will receive your faith. If I give you hate and dishonesty, I will receive your distrust. If I give you fear and am afraid, you will become afraid and fear me. I will give you what I need to receive.

To what degree I give love is determined by my own capability. My capability is determined by the environment of my past existence and understanding of love, truth and God.

I will give you as much as I can. If you will show me how to give more than I will give more. I can only give as much as you allow me to give. If you receive all I can give, then my love is endless and fulfilled.

I must give all that I have being what I am. All things in life I find beautiful. I want to become a truly loving spirit. Let my words, if I must speak, become a restoration of your soul. But when speech is silent does a man project the great depth of your sensitivity. When I touch you, or hold you, or kiss you, I am saying a thousand words.

UNITED TRIBES NEWS

United Tribes Educational Technical Center
 3315 South Airport Road
 Bismarck, North Dakota 58501
 (701) 255-3285 Extension 243 - 246

JANUARY

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						



1982

FEBRUARY

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

JULY

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

OCTOBER

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

MARCH

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

MAY

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

AUGUST

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

NOVEMBER

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

APRIL

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

JUNE

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

SEPTEMBER

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

DECEMBER

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31