

united tribes news

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DISCRIMINATION:

Affidavits force to light Bismarck's dark side

"Area Said Prejudiced to Indians," proclaimed the Oct. 4 headline, forcing briefly to light the ugly undercurrent of discrimination in the Bismarck-Mandan community.

The story beneath the *Bismarck Tribune* headline packed a wallop: attorneys had filed a battery of affidavits in support of a petition to move from Bismarck the pending trial of their defendants, American Indian Movement activists Russell Means and Thomas Poor Bear. In the affidavits, 10 area residents swore that Indians are regularly scorned by stores, schools, restaurants and realtors in the community.

"MY PERSONAL FEELINGS," said Charles Hall Youth Services Program Director Jeffrey Hanson, "based on my experience of living in Grand Forks and near a reservation community (Belcourt, ND), are that Bismarck is by far the most prejudiced community with which I have had to deal."

Court Reporter Dorothy Rolfstad seconded the point. "In my work in the judicial system," she said, "I have seen that Bismarck-Mandan is a very racist community."

Such charges fly in the face of a proud and prosperous community, and residents reacted characteristically.

Bismarck Mayor Robert Heskin was quoted as saying "I would certainly not say" that there was prejudice against Indians in

the community. HESKIN LATER claimed to *United Tribes News* that he had only meant to deny the "racist" label. "I'm not so blind to think there is not a certain amount of prejudice," he said. "There is prejudice in every community. It's a common human problem. "How widespread it is here, I really don't know," Heskin said. "I don't think it's a monumental problem. In general it has been a good relationship, although there is always room for improvement."

Private citizens reacted similarly. The affidavits prompted a poll on the issue by Bismarck's KFYR News. The station said that a large majority of the respondents said they did not think the area's Indian population is discriminated against in business, employment or housing.

NUMBERS FOR the poll were from a cross-section of the Bismarck-Mandan phone book, the station said. Of the 133 people participating, 30 (or 23 per cent) said they felt there was discrimination. The other 103 people (77 per cent) said no, they didn't think discrimination existed here.

But there is much evidence which undercuts this smugness. The affidavits show a dogged certainty of discrimination. Other Indian and non-Indian officials we contacted quickly supported the affidavits. And it seems that nearly every one of the some 2,000 Indians in the Bismarck-Mandan area could add an infuriating account

of personal discrimination. Clearly, people are reluctant to deal directly with the problem. Most localities find the existence of prejudice hard to acknowledge, or consider it a minor, elusive problem.

MANY INDIANS also are reluctant to battle discrimination; the tendency to withdraw seems to take over. In the past five years, only about a dozen complaints of housing discrimination have been filed by local Indians to the civil rights office in Denver of the U.S. Department of Housing and Urban Development. This is despite the office's good record of winning concessions from most defendants.

With the lack of prolonged fuss, few offices have been made available here to deal with discrimination. Bismarck-Mandan has no Legal Aid Office to serve poor people, although the Public Defender office will assign an attorney to a criminal defendant and the State's Attorney office will prosecute criminal cases, including cases of discrimination in public places.

But Bismarck-Mandan has no civil rights commission to handle citizen complaints. Nor does it have a committee of citizens to advise elected officials on civil rights matters, as it has on other matters.

UNTIL RECENTLY, North Dakota was one of the few states left without a state advisory commission to the U.S. Civil Rights

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WELCOME TO
Bismarck

The fastest growing City in North Dakota
"Make Your Mark - in Bismarck"
COUNTY SEAT OF BURLEIGH COUNTY
ALTITUDE: 1,670 FEET ABOVE SEA LEVEL

CAPITAL OF NORTH DAKOTA
CITY OF 34, 703 PEOPLE
"CITY FAIR- BECAUSE WE CARE"
MEDICAL CENTER
FOR THE DAKOTAS
BISMARCK IS A CITY RICH IN
IT'S LOVE OF THE LAND

Chamber of Commerce graphic

Regional coal planners balk at Indians

Delegates to the recent four-state Fort Union Coal Conference here have voted not to require Indian representation on its task forces, despite the efforts of two Indian leaders.

Full-scale Indian representation had been considered assured following a series of direct appeals. However, two of the state delegations balked at the requirement, and pushed through an amendment which leaves Native American representation optional for each state.

Dismayed Indian leaders planned to continue pressing state officials on the issue, and spoke of organizing a similar coal conference for Indians.

THE FORT UNION CONFERENCE, meeting Oct. 13-15 in the North Dakota capitol chambers, brought together more than 100 delegates from Montana, Wyoming and North and South Dakota, states which cover the massive Fort Union lignite deposit.

With a grant from the National Science Foundation, the North Dakota Legislative Council organized the meeting to allow state officials to exchange ideas on the development of natural resources in the region, and to consider interstate cooperation. It was regarded as an advisory meeting, with recommendations not binding on the individual states.

When the four state delegations were selected, only one Indian was named: Donald Loudner (Crow Creek Sioux), South Dakota Commissioner of Indian Affairs.

LOUDNER SAID THAT at the meeting he quickly became aware of the lack of Indians, and contacted Warren W. Means, executive director of the United Tribes of North Dakota, to devise a course of action.

The two questioned Robert Melland, a North Dakota state senator who was presiding officer of the conference,



Means



Loudner

about the lack of Indian involvement. Later they appeared before the conference's six task forces to urge each to include Native Americans in future meetings.

Twenty-three tribes are located in the four states, Means said, and would be highly impacted by lignite development. Indian representation "would give us the unusual chance to get in from the ground floor, since state officials normally plan legislation without taking any account of Indian input," Means told one task force.

"I think including us now would avoid pitfalls and litigation later on."

FOLLOWING THE APPEALS, Melland publicly apologized for the "oversight" and each of the task forces added recommendations for Indian representatives in their reports to the general session.

However, snags developed when the reports came up for

vote before the general session. The Wyoming delegation objected to the Indian requirement, arguing that no lignite was near its Wind River Reservation, and that in any event none of the recommendations should be binding.

Montana, which is involved in several lawsuits on tribal water rights, introduced a compromise amendment urging only that "every consideration be given to include representatives of Indian communities affected by coal development."

The amended clause did not specify whether Indian representatives should be voting delegates or merely observers.

The amendment was accepted by the four delegations and inserted into each of the task force reports.

LOUDNER TRIED AGAIN, by introducing a South Dakota resolution "that future Fort Union Coal Conference meetings and task forces include representation from the four-state Indian Tribal Governments."

The resolution was ruled out of procedural order by Melland. Two challenges to his ruling failed to muster the necessary two-thirds vote (with only North and South Dakota in support), leaving Indian representation at the discretion of the states.

Nevertheless, John Graham, assistant director of the North Dakota Legislative Council, said later he felt the conference "got a mandate" to include Indians, and indicated that the Council will urge Gov. Arthur Link to seriously consider Indians when he makes executive appointments to upcoming task force meetings.

The Council hopes to receive further support from the National Science Foundation so the task forces can function for at least a year, Graham said.

Discrimination: some remedies

The specter of discrimination against Indians in Bismarck-Mandan has been briefly raised by a series of affidavits, causing most people to turn away in disbelief or dread. As our accompanying article indicates, the issue is at once thorny and slippery. But the problem can be isolated and dealt with.

The leaders of the city or state should establish a human rights commission to handle discrimination complaints exclusively.

Bismarck Mayor Robert Heskin says he "would like to explore" the prospect of getting another citizen's advisory committee, to deal with civil rights matters. Members might be drawn from an informal group of Indian officials which Indian Affairs Commissioner Juanita Helphrey is trying to organize.

The Indian population can push for better treatment. Don't acquiesce; rage. If you think you've been discriminated against in

opinion

housing, call the Denver office of HUD, at Hud at (303) 837-4726. If you have an employment complaint, call the Equal Em-

ployment Opportunity Commission in Denver, at (303) 837-3668. If you think you've been discriminated against in a public place, call the state's attorney here at 255-4727. You could get the manager of a bar, hotel, restaurant or other public place fined up to \$500 and given 30 days in jail.

On the level of attitudes, non-Indians should read about Native Americans. They should come and see United Tribes. An open house has been scheduled here Nov. 23 for that purpose.

The state should require and support an Indian curriculum in public schools. There should be more sensitivity workshops, such as those organized by Emory Keoke's Institute of Community Understanding.

A good model for cooperation is the Dakota Association of Native Americans' new Business Advisory Council, in which business people have input into Indian concerns and try to sensitize other employers to equal employment practices.

Mayor Heskin says "we will consider anything to make a good situation better." We disagree that it's been a good situation, but we know these actions could make it better.

Affidavits allege strong prejudice

[continued from page 1]

commission. There is no statewide human rights commission, although an ad hoc committee has been formed to press the government for such a body.

The federal government can intervene in discrimination here through its HUD office in Denver, which provides mediators who seek out-of-court settlements in housing cases; and its Equal Employment Opportunity Commission office in Denver, which processes employment discrimination complaints applying to larger businesses.

The United Tribes legal office takes cases of UTETC staff and students. And private attorneys can always be approached, although they are beyond the means of the predominantly indigent Indian population.

A civil rights commission would exist to handle discrimination cases exclusively.

BISMARCK MAYOR Heskin said "a city of this size simply doesn't have the funds" to set up such a commission.

"NOW, A HUMAN relations advisory committee, composed of private citizens serving voluntarily, might be a good thing" Heskin said, "I would like to explore it." A state human rights commission, as envisioned by its ad hoc supporters, could operate as a traveling court, with cease-and-desist and subpoena powers.

Such a commission could not be created until 1977, since legislative action is necessary. In the meantime, the ad hoc committee plans to approach Gov. Link for an executive order which would apply the commission to state offices and employees.

SHOULD ANY of these agencies take on the issue of discrimination in Bismarck-Mandan, they would be dealing with a stubborn and slippery problem. Several of the affidavits referred to the area's "subtle but real biases and prejudices" which are "difficult to describe."

All of the affidavits related accounts of

discrimination, with housing appearing to be the most acute problem. For example:

Juanita Helphrey, executive director of the North Dakota Indian Affairs Commission, said she and friends have experienced discrimination in hospitals, schools and taverns, as well as in seeking employment and housing.

E. N. Sandwick, executive director of Burleigh County Housing Authority, said "we often hear of Indian people being discriminated against" in housing. One Indian family, he said, was told by every prospective landlord that housing was no longer available. Another family had to live in their car because they could not find housing here.

Eric Gajeski, an executive and former teacher, spoke of "latent as well as expressed prejudice." He said that if people think about Indians at all, it is to consider them irresponsible, bad credit risks, shiftless or troublemaking.

EDGAR BRINCKERHOFF, of the Charles Hall Youth Services, said the dominant attitude is that Indians are "drunks and freeloaders" who do not contribute to the welfare of Bismarck. He said Indians are refused service in stores or given only demeaning attention, must endure "unfeeling" teachers and are refused apartments.

Lutheran Church Official James Sorenson said that "In general, I believe the community feels it has an enlightened attitude toward American Indians. This however, may only serve to mask the more subtle biases and prejudices."

"Because a majority enjoys the affluence of the community, there is a great deal of investment in the status quo and fear of anything which may be interpreted as a threat to the status quo."



Kleppe sworn in but questions remain

Thomas Kleppe is the new secretary of the Interior Department, sworn in by President Ford on Oct. 17 following an ostensible grilling by the Senate Interior Committee. But Indians still have been given little solid evidence of how the North Dakota native will discharge his sensitive duty as overseer of the Bureau of Indian Affairs.

The confirmation hearings provided little indication, since Indian concerns and policies were never discussed at length. Notably absent were questions on reservation energy development.

KLEPPE'S NOMINATION drew a mixed reaction from the three Indian leaders who presented statements at the hearings. The former head of the Small Business administration received support from Rose Crow Flies High, tribal chairperson of the Three Affiliated Tribes of Ft. Berthold, opposition from Raymond Spang, tribal council member of the Northern Cheyenne Tribe of Montana, and an admonition from Mel Tonasket, president of the National Congress of American Indians.

A reading of the text of the hearings shows Kleppe's statements on Indian affairs to be generally supportive, if vague. Some examples:

On Indian self-determination: "... a great part of my effort at SBA has been directed toward assisting people to enter into business and to become self-sufficient. The concept of Indian self-determination is something that I personally support."

On water rights: "It is my understanding that it is the policy of this Administration to encourage the states to take a leadership role in the allocation and use of Western water, provided consideration is given to Indian water needs."

On the proposal to use U.S. marshalls as a temporary training force for Indian police at Pine Ridge: "I just do not know that much about it. There is one thing I do not like the sound of, and that is the idea of the marshalls, whoever they might be, doing the training on the reservation. I think that if the plan were going to be adopted, the training itself ought to be off the reservation. Other than that, I do not know enough about the details to give you a further answer."

Finally, on the BIA's role in the tribal chairman/tribal council struggle at Pine Ridge: "... the tribal council ought to have more voice in the affairs of the reservation... This is a backing away, not a relinquishing of any authority by the BIA, but a backing away of the administration of the affairs of the tribes of the Pine Ridge Reservation... But this question of self-determination has two sides to it, from what I am able to learn. You have some tribes who like to have more authority in running their affairs. You have others concerned about

it because of losing some control — losing some support that they might otherwise get from the federal government through the BIA. So it works both ways, depending on the local situation."

Kleppe was strongly endorsed by Mrs. Crow Flies High, who was accompanied to the hearings by Ft. Berthold tribal council members Austin Gillette and Ronald Little Owl. She said Kleppe had been sensitive to Indian needs during his service as U.S. representative from North Dakota and as SBA chief.

"AS SECRETARY of the Interior," she said, "we are confident he will protect and preserve the unique trust relationship which exists between the federal government and all Indian tribes. We are certain that Mr. Kleppe will assist Indian tribes in the proper development and utilization of the valuable natural and human resources which are found on Indian reservations throughout the country, and that he will support legislation and make all efforts to insure that our rights are not violated."

Northern Cheyenne's Spang, on the other hand, passed on his tribe's opposition to Kleppe. "We feel," Spang said, "that he lacks the record and imagination to fully guarantee that he will vigorously and positively exercise that office's responsibility to defend the rights, resources and lives of the American Indian."


Both Spang and NCAI's Tonasket briefed the committee on Indian complaints of Interior's shortcomings in protecting tribal interests.

The outspoken Tonasket urged Kleppe to weed out Interior's "autocratic bureaucrats" with their "paternalism attitude" and to "recruit new talent."

Figures on SBA aid to North Dakota Indians, provided in our commentary on Kleppe last month, raised doubts from several Indian merchants. An examination of the records on which E. Maine Shafer, North Dakota SBA director, based these figures, revealed a few discrepancies.

SHAFFER'S TOTAL of \$16.5 million in government contracts to "Indian-owned businesses" arranged through his office during Fiscal 1975 includes only one grant, for \$11,000, to an individual Indian contractor. The vast remainder went to the Devil's Lake Sioux Manufacturing Corp., which is not yet Indian-owned.

Shafer produced a list to support his claim that "since Kleppe took over in 1971, SBA has provided loans to 68 of the 73 known Indians businesses in North Dakota, loans which average \$30,000." The list, which only goes back through Fiscal 1973, shows loans to 38 Indian businesses. The loans average around \$30,000, with corporations getting the larger sums.



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Berthold, Totten await claims

The Indian Claims Commission has awarded multi-million dollar judgements to the Ft. Totten and Ft. Berthold reservations for the lost land, but it will be months before the tribes finally receive any payments.

Last June, the Three Affiliated Tribes of Ft. Berthold was awarded \$9.1 million to cover the full cost and interest on 356,000 acres taken by settlers at only partial cost under the 1910 Homestead Act. Tribal members currently are devising a distribution proposal which will be fed into the bureaucratic mill.

EARLIER THIS MONTH, the Devils Lake Sioux Tribe apparently won an \$8.2 million land settlement when the government failed to appeal the ICC award to the U.S. Supreme Court before the Oct. 9 deadline. The matter now goes to Congress for an appropriation of the money, and tribal council member Julius Rainbow said the reservation may not see the money "for a few years."

Ft. Berthold is closer to a final resolution, although tribal council secretary Hazel Blake said involved bureaucratic procedures may mean the funds will not be disbursed for another year.

Meetings have been held in five Ft. Berthold communities to discuss distribution formulas, Blake said. Each community has selected a committee which is drawing up recommendations to the tribal council, which is

responsible for submitting the reservation's formal distribution proposal.

AT ISSUE IS HOW MUCH of the payments should go into the tribal treasury, for what purpose, and how much should be distributed to individual tribal members.

John Danks, BIA programs officer at Ft. Berthold, explained that 10 per cent of the judgement is taken off for attorneys' fees. Of the remainder, at least 20 per cent must be used for tribal programs.

The local committees are considering whether a full 80 per cent should be distributed on a per capita basis to the some 5,400 tribal members, or whether the tribal treasury should receive more than the 20 per cent minimum. "Most people want the tribe to buy land with its share," Danks said.

With input from the local committees, the tribal council will draw up and submit a distribution plan to the BIA area director in Aberdeen. The director then will hold public hearings on the reservation, add recommendations and pass on the proposal to Washington.

THERE, DANKS SAID, THE PLAN will be considered by the Senate Interior committee. If it is not sent back for revision within 60 days, it automatically is approved.

The BIA is authorized to disburse the funds based on the final plan, Danks said.

The \$9.1 million settlement involved land sold near Roseglen, Parshall and New Town, areas since ceded back to the reservation.

The Ft. Totten judgement, involving land occupied by the army in the 1860's, could benefit an estimated 2,100 tribal members.

In July, the U.S. Court of Claims rejected the government's appeal from the Indian Claims Commission, ruling that the military, between 1867 and 1890, occupied more than 11,000 acres of reservation land for use as the Ft. Totten Military Reserve.

"THE DEVELOPMENT OF Indian lands has done without tribal consent or payment of just compensation," the court ruled.

The judgement also was based on the following claims:

- The giving of parcels of each of the reservation's townships to the state of North Dakota in 1904;
- The taking of 900 acres for church mission and other purposes in 1904;
- The taking of 1,600 acres for an Indian school in 1904;
- The taking of 960 acres for a public park in 1908;
- "Sale by the government of unallotted reservation land to white homesteaders at unreasonably low prices fixed by Congress," according to Emerson Hopp, a Minneapolis attorney.

Referendum:

The Three Affiliated Tribes' Tribal Business Council recently passed an amendment to their Constitution. The proposed sections, as listed below in Gillette's article, would ostensibly clarify requirements for membership in the Three Tribes, Mandan, Hidatsa and Arikara of Fort Berthold. The proposed changes are subject to approval by tribal members in a referendum scheduled Nov. 19. Below are two letters that appeared in the New Town News, giving different perspectives to the issue.

Pro

DEAR VOTERS:

The following paragraphs will help clear up some of the confusion concerning the upcoming referendum.

The following are the present membership as it now reads and the proposed changes:

Section 1. The membership of the Three Affiliated Tribes of the fort Berthold Reservation shall consist of all persons of Indian blood whose names appear on the official census roll of the Three Affiliated Tribes as of April 1, 1935; and all children born of any member of the Tribe who is a resident of the reservation at the time of the birth of said children.

Section 2. The Tribal Business Council shall have power to promulgate ordinances subject to review by the Secretary of the Interior, governing future membership, the adoption of new members and the revision of the membership rolls from time to time as determined by such ordinances.

THAT IN LIEU THEREOF, the following language be inserted:

Section 1. Membership. The membership of the Three Affiliated Tribes of the Fort Berthold reservation shall consist of:

A. All persons whose names appear on the membership of the Tribes as of October 2, 1974; and

B. Any person before the effective date of this amendment and to any member of the tribes who was a resident of the reservation at the time of birth of said person.

C. All persons of at least 1/4 degree Indian Blood of a federally recognized tribe provided at least 1/8 Indian blood be of the Gros Ventre, Mandan and/or Arikara Tribes.

Section 2. Dual enrollment.

A. PERSONS ENROLLED WITH ANOTHER tribe and who have received benefits from such tribe in the form of land or payments shall not be eligible for enrollment with the Three Affiliated Tribes of the Fort Berthold Reservation provided that inherited interests shall not be considered as being benefits.

B. A person eligible for membership with the Three Affiliated Tribes of the Fort Berthold Reservation and another tribe shall relinquish whatever rights of membership he may hold in the other tribe as a condition to his enrollment with the Three Affiliated Tribes of the Fort Berthold Reservation.

Section 3.

A. The Tribal Business Council shall have power to promulgate ordinances, subject to review by the Secretary of the Interior, governing future membership, the adoption of new members and the revision of the membership from time to time as determined by such ordinances.

PART B PROTECTS THOSE children born to enrolled members who reside on the reservation from Oct. 2, 1974 until this change is approved by the Secretary of the Interior. After that this requirement will no longer apply.

The reason for this is, when legislation is passed for our judgement fund, as was the case in the first payment, the payment was based on enrollment and current membership requirements. So if this passes, the ones enrolled from Oct. 2, 1974 to present will be protected. This includes all full-blooded and enrollees of lesser degree.

Part C establishes a blood of 1/4 degree Indian quantum with 1/8 that being of the Three Tribes. This will be the only requirement the Tribes will use for future enrollment if the referendum passes. In addition, it opens up enrollment to 99 members who reside off the reservation and cannot enrolled at the present time.

NO WHERE IN OUR Constitution and By-laws does it state the chairman cannot vote. The chairman at that meeting had the right to vote and he did so.

In the past forty years, since the Indian reorganization Act, this is the first time any change in membership requirements has been proposed with an actual referendum. So if you do not agree with this, it is your choice. The only thing I recommend is vote: remain the same or change the membership requirements.

Austin H. Gillette, Chairman
Tribal Enrollment Committee
Tribal Business Council
Three Affiliated Tribes

Three Affiliated Tribes to decide blood quantum

Con

DEAR VOTERS:

Who does the Tribal Business Council represent in proposing the 1/8 Three Affiliated Tribes blood quantum?

First, it is a known fact that the majority of Indians enrolled as members preferred 1/4 or more Arikara, Gros Ventre, Mandan Indian blood and TBC now proposes 1/8 or more of blood quantum. Perhaps they represent the non-resident eligible enrolled voters, because the Three Tribes blood would seem to run them away from the reservation. Therefore, they are attempting to protect their interest, because, after all, the Tribal Business Council averaged 87 absentee votes and, in most cases, it was definitely a deciding factor that assisted them in being elected.

HOWEVER, I AM DOUBTFUL about that representation also because in the proposes amendment, membership shall consist of "... any member of the tribe who was a resident of the reservation at the time of birth of said person."

That definitely affects non-resident eligible voters.

Further, the proposed amendment affects all enrolled members or all interests:

Section 2. Dual enrollment. "Persons enrolled with another tribe and who have received benefits from such tribe in the form of land or payments shall not be eligible for enrollment with the Three Affiliated Tribes of the Fort Berthold Reservation, provided that inherited interests shall not be considered as being benefits."

The only affected enrolled members of other Indian reservations would be members over 50 years old who had received allotted land from the government. Otherwise everyone else is eligible to be enrolled provided they qualify under Section 1 (blood quantum and residence.)

THE TRIBAL BUSINESS COUNCIL has had difficulty in keeping record on the Three Affiliated Tribes' bloodlines even with the immediate access to records. Had there not been a recent per capita payment the records would probably still be 10 years behind. Adding 1/8 outside Indian bloodline would be a detriment to all including the 1/8 outside Indian bloodline, because, in the proposed amendment, Section 2, Dual enrollment, they would have to relinquish their membership in other reservations before becoming eligible to be enrolled here. And there would be a greater possibility of them losing out all the way around, that is, not being enrolled in any reservation.

Additionally, the adoption of the amendment, especially Section 2, would provide a means for people to drop their enrollment in other reservations and be enrolled with the Three Affiliated Tribes only to seek a special benefit like a per capita payment. The Three Affiliated Tribes has been awarded over \$9 million in the Indian Claims Court. It doesn't seem fair to share with people who do not justly deserve a share. The last \$2 million claim that the Three Tribes received netted \$300 to each individual.

JUST AS IMPORTANT is the basic validity of the proposed amendment. Because the Three Tribes' Constitution and By-laws indicate the chairman has only tie breaking voting power and the Tribal Business Council utilized the chairman position to cast a regular vote in an attempt to qualify an amendment proposal under Article 10 of the Constitution and By-laws: "It shall be the duty of the Secretary of the Interior to call an election when requested by a two-thirds vote from the Tribal Council."

The vote for the proposed amendment was six for and one against and the chairman of that meeting cast the additional vote to qualify for the two-thirds majority (seven votes for.)

Although the business council violated the Constitution, the Secretary of the Interior or his representative authorized the referendum for the proposed amendments. Therefore, there will be an election November 19, 1975.

IN THE MEANTIME, the most important thing is to register for that election. In the last secretarial election most of the voters failed to register because it violated their constitution and we drastically suffered for that mistake.

Jerry Nagel, Chairman
Ft. Berthold Landowners
Association

JOM funds slashed

A new formula designed to distribute Johnson O'Malley school funds "more equitably" has produced a 53 percent cutback in this year's JOM allocation to North Dakota.

As a result, most JOM programs and assistance in the state may be drastically reduced, with some schools figuring to drop programs entirely.

The JOM setup authorizes the Bureau of Indian Affairs to contract with state, local and private educational agencies for providing supplemental and special assistance to Indian pupils.

IN NORTH DAKOTA, 13 public school districts with Indian enrollment receive JOM funding, with all but one sub-contracting for the funds through the JOM office at the United Tribes of North Dakota Development Corp.

Phillip Longie, director of the JOM office, said that for fiscal year 1976, North Dakota was allocated approximately \$338,000, compared to about \$740,000 for each of the last two years.

Under the newly devised BIA formula, North Dakota was allocated \$338,247 to provide educational services for 2,143 Indian pupils, an average allowance per pupil of \$157. The national average, by contrast, was \$193.

"North Dakota was one of the heavier losers," Charles Richmond, chief of the BIA's branch of school assistance, told *United Tribes News*.

"SOME OTHER STATES got quite a bit less," he said. "But there was more gain than loss, since quite a number of states had been getting low allocations."

North Dakota had received substantial

allocations in the past, he said, since they have an established JOM program which had actively sought funds.

The critical factor in the new formula was each state's average per-pupil cost, Richmond explained, noting that North Dakota's figure was lower than many.

The formula may be scrapped by next year, he said, since new JOM regulations still are being devised under Public Law 93-638, the Indian Self-Determination and Education Assistance Act of 1975.

THE JOM OFFICE at United Tribes contracts with the BIA for JOM funds for 12 school districts: St. John, Rolla, Rolette, Dunseith, Devils Lake, Warwick, Oberon, Solen, Cannonball, Twin Buttes, Parshall, New Town and Trenton. A 13th school district, Ft. Totten, contracts directly with the BIA.

Longie has submitted to the BIA a proposal for distributing the latest allocation to the dozen schools he serves. To accommodate the budget cut, the 12 local Indian school boards compiled estimated budgets totalling only some \$282,000, compared to \$582,000 last year.

SUPPORTIVE PROGRAMS, such as for gifted students, remedial education and bilingual and Indian studies, showed the largest drop in the total request: from \$63,000 last year to \$4,000 this year. Six schools planned to cut these programs altogether.

Longie's office has been seeking additional funding to save the JOM programs.

United Tribes plans to phase out its JOM office by next year, so the schools can contract directly with the BIA.

175 educators convene here for 4-day national seminar

"When traveling on the white man's road, take up that which is good and throw down that which is bad."

With these words from Sitting Bull, Art Raymond, North Dakota state legislator and director of Indian studies at the University of North Dakota, sounded a keynote for the Fourth National Seminar in Indian Education, held here Oct. 4-8.

THE FOUR-DAY SESSION, designed to promote cultural and linguistic knowledge, was hosted by the United Tribes of North Dakota at the United Tribes Employment Training Center.

About 175 educators representing 15 states attended the conference, which was sponsored by the Center for In-Service Education, Loveland, CO; and the National Council of Teachers of English, Urbana, IL.

"Indian education has changed drastically since I went to school," said Raymond, a Sioux who served as co-chairperson of the seminar.

"We, as Indians, were discouraged from higher education. When I went to college there were only three other Indians enrolled, and only one finished.

"THERE HAS BEEN a dramatic turnaround. The goal is now self-determination, and what that means is education."

The benefits of improved Indian education, Raymond said, "will not be for us now, but it will be for the little ones, for posterity."

The first two days of the seminar focused on the culture of the Plains Indians. About 90 per cent of the persons attending were from various Indian tribes.

The remaining sessions were geared toward teaching reading and language arts to Indian children in public schools, mission schools and Bureau of Indian Affairs schools.

Sub-topics and panel discussions were held simultaneously on sources of funding, utilizing community resources, and Indian publications.

UTETC students come and go



Thirteen people began studies at UTETC during September. Shown seated from left are Victoria Ear, of Crow Creek; and Theresa Geigle and Elwood Silk, both of Standing Rock. Standing from left are Bill Lawrence, of Standing Rock; Vernon Cable, Jr., of Anadarko, Ok., Jean and Ronald Wilkie, of Turtle Mountain; Merel Redbear and Betty Ann Owen, both of Sisseton-Wahpeton; and Theresa Whirlwindhorse, of Pine Ridge. Not pictured are Donna Redbear, of Sisseton-Wahpeton; Franklin Redbear, of Standing Rock; and Seymour Smith, of Truxton, Az.

Seven students graduated from UTETC on Oct. 23.

They are Harriet and Norman Stewart, of Crow Agency, MT, in business clerical and building trades; Juanita and William Garcia, of Jicarilla, NM, in food service and

welding; Billy Palmer, of Anadarko, OK, in welding; and Marie and Wendell DeCoteau, of Belcourt, ND, in nurse aide and welding.

Marie DeCoteau is the 75th person to graduate from nurse aide, quite an achievement for UTETC.

NDIEA to meet again

"North Dakota Indian Education: A Second Look" will be the theme of the second annual conference of the North Dakota Indian Education Association, set for Nov. 20-21 at Four Bears Lodge on the Fort Berthold Reservation.

Keynote speaker will be Lee Brightman, head of the department of Native American studies at Contra Costa College, San Pablo, CA.

Participants will meet in full session to discuss the principal issues concerning Indian education in North Dakota.

ON HAND WILL BE appropriate officials to brief the conferees on the programs or assistance offered by the Bureau of Indian Affairs, the American Indian Higher Education Consortium, the North Dakota State Department of Public Instruction, the North Dakota Education Association, and the office of Indian studies at the University of North Dakota.

The activities of the Coalition of Indian-Controlled School Boards also will be discussed, as will be funding under P.L. 93-638 (the Indian Self-Determination and Education Assistance Act of 1975) and Title IV of the Indian Education Act.

The conference will close Thursday

evening, Nov. 21, with a banquet followed by a concert by noted Mescalero Apache singer A. Paul Ortega. The concert will be in New Town High School gymnasium.

No advance registration is required for the conference.

MEMBERSHIP IS OPEN to anyone involved or interested in Indian education. General and student members must be Indian, and hold the voting privilege. Non-Indians become associate members and cannot vote.

The NDIEA board of directors, elected at last year's convention, is headed by Gene McGowan of Turtle Mountain (Chippewa), president; Vance Gillette, Ft. Berthold (Three Affiliated Tribes), vice president; Jim Shanley, Ft. Peck (Assiniboine), secretary; and Ron Lavadure, Turtle Mountain (Chippewa), treasurer.

Other board members include Randy Plume, Pine Ridge (Oglala); Phyllis Howard, Ft. Berthold (Three Affiliated Tribes); Emma Blue Earth, Standing Rock (Sioux); Mary Baker, Ft. Berthold (Three Affiliated Tribes); Emory Keoke, Standing Rock (Sioux); Leonard Bear King, Standing Rock (Sioux); and Phillip Longie, Ft. Totten, (Sioux).

UTETC group to attend parley

Eleven UTETC staff members and two students will be among the hundreds of persons attending the seventh annual conference of the National Indian Education Association, Nov. 5-8 in Oklahoma City.

At the conference, educators, parents and students will attend a series of workshops and programs to discuss the quality of

Indian education. Exhibits and entertainment, including a powwow, also are planned.

UTETC staff members attending will be Warren W. Means, Harriett Skye, Joan Wick, Joan Estes, Elaine Incognito, Angelita Dickens, Mike Barthelemy and Mike Koquatosh. Students attending will be Rocky McHugh and Melvin Grey Owl.

White Shield loses whites, but moves ahead

Indians in White Shield School District 85 have survived the wrenching confrontation and reorganization of the district, and in fact have found the experience to have worked out well in their favor.

The public school district had been running under a cooperative agreement between the Bureau of Indian Affairs and the state, to serve Indian and non-Indian children around the southeastern corner of the Ft. Berthold reservation. But for years, Indian parents in the district felt they were being maneuvered out of any control.

SO LAST YEAR, the Ft. Berthold tribal council appointed an Indian school board to advise the BIA in conducting negotiations

for a new cooperative agreement. The Indian board sought to increase Indian membership on the five-member White Shield school board, and proposed that teachers devote more time to under-achieving Indian pupils. The school board was asked to reprimand teachers who allegedly had neglected Indian pupils.

In protracted and tense negotiations, the non-Indian dominated school board rejected the Indian proposals and offered no counter-proposals.

The talks broke down, and finally dissenting parents were allowed by the state to transfer their children to the neighboring Garrison and North Shore school districts.

All of the non-Indian parents did so, leaving the Indians alone and in control of the White Shield school district. The district lost 11 of 17 teachers and 120 of 282 pupils, in grades kindergarten through 12.

BUT SINCE THE reorganization, the district has replaced the transferred teachers and has added several more staff members, according to Richard Zephier, new principal of White Shield school.

And under the continuing state-BIA arrangement, the district has been boosted by a large proportional increase in funding. For the last school year, White Shield received \$550,000 to teach 282 pupils; this year, it got some \$524,000 for 162 pupils, Zephier said.

The BIA also has given the district an extra \$100,000 for use during the transition period.

AS A RESULT, the school has been able to individualize instruction more, and has introduced several programs. Native American studies are offered in all grades, as are a bilingual program teaching Arikara and a program on tribal government, Indian music and language arts.

Non-Indians can serve on the now all-Indian school board, and their children have been invited to enroll in the White Shield school.

"We want non-Indians to attend," Zephier said. "The parents refuse."

Ft. Berthold lifts oil moratorium

The Three Affiliated Tribes of Ft. Berthold has lifted its two-year oil and gas moratorium, notifying potential customers that it will soon be accepting bids for leasing on the energy-rich reservation.

The action was taken by the tribal council this month following the completion of consultants' studies. It is part of an effort by tribes to gain more control over development of their resources.

Previously, tribal councils usually deferred to the Bureau of Indian Affairs in drawing up energy leases. Several reservations later complained of getting poor leases, and tribal councils declared moratoria to reconsider the situation.

UNDER FIRE, THE BIA adopted a low profile on leasing. Dave Meiers, Ft. Berthold tribal business manager, said the New Town BIA will only be handling administrative duties in the upcoming oil and gas negotiations. The tribal council has set the terms of the leases and will be dealing with the developers.

"The tribe took the initiative," Meiers said. "They felt they had better get a jump on development. Otherwise the BIA might put on pressure again and the tribe would not have as much control."

Meiers said the consultants' studies, provided by Ball Associates of Denver, indicated that Ft. Berthold has "substantial" oil and gas deposits, and gave figures on current leasing fees and practices used elsewhere.

THE TRIBAL COUNCIL HAS DECIDED to advertise for bids on selected areas throughout the 800,000 acre reservation. This time, the tribe has designated the available sites, instead of letting customers select their prospects.

Meiers said the council also has set fees which are "competitive" and in line with the general economy. A resolution was passed setting the minimum annual lease rental at \$2.50 an acre. Royalty payments would equal 12.5 per cent of oil or gas production.

The tribe also wants an "overriding" royalty of 2.5 per cent of production for administration expenses.

MEIERS SAID THE DURATION of the leases has not been set, but said five years is probable.

To begin the leasing process, tribal authorities this month mailed letters to oil companies and other potential lessors notifying them that the New Town BIA agency will begin advertising for bids in several weeks. Bidding will be opened

following 60 days of advertising in trade journals and newspapers.

A number of inquiries already have been received, tribal officials indicated.

These would be the first oil and gas leases on Ft. Berthold, Meiers said.

Tribal energy complaints with the New Town BIA have been over coal deals handled by that office. The tribal council still is considering its coal policies, and successfully encouraged BIA Superintendent Anson Baker's decision in September to cancel a coal permit granted in 1970 to Consolidation Coal Co.

THE TRIBAL COUNCIL AT Standing Rock Reservation also has declared a moratorium on leasing of all minerals. Tribal official Sam Featherway said the moratorium was imposed about two years ago, before any leases had been entered into, and said outside consultants still are compiling figures on the reservation's energy potential.

An exception to the moratorium was granted a year ago, he said, when the tribe leased out 16,000 acres of tribal land to Chevron Oil Co., for five years of oil and gas drilling. The site is 16 miles south of McLaughlin, SD.

Crows sue for water

BILLINGS - In a bold suit filed in federal court here against some 1,300 parties, the Crow Tribe and the federal government are claiming that water for use on federal lands and on the Crow Reservation should receive priority over all other water use.

THE SUIT CLAIMS that under treaties dating back to 1825, all waters from rivers and tributaries on, under or adjacent to the Crow Reservation, including ground surface and underground watersheds, belong to the tribe and the U.S. government.

The defendants, including the state of Montana, are water users on the Big Horn River, Little Horn River, Pryor Creek, Sage Creek, Tullock Creek and Carpy Creek.

A similar suit has been filed by the federal government and the Northern Cheyenne

Tribe against water users on the Tongue River.

The Crow suit could have major implications for coal development, since the tribe could gain control over how much of the disputed water will be allocated for private use and how much for the coal industry.

IF THE TRIBE is victorious, it might charge private users for the water.

The Supreme Court has not yet determined whether the case should be tried in federal or state courts.

Defendants will automatically default on their water rights unless they answer the summons by Jan. 2, 1976, according to Doug Freeman, a Hardin, MT, attorney representing several of the defendants.

FTC report finds BIA lax on energy leasing

The Federal Trade Commission has compiled a report which upholds tribal complaints that the Bureau of Indian Affairs often fails to safeguard Indian interests when arranging energy development on the reservations.

"The BIA," noted the staff study, "occasionally has been less vigilant in the protection of Indian interests in mineral leasing than it should have been."

The 226-page report also found that in the past, the BIA "has shown either a hostile or at best a neutral attitude toward tribal attempts at self-development."

The Associated Press released the findings of the staff study before it had been made public by the FTC.

THE REPORT criticized the BIA and U.S. Geological Survey for slow collection of rents and royalties owed to tribes for mineral leases on their lands. "Failure to collect over \$1 million in past due rental payments and possibly more in royalty payments in the fiscal 1974 is inexcusable," the study said.

"Indian land, unlike public land, does not belong to the federal government to alienate or encumber as it pleases; rather, Indian land is held in trust for the Indians," said the report, compiled by the FTC Bureau of Competition.

"The paternalism inherent in requiring tribes to petition the BIA for approval of their budgets prior to receipt of their revenue from mineral

leasing with the attendant loss of revenues from interest before approval, no longer seems justified, if indeed it ever was."

The report urged the BIA to encourage and train Indians to handle their own leasing decisions. "As tribes develop the organization and expertise to handle mineral leasing on their own, as the Navajo have, the role of the BIA should become increasingly passive."

THE BIA, the report proposed, should encourage joint participation of Indians and energy companies in developing tribal mineral resources. "The joint participation approach offers the potential of increased revenue for the tribe as well as the promise of increased self-sufficiency and complete self-determination. The substantial advantages should not be overlooked."

The mineral wealth of reservation land is "considerable, both in absolute terms and as a percentage of total resources," the study found.

CITED WAS A U.S. Geological survey estimate that up to 50 billion tons of coal underly Indian lands, which would be more than 10 per cent of the nation's reserves.

As of June 30, 1974, there were 23,111 producing oil and gas wells on Indian lands. Neither the BIA or Geological Survey has surveyed potential oil and gas reserves on Indian lands, but a private study for the Navajos estimated 100 million barrels of oil and 25 trillion cubic feet of natural gas on tribal lands.

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State gets directive, no direction on ballots

A federal directive to print ballots in minority languages is baffling officials in four counties in North Dakota.

Benson, Mountrail, Rolette and Sioux counties contain Indian reservations, and as such have been directed to make available minority-language ballots.

THE PROBLEM, HOWEVER, is that most of the tribes in the state have only oral languages or pictograph systems.

Officials from the four counties have been or will be in contact with the Justice Department to ask for a ruling in their cases. They believe that counties with no minority written language should be exempted.

No official word has been issued yet.

Maury Thompson, Sioux County State's Attorney, said that Justice Department officials, tribal chairmen and council members with whom he has spoken feel that since there is no written language, the federal directive could be met by providing interpreters at the polls.

THE OFFICIALS ALSO NOTED that few Indians still rely on their native tongue. At Standing Rock, Thompson said, only eight per cent of the residents speak Lakota.

"If they can read Sioux, they can also read English," said Benson County Auditor Vernon Lysne.

"They should make the legislators translate and print the ballots," Lysne said. "Then maybe they would think twice about making these directives."

getting by

advice

browsing in the car lot

By RAY PATNEAUD

UTETC Automotive Instructor

An inexperienced car buyer should be aware of certain fundamentals when he or she decides to purchase a used automobile.

First, the use of the automobile is a very important factor. Obviously a person with a large family to transport should not purchase a compact. By the same token, one should not buy a station wagon if a compact will suffice.

AN IMPORTANT AREA to examine is the general condition of the body. Look for rust, especially around the front fender wells or rear quarter panels.

Also look for abnormal wear on the interior.

Mileage is a very important factor. The mileage shown on the odometer can give a general indication of wear on the engine. However, this does not always hold true since the engine might have been changed.

Also look for abnormal wear on the tires.

WHEN ROADTESTING THE VEHICLE, see if blue smoke comes out of the exhaust pipe. This would show that the car needs a ring job, and possibly an overhaul.

Black smoke indicates carburation problems, which could be expensive to repair.

If the car has a loud exhaust, it needs a new muffler and possibly a whole new exhaust system.

CHECK FOR OIL LEAKAGE under the engine area, under the transmission and under the rear end area.

Check for gear slippage and abnormal shifting. The auto should not slam into gear, and there shouldn't be a long hesitation between shifts.

Loud shifting from park to drive to reverse indicates problems in the drive shaft, universal joint or rear end.

Check the heater hoses and radiator hoses for hardness and cracks. Cracked hoses must be replaced.

If faults are found in any of these areas, ask the buyer to make the necessary repairs, or ask for a lower price.

McLaughlin elected at Ft. Yates

Pat McLaughlin has defeated Verna Bailey, 669 to 331, for the office of chairman of the Standing Rock Sioux Tribe. The turnout was the largest ever, with 1071 votes cast in the Sept. 24 election.


North Dakota district winners were Jack Krauser, Frank Brave Bull and Harold Murphy.

South Dakota district winners were Clay-

ton Brown Otter, Floyd Little Bear, Ambrose Dog Eagle and Phillip Eagle.


Appointed were Clayton Brown Otter, vice chairman, Leona Claymore, secretary, and Frank Brave Bull, sergeant-at-arms.

Inauguration ceremonies were held Oct. 8 at Fort Yates. Festivities included a buffalo feed and powwow.




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Governed by the five North Dakota tribes, UTETC is an arm of the United Tribes of North Dakota Development Corp. It is the only Indian owned and operated educational institute of its kind in the United States.

For further information, contact your nearest Bureau of Indian Affairs Employment Assistance Office or write: UTETC Office of Public Information, 3315 S. Airport Road, Bismarck, ND 58501.



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UTETC football follies



A scrappy staff team subdued the smaller students, 14-6, in UTETC's annual football matchup, played Oct. 17 before a crowd on the center's fairground. In a spirited rematch 11 days later, the students revenged the loss with a 13-0 triumph. Here are some scenes from the first contest, which saw every impressive play matched by a comic one.

Photos by Bill Miller



Business unit formed to assist urban Indians

An innovative Business Advisory Council to assist urban Indians was formed earlier this month at a statewide employment conference here sponsored by the Dakota Association of Native Americans.

THE COUNCIL, called BAC-DANA, intends to involve business people from such fields as housing, health care, legal aid, day care, unions, transportation and employment, in overcoming the adjustment problems faced by Indians coming off the reservations.

BAC-DANA also will sensitize employers to equal opportunity and affirmative and legislative action.

Subcouncils were formed in each city in which DANA has offices: Bismarck, Fargo, Grand Forks, Williston and Minot.

DANA is funded by the U.S. Department of Health, Education and Welfare to help urban Indians locate available government services.

State Sen. Pam Holand, a West Fargo

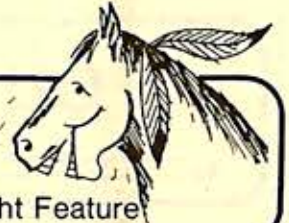
businesswoman, was elected statewide chairperson of BAC-DANA.

"AS A LEGISLATOR," she told the conference banquet, "I feel that all legislators should go to the Indians and not wait until the Indians come to us with problems."

The conference participants also elected six chairpersons: Brian Baldwin, Equal Employment Opportunity officer for the North Dakota National Guard at Bismarck; L. S. Joe Hawk, assistant personnel manager of Devils Lake Sioux Manufacturing Corp. at Ft. Totten; Ron Jackson, employment manager of Northwestern Bell at Fargo; Thomas Reiten, personnel and insurance assistant of Minnkota Power Co-op, Inc., at Grand Forks; John Mitchell, personnel manager, Industrial Relations, at Boeing Aerospace Co., at Minot; and Wayne Hansen, administrator of Bethel Nursing Home at Williston.

The five subcouncils met this month with business people in each community.

horse feathers



AIPA Light Feature

NATIVES SELL REFRIGERATOR TO WHITE MAN: The U.S. Department of Commerce Economic Development Administration has announced that it has awarded \$19,000 to the Central Council of Tlingit and Haida Indians of Alaska to study the feasibility of building a cold storage and freezer facility in southeastern Alaska. (Marketability could be a problem, fellows.)

O.K., HOW DO YOU SAY KLEENEX? Potomac Tribal member and raconteur Stuart Jamieson gave this definition of toilet tissue in the Seneca language: cat-ta-log.

DUKES OF DIXON: Bob Peregoy, recently relocated from Fresno, California to

the Flathead Reservation in Dixon, MT, is trying to introduce a new Indian newspaper with a contemporary flavor. The name? *Smoking Leaves.*

SON OF QUANTUM: A demure new employee of the BIA central office in Washington, D.C., was recently asked by her new boss if she were 100 percent Indian. "Oh, no" she replied, "my grandfather was a full-blooded white man."

ON ANOTHER FRONT: Parrying the often asked question of, "Are you Indian on both sides?" Kiowa Mike Poolaw shot back, "Yup. Front and back."

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Belcourt seeks funds to ease housing hassle

BELCOURT - Under an agreement negotiated with disgruntled homebuyers, the Turtle Mountain Housing Authority has requested \$1.6 million in additional federal funds to make repairs in 186 new homes on the Turtle Mountain Reservation.

MANY OF THE HOMEBUYERS had been withholding their monthly payments, claiming that poor construction and lax oversight had resulted in cracks in basement walls and other problems in their federally subsidized homes.

The 186 houses were built several years ago under the U.S. Department of Housing and Urban Development's Turnkey III program, which allows low-income families to own homes through a lease-purchase arrangement. To finance the program, HUD makes an annual payment to participating housing authorities.

SMALLER TURNKEY III PROGRAMS are operated at Standing Rock, Ft. Berthold and Ft. Totten reservations. All are finding some homebuyers delinquent in their payments, and the Ft. Berthold and Ft. Totten housing authorities have heard complaints about homesites.

But the situation was most acute at Turtle Mountain. The optimistic Turnkey III program turned sour there last spring, when 20 families faced eviction for withholding payments. At that point, the tribal court requested the assistance of mediators from the U.S. Justice Department's Community Relations Service.

THROUGH THEIR MEDIATION, an agreement was reached last summer between the Turtle Mountain Housing Authority and the Turtle Mountain Homebuyers Association, representing the 186 Turnkey families.

Requirements in the agreement included an assessment of housing defects and request for funding for repairs, full monthly payments by homebuyers retroactive to July 1, an audit of the program, and better communications.

Fred Monette, director of the housing authority, told *United Tribes News* that as a first step in the agreement, his office has submitted to HUD a request for \$1.6 million for repairs and new appliances, based on cost estimates compiled by inspectors from the Federal Housing Authority and the Public Health Service.

AT THE SAME TIME, Monette charged that several dozen Turnkey III homebuyers "still are not paying at all." Under the agreement, eviction proceedings can be initiated against persons not making full monthly payments.

Willard Champagne, vice chairman of the homebuyers association, would not respond to Monette's charge, claiming that under the agreement only the Justice Department was to release information.

Monette said that when the homes were being built, the housing authority was "too lenient" on the local Indian contractors, and the Public Health Service devised

inadequate sewage specifications. As a result, he said, sewage backed up into basements, causing most of the problems.

MONETTE SAID THAT WHEN the FHA team inspected the 186 homes recently, they found defects in all, such as cracked basements, warped doors and bad sewers and insulation.

However, the manager of the housing contractors, Turtle Mountain Builders and Supply, Inc., stood behind the quality of the construction and said he's "getting tired of TMBS being the patsy in this."

J. J. Monette, Fred's brother, said "I don't think you'll find FHA homes anywhere in the country built better than them." Problems, he contended, were caused by poor well and sewage planning by the Public Health Service, location of a number of the homes on marshy land, and lax upkeep by tenants.

FRED MONETTE SAID HE HAS NO IDEA how soon the special funding request might be approved. "HUD in Denver will review the proposal and send it on to Washington, where the decision will be made," he said.

If HUD approves the request, a construction contract for the work will be advertised competitively. A one-year warranty is required to cover all construction work and new appliances.

our lore



On dying

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

When one of our people died, all the relatives helped to prepare the body for burial. He was dressed in his finest clothes and paint, and given his pipes, tools and weapons. We placed food and water with the body, too, so that the person might be comfortable on his journey.

The body and all the individual's important possessions were wrapped tightly in buffalo skins. This was placed on a scaffold which was made of four poles (these were taller than a man could reach or an animal jump) and a platform of small branches. In the winter when the ground was frozen, we built a scaffold in a tree.

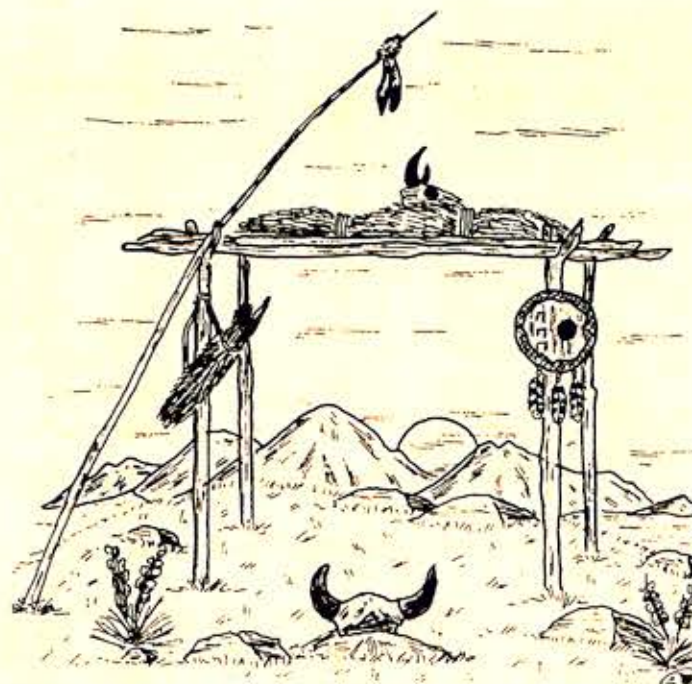
The Sioux, Mandan and Hidatsa had honored everything in the universe as a spirit and a part of the Great Spirit. They placed the dead on a scaffold as an offering to the Great Spirit.

OTHER TRIBES, like the Arikara and Chippewa, buried their dead in the ground. It made sense, since they were farmers and had taken their food from the earth, to give their bodies back to Mother Earth after death.

We distributed the possessions of the dead person to family and friends who could use them. We believed the spirit of the man still lived in these things and hoped that all who received them would be glad to have a remembrance of the dead man.

We felt sincere grief and mourned the death of our family and friends. Women cut their hair and wore old clothes as a sign of mourning. If they lost a husband or son, they may have cut their faces or legs. Some women cut one or more joints off their fingers. They would wear a sign, then, for the rest of their lives of the deep grief at their loss.

When the Sioux scaffolds decayed, we buried the bones in a special gravesite. In the center of this site was a mound with a male and a female buffalo skull. These had been the animals who gave us food for life, and we revered their death also. Relatives visited the site of the burial often to show their affection for the dead.



The Chippewa Indians were very respectful and serious in the presence of death. Although different methods were common in burying the dead, the one most widely used was the Midewiwin religious ceremony.

As soon as an Indian died, his family or friends wrapped him in leather or blankets and put him in the center of the tipi or house. The women then cooked a feast. They might serve a soup of wild rabbit or deer meat, fry bread and herb tea. Two of the older men sat by the body smoking a peace pipe.

The principal purpose of the feast and pipe smoking was to make the last offering to the dead person on his way to the happy hunting grounds. After the feast the women would make a little pouch and put in some of the deceased person's favorite foods, pipe, and tobacco [kinnikinnik], and place this on his right hip. This was to supplement him on his journey to the land of plenty.

They then proceeded to lay him out on the ground. Every one present brought a gift [food, tobacco, cloth, or skins]. These were placed atop the grave, a hole about three feet deep, with the body placed with his head toward the west. The purpose is to have the sunshine on him forever.

The men then built a fire which they kindled for four nights to keep the deceased warm on his four* night journey to the happy hunting ground. The gifts of food, skins, etc., were left on the grave for passers or anyone desiring to visit a while and partake with the deceased.

*four - sacred number, represents four seasons, also four directions.

Charlie Cree
Turtle Mountain

Belcourt hospital resumes care

BELCOURT - The Indian Health Service Hospital here has resumed most inpatient care, following a month-long interruption caused by airborne infection in the facility.

A staphylococcus bacteria infection was discovered two months ago during a routine culture check, causing officials to transfer inpatients to Rolla, Rugby, Rolette and Minot Air Force Base hospitals. Outpatient care was not affected.

Jim Hughes, assistant administrator of the 50-bed hospital, told UNITED TRIBES NEWS that a month was spent scrubbing and rebuilding the ventilation system, where the infection was found to have originated.

On Sept. 22, Hughes said, the hospital reopened all but its obstetrics and surgery facilities to inpatients. Deliveries and surgery will be contracted out to Rolla and Minot AFB hospitals until Nov. 15, he said.

Native recipes

FRY BREAD

(Makes 3 flat, round loaves, about 10" in diameter, 1/2" thick)

5 cups flour
1 teaspoon salt
2 cups milk
2 tablespoons baking powder
1 tablespoon melted butter or margarine cooking oil for frying the bread

1. Sift 4 cups of the flour with the baking powder and salt.
2. Combine milk and melted margarine or butter.
3. Place flour-baking powder mixture in a large bowl, and add the liquid ingredients a little at a time, beating them in at first with an egg beater.
4. When the four cups have been worked into a soft dough with the milk, lightly flour a board with part of the remaining 1 cup of flour. Turn the dough out onto the board, and knead lightly, working in the rest of the flour.
5. Divide the dough into three parts, and shape each into a round pone about 1/8" thick and a diameter to fit the skillet to measure about 1/4" deep.
6. Heat the oil, and brown the breads quickly, one at a time, until golden on both sides.
7. Spread with any meat mixture or jam or stewed dry fruits. Cut into wedges and serve at once.

UTETC gets education, social service heads

The United Tribes Employment Training Center has appointed Mike Ward, 30, as dean of education and Felix White Jr., 42, as social services manager.

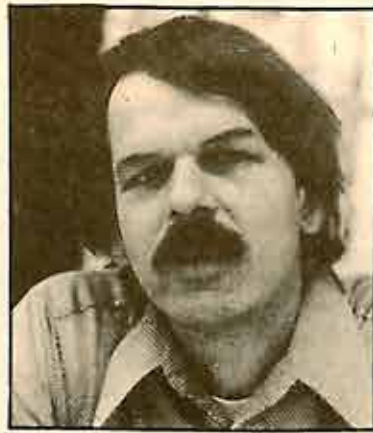
Ward, a Eureka, CA, native, had served as federal programs coordinator at Pine Ridge, SD, for the past three years.

WARD STARTED in the UTETC position Oct. 9, replacing Bob Cartwright, who had served as acting education manager for more than two years. Cartwright now is vocational supervisor.

The title "education manager" was changed to "dean of education" at the last meeting of the United Tribes board of directors.

White previously served as counselor and coach in the Winnebago, NB, school system, where he was born and raised.

Under the new structure created by the board, White will become assistant dean of education when the name change is finalized. He started here on Oct. 20, replacing Max Dickens, who returned to his original position as career counseling



Ward



White

East Central College, OK, Master's Degree. White has five children: Felix, Crystal, John, Carol and Marilyn.

Ward will be managing all educational programs at UTETC, including adult education, the child development center and the elementary school.

He earned his B.A. degree in Spanish and history from California Baptist College in 1967 and his Master's degree in education from Arizona State College in 1972. He studied early childhood education at Oxford University and education administration at Black Hills State College, and currently is earning his Ph.D. in education from Arizona State College.

supervisor.


White feels his position is primarily responsible to the students. When asked if he planned to make any changes, he replied, "I'm a coach . . . I like to make sure that what is proposed to be done, is done, if it

isn't feasible, we'll change it so it is operable."


Among the educational institutions White attended are Baconne Junior College, OK; Omaha State University, NB; Northeastern State College, OK, B.S. in education; and

HIS WIFE, the former Marlene Burr of Ft. Berthold, is the new child development center director at UTETC. She holds a B.A. from Dickinson State and is finishing her Master's degree at Black Hills State College.

The Wards have three children: Michael, 15; David, 13; and Chereese, 2.




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the Mandans

Circular dwellings made of earth, grass and logs. Remnants of an extinct way of life.

The Slant Indian Village four miles south of Mandan, ND, gives a brief glimpse of the Mandan Indian culture.

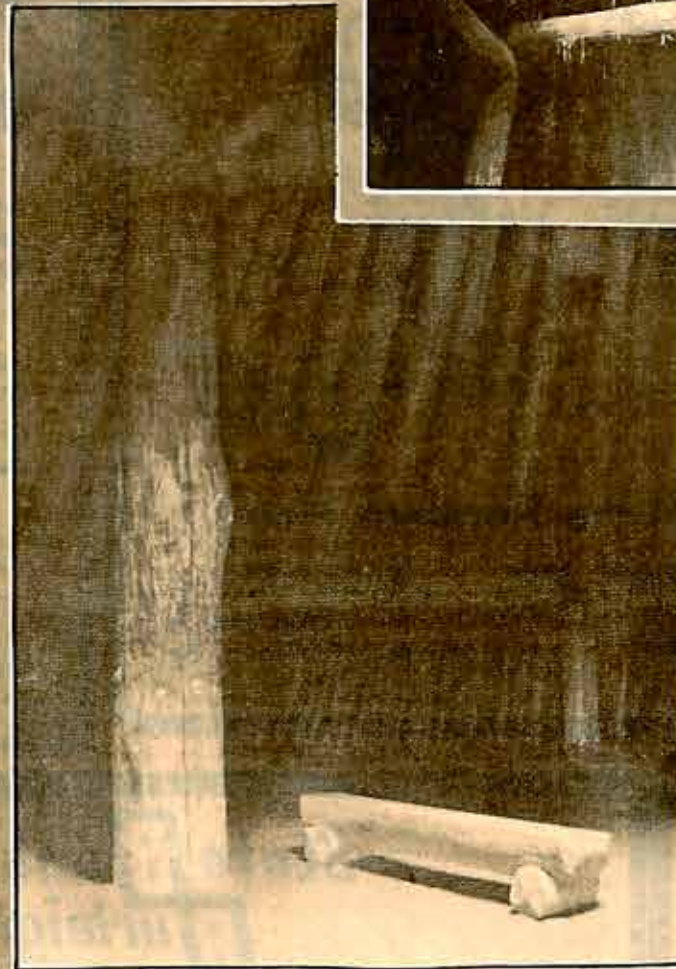
The Mandans were a peaceful agricultural people. They cultivated a surplus crop to trade with other tribes for needs they could not obtain themselves. The coming of the white people increased their trade, but it built animosity with the Assiniboine, Cree and Sioux Tribes who wanted the white man's trade.

At one time the Mandan numbered 9,000. But white people brought epidemics of smallpox, whooping cough, cholera and measles which reduced the tribe to 133. Today there is not a full-blood Mandan alive.

They had very close family relationships. Each lodge housed grandparents, parents, cousins, uncles, aunts, brothers and sisters.

The site of the Slant Indian Village was occupied by the Mandans in about 1650. The village spanned seven acres and had 75 earth lodges. There are five reconstructed earth lodges at the site.

Story and photos by Karen Hilfer



The interior of the earth lodges. The above photo shows the center opening left for the release of smoke from the lodge fire.

The left photo shows a roof support poles felled through the use of fire.



Mathie Grinnell, the last full blooded Mandan, lived to be 108 years old. She died in January, 1975.



The Slant Indian Village overlooks the Missouri River.

Means and Flute chide feds

DENVER — In a joint meeting here Oct. 23, federal officials were roundly criticized by regional Indian leaders, including Warren W. Means, United Tribes executive director, and Jerry Flute, chairman of the United States board of directors.

The day-long meeting was called by the Federal Regional Council (FRC), composed of the regional directors of 10 federal agencies, to give Indian leaders in the Rocky Mountain federal region an opportunity to make "completely candid" comments about FRC assistance to the region's 23 tribes.

A MAJOR CRITICISM regarded the dissolution of the Interagency Indian Committee, which had issued a report last February isolating problems on the reservations with which the council could involve itself. The committee had operated for two years under council auspices, but it was not renewed when its work ended earlier this year.

"The committee was never allowed to function with the tribes as it should have been," Means told the council members. He asked why it had been abolished.

Moderator William Rodgers, special assistant to the secretary of the Interior, said the council had decided to try dealing with the tribes directly rather than through the committee.

Means responded by noting that several council members were not at the morning session. "Despite the FRC's efforts," he said, "apparently a meeting with Indian people is secondary."

FLUTE, CHAIRMAN OF the Sisseton-Wahpeton Sioux, was critical of the Economic Development Agency. He told EDA Director Craig Smith that none of his tribes projects had been funded by EDA, despite the fact that his tribe and other tribes had recommended that the agency be continued. Other leaders also told Smith the agency was unresponsive to Indian needs.

Smith said that EDA funds had been reduced from \$15 million to \$9 million last year.

Earl Oldperson, chairman of the Blackfeet Tribe, complained that Indians are pitted against one another for shrinking federal funds.

Two remind Rocky

DENVER — Two regional Indian officials were among numerous people who caught Vice President Nelson Rockefeller's ear at a federally sponsored "forum on domestic policy" here Oct. 22.

Robert Burnett, chairman of the Rosebud Sioux Tribe, complained that Indians have been excluded from the nation's wealth. "We want a piece of that economic pie you have been cutting up all these years," he told Rockefeller.

ANGELA RUSSELL, DIRECTOR of community education for the Crow Tribe, said the Crow should be granted taxing rights on reservation coal, and urged state and federal recognition of the tribe's sovereignty.

"We want our own laws that will assure the greatest social and economic benefits for the development of our coal," she said.

Old Ree Road dispute

[continued from back page]

A tentative agreement was made that summer after the lawsuit. The roadblock came down for three months, the cottagers used the road and Willard Little Owl was paid \$200. But it didn't work.

"THINGS WERE JUST LIKE BEFORE, trash and garbage on the road, my gates left open and my cattle getting loose," said Willard.

So in October, the roadblock went back up. And the next spring, so did another one, on down the road. This was the Three Affiliated Tribes' and the BIA's blockade. The tribal business council had requested it and the BIA put it up.

Then it was back to court, with the cottagers now suing the Little Owls, the Three Tribes and the BIA and demanding removal of the blocks and \$350,000 in damages. Again Judge Van Sickle said "no." The cottagers had not exhausted the administrative remedies in order to gain access to the road before going to court.

Today, the roadblocks remain. The cottagers reach their houses by boating across Mahto Bay.

At the same time pressure is also coming from the top, from BIA offices in Washington, for the Three Tribes to remove their roadblock.

"I've seen some letters," says Rose Crow Flies High, chairwoman of the tribal business office. "The BIA wants to use our council as a rubber stamp and force us to open the road."

WHAT HAPPENS NOW MAY INDICATE how much independence the Tribes really have in determining how Ft. Berthold land will be used and how much development will be allowed along the lake.

"It's an old story with the Indians getting screwed," says Ralph LePera, the United Tribes of North Dakota Development Corp. attorney who successfully defended the Little Owls and Three Tribes in the last court battle.

"You have the BIA, which is supposed to hold the Indian lands in trust and protect the interests of the reservations and tribes. And then you have other departments and agencies like the Corps and the BLM (Bureau of Land Management) who come along and determine the land will be used for other purposes. In this case, a recreational area. It's a conflict of interest within the government structure that leaves the Indians

news briefs

Fannin cool to Yaquis

WASHINGTON — A bill to extend full federal recognition to the Pascua Yaqui Indians of Arizona has been introduced into the House of Representatives by Rep. Morris Udall, D. Ariz., but it is unlikely that a similar bill will be introduced on the Senate side this year.

"Legal and cultural complications" — and political opposition from Arizona's federally recognized tribes — are dissuading Sen. Paul Fannin, (R, Ariz.) from drafting a similar bill for Senate action.

Fannin's aides say the Republican senator has made "neither a negative or a positive decision on that bill," but one key determinant would be an independently generated tribal roll for approximately 5,000 Yaquis in Arizona. Either a special congressional census appropriation would be required, says one Fannin aide, or the BIA could determine the actual Yaqui census enrollment.

Blasts hit Pine Ridge

PINE RIDGE, SD — FBI agents were investigating a series of reported dynamite bombings that extensively damaged two offices of the Bureau of Indian Affairs, a tribal courthouse and an electric transformer on the Pine Ridge Reservation.

Noone was injured in the Oct. 13 blasts, and the reservation was quiet as the FBI questioned residents about the early-morning incident.

TRIBAL CHAIRMAN Richard Wilson blamed the American Indian Movement for the explosions. The charge was denied by AIM National Director Clyde Bellecourt, who blamed the John Birch Society, which he said was trying to discredit AIM.

Robert McMullen, BIA supervisor of criminal investigations, said the blasts occurred in the BIA administration building, the BIA Law and Order office, the Oglala Sioux Tribal courthouse and in a Nebraska public power substation nearby.

4 innocent, 6 guilty

BISMARCK, ND — Four defendants have been found innocent and six guilty in U.S. District court on charges of interfering with U.S. Marshals and FBI agents during the 1973 Wounded Knee, SD, incident.

ACQUITTED WERE Richard D. McArthur, Melvin L. Houston, John M. Thomas and Lawrence A. Tennecour. Presiding Judge Bruce Van Sickle ruled the felony charge against them was not proved beyond a reasonable doubt.

Joseph Bill, Martina White Bear, Sioux Casper, Christopher O. Land, Richard J. Garnier and Geneva Red Feather were found guilty and present bond arrangements were continued.

Sentences will be passed after a presentence report is filed.

The case, originally in U.S. District Court in Sioux Falls, SD, was transferred to Bismarck in July after the defendants requested the move "in the interest of justice" and for the convenience of the involved parties.

Utes assert power

SALT LAKE CITY — The Ute Indian Tribe has filed suit for the right to apply tribal laws to non-Indian towns situated within reservation boundaries.

The 1,600 member tribe filed suit in U.S. District Court, naming the towns of Roosevelt and Duchesne and the State of Utah as defendants.

Ute leaders maintain that if state officials can prosecute Indians who violate state laws off the reservation, the tribe should have the right to prosecute non-Indians who violate Ute laws on or affecting the eastern Utah reservation.

State and local officials maintain the Ute Tribe has no jurisdiction in communities carved out of the Uintah and Ouray Reservation years ago under townsite and homestead acts. The Indians were paid for the land.

Another task force

WASHINGTON — The target of much Indian criticism, the U.S. Department of Housing and Urban Development has created a HUD Task Force on Indian Housing Programs which will recommend "policy alternatives" and "field organization to best support Indian programs" by Nov. 1 to HUD Chief Carla A. Hills.

Task Force co-chairmen are Reaves Nahwooksy (Comanche), HUD coordinator for Indian programs; and William E. Hallett (Chippewa), HUD Denver regional office special assistant.

Osage told terms

WASHINGTON — Commissioner of Indian Affairs Morris Thompson has announced regulations for administering more than \$1 million for socio-economic and educational programs for the Osage Indian Tribe of Oklahoma.

THE FUNDS ARE PART of a \$13.3 million award made to the tribe by the Indian Claims Commission for land ceded by the tribe under treaties made more than 150 years ago.

According to the proposed regulations, now published in the *Federal Register*, only the interest or income from the fund will be expended and only descendants of persons listed on a 1908 tribal roll are eligible for assistance from the fund.

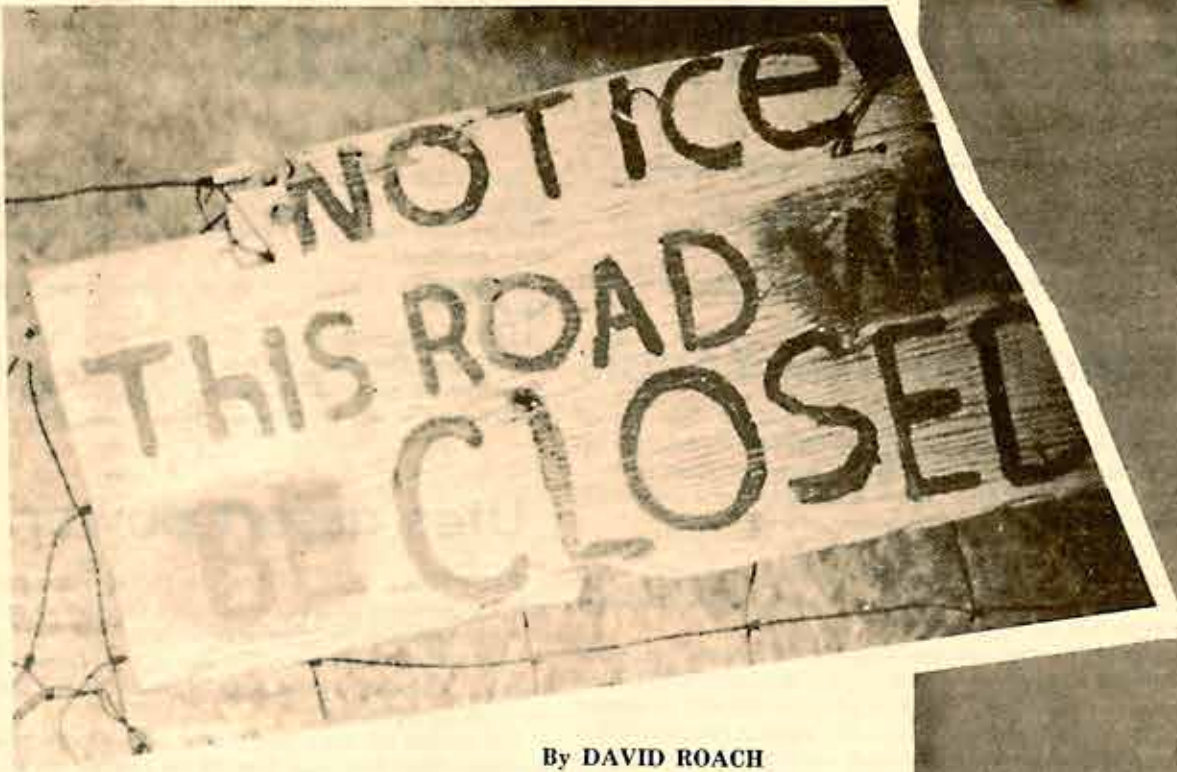
ANTIOCH SCHOOL OF LAW RECRUITING NATIVE AMERICANS

The Antioch School of Law in Washington, D.C. is actively recruiting Native American students to enter the school in September 1976. The School, the nation's first law school to incorporate a law firm - the Urban Law Institute - at the core of its academic program, emphasizes a clinical approach to the study of law, where the students learn by doing. Students are actively involved in serving the poor in Washington at the same time they work towards the Juris Doctor degree. Also offered is a comprehensive fourteen to eighteen month legal technician program for certifying successful graduates in assisting attorneys. A college degree is not required for entrance to the legal technician program.

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By DAVID ROACH



Ralph Little Owl

Standing on the very edge of the "taking area," at the mouth of Mahto Bay where Lake Sakakawea laps and breaks below, you can scan the bay's width and, looking straight across, see bulging hills and buttes on the distant shore. Those hills, along with the floor of the bay before you, was sacred ground of the Mandan Indian. It was holy ground that held the lore and legends of generations.

In the early 1950's when the Corps of Engineers condemned that area - the heart of Ft. Berthold Reservation - built Garrison Dam, and flooded the land, forming Lake Sakakawea, the land with its heritage and lore was lost.

THIS STORY IS ABOUT THE LOSS OF INDIAN LAND. Ultimately, it is about a narrow strip of land that winds through the hills behind you and about the road that runs along that strip. If while still standing on the edge of the "taking area," you turn half-circle, you will see the road. The Old Ree Road. The rutted, dirt trail that brought you here to the mouth of Mahto Bay and the trail that brings the owners and summer residents of the 13 summer homes perched on the shoreline directly off to your left to their frontdoors.

Or used to bring them. For if you travel southwest along Old Ree Road as it jogs and bends over and around the hills of grazing land there, you will come to Ralph Little Owl's property and there will be a roadblock. Willard Little Owl, Ralph's son, put it up the summer of 1973. Further down the road is another barricade. This one belongs to the Three Affiliated Tribes and the BIA. It went up the spring of 1974.

Ralph Little Owl owns part of the land Old Ree Road traverses. He owns the land the first roadblock rests on. The Three Tribes own the land on down and the land the second roadblock sits on. Thirteen cottagers own lots and the cabins on the lots at the tip of Mahto Bay. The road - Old Ree Road - is the only trail leading to their cabins.

SINCE THE ROADBLOCKS WENT UP, two lawsuits have been filed by the cottagers to open the road, the last suit demanding \$350,000 in damages. A third suit was filed in 1974 by the County of Mercer, ND, in whose boundries the area lies, against Ralph Little Owl, condemning and taking that stretch of road across his property. Mercer County won the case, and all that remains is settling the amount of compensation to be given Little Owl.

The Three Affiliated Tribes has recently felt pressure from Washington, D.C. and the superintendent's office of the BIA at Berthold to tear down their blockade and give the cottagers access to the road.

What transpires in the next few months, in the next year - whether the roadblocks go or stay - may tell the story of how the shoreline of Lake Sakakawea will be developed, of who holds the power at Ft. Berthold.

The story began with the Corps of Engineers and the building of Garrison Dam over 20 years ago. The "taking area" was valley land condemned by the U.S. government and flooded by the dammed-up Missouri River, forming Lake Sakakawea. Portions of the "taking area" which the water level never reached remain along the lakeshore. In October of 1962, the Corps sectioned off 20 lots of the shoreline taking area on Mahto Bay and put the lots up for sale at a public auction. The lots were designed for recreational use and a quarter mile south of the lots, the Corps expended \$50,000 building a boat landing to enhance the area.

THIRTEEN LOTS WERE SOLD DURING THAT YEAR and the next to 13 white families from around the state. During the next few years, 13 summer homes valued from \$15,000 to \$35,000 were constructed. Old Ree Road, formerly an old Indian service road, giving access to two or three Indian families grazing cattle in the area, saw heavy use during the building of the cabins and regular traffic since then.

The advertisements and bill of sales for the cottage lots expressly stated the government was not responsible or liable for access roads to the lots. The buyers of the land were well aware of that condition. "We weren't stupid," said Floyd Robb, son of one of the cottage owners. "We had a gentleman's agreement with the Corps and the County of Mercer that easements would be secured from the Indians who owned the road and the county would maintain that road."

"Yes, there was that agreement," concedes Albert Bouman, Mercer County Commissioner. The county did grade Old Ree Road and throw down some gravel. In the early '60s, the county also secured some consents to easements from the Indians whose land the road crossed.

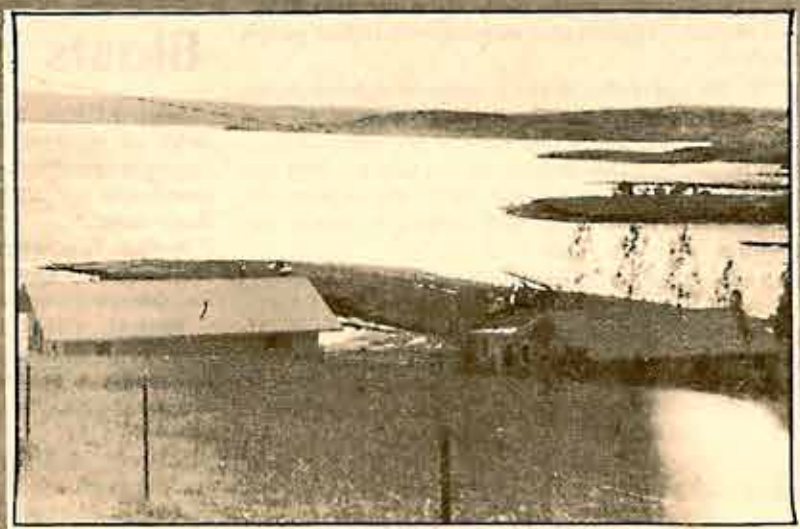
But they were the wrong easements. The documents described a non-existent road a half a mile south of the Old Ree.

"The county knew they had the wrong papers," says Ben Kirkaldie of the BIA Realty Office in New Town. "We wrote them and told them, but they never followed up on it."

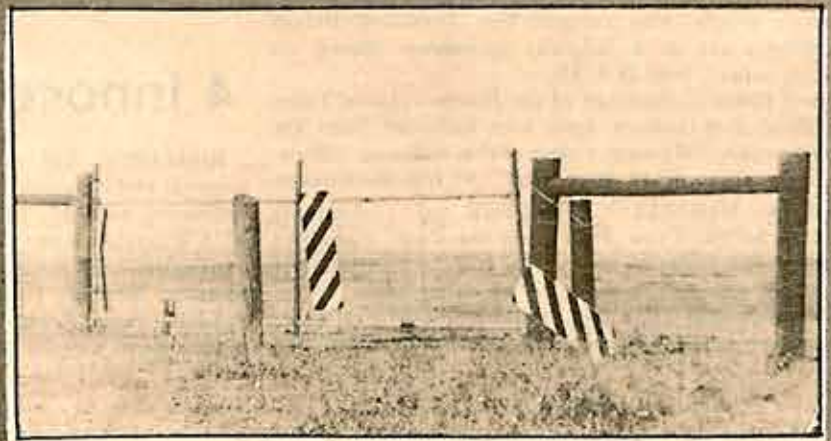
"IT WAS CARELESSNESS ON OUR PART, that's all," admits Bouman.

In the early '70's, Willard Little Owl took over use of his father's land to begin a cattle business. His father earlier had lost a work horse, hit by a car or truck on the road. Willard would loose two head of cattle and a dog in similar accidents. It was in May of 1973 that those losses, the trash and litter thrown from passing cars and the stark reality of his land being used and abused by someone else without compensation to him became too much. That's when, after learning of the error in the easement consent, Willard boarded up Old Ree Road where it crossed his land.

That prompted the first lawsuit by the cottagers, asking that the roadblock be torn down. U.S. District Court Judge Van Sickle in Bismarck said "No." The block would remain. His court had no jurisdiction.



Two of the 13 summer homes that sit on the shore of Mahto Bay.



One of the barricades that helped to spark the furor.

